

necessary to pay the direct compliance costs incurred by the tribal governments or EPA consults with those governments. If EPA complies by consulting, E.O. 13084 requires EPA to provide to the OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, E.O. 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities." This action does not significantly or uniquely affect tribal communities, so E.O. 13084 does not apply.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This final rule will not have a significant impact on a substantial number of small entities, because SIP approvals under section 110 and Subchapter I, Part D of the CAA do not create any new requirements but simply approve requirements that the state is already imposing. Therefore, because the Federal SIP approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities. Moreover, due to the nature of the Federal-state relationship under the CAA, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co., v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

F. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that

may result in estimated annual costs to state, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated annual costs of \$100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under state or local law and imposes no new requirements. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the U.S. Comptroller General prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

H. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 1, 1999. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. [See section 307(b)(2).]

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by

reference, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: March 16, 1999.

Dennis Grams,

Regional Administrator, Region VII.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 USC 7401-7671q.

Subpart AA—Missouri

2. Section 52.1320 is amended by adding new paragraph (c)(112) to read as follows:

§ 52.1320 Identification of plan.

* * * * *

(c) * * *

(112) Revisions submitted on November 13, 1998, and December 7, 1998, by the MDNR that modify Missouri's Out-state Open Burning Rule and add sampling methods to Missouri's Sampling Method Rule, respectively.

(i) Incorporation by reference:

(A) Revisions to Missouri rule 10 CSR 10-3.030 entitled "Open Burning Restrictions," effective August 30, 1998.

(B) Revisions to Missouri rule 10 CSR 10-6.030 entitled "Sampling Methods for Air Pollution Sources," effective November 30, 1998.

[FR Doc. 99-7905 Filed 3-31-99; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF LABOR

Office of Federal Contract Compliance Programs

41 CFR Parts 60-250 and 60-999

Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Special Disabled Veterans and Vietnam Era Veterans; OMB Control Numbers for OFCCP Information Collection Requirements

AGENCY: Office of Federal Contract Compliance Programs (OFCCP), Labor.

ACTION: Final rule.

SUMMARY: This rule informs the public that the Office of Management and Budget (OMB) has approved, under the Paperwork Reduction Act of 1995 (PRA), the collection of information requirements contained in the OFCCP

rule published on November 4, 1998, which revised the regulations implementing the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (VEVRAA). OMB has approved of these revisions under existing PRA control numbers. This rule republishes the table of OMB central numbers in the Code of Federal Regulations.

DATES: This rule is effective April 1, 1999. Information collection requirements contained in the final rule which revised part 60-250 published at 63 FR 59630 have been approved by OMB and must be complied with as of April 1, 1999.

FOR FURTHER INFORMATION CONTACT: James I. Melvin, Director, Division of Policy, Planning, and Program Development, Office of Federal Contract Compliance Programs, Room N3424, 200 Constitution Avenue, NW, Washington DC 20210. Telephone: (202) 693-0102 (voice). Copies of this rule in alternate formats may be obtained by calling OFCCP at (202) 693-0102 (voice). The alternate formats available are large print, an electronic file on computer disk and audiotape. This document also is available on the Internet at <http://www.dol.gov/dol/esa>.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act Approval

On November 4, 1998, OFCCP published a final rule (63 FR 59630) revising its regulations at 41 CFR part 60-250 implementing the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212 (VEVRAA). VEVRAA requires Government contractors and subcontractors to take affirmative action to employ and advance in employment qualified special disabled veterans, veterans of the Vietnam era, and other designated veterans.

OFCCP reviewed the collection of information aspects of the rule in accordance with the PRA and OMB implementing regulations published at 5 CFR part 1320. OFCCP believes that the rule will not result in an increase in paperwork burdens from what was previously required by the OFCCP regulations. In accordance with the PRA, OFCCP submitted to OMB the information collection requirements contained in the rule. OMB approved the information collection requirements in the rule as revisions to existing PRA control numbers 1215-0163 (Construction) and 1215-0072 (Supply and Service).

In accordance with OMB recommendations, 5 CFR 1320.3(f)(3), OFCCP publishes a single table in 41 CFR part 60-999 that lists the OMB-assigned control numbers for information collection requirements contained in OFCCP rules. The list of OMB-assigned control numbers published at 41 CFR Part 60-999 is republished and remains unchanged.

List of Subjects in 41 CFR Part 60-999

Reporting and recordkeeping requirements.

Signed at Washington, D.C. this 25th day of March, 1999.

Bernard E. Anderson,
Assistant Secretary for Employment Standards

Shirley J. Wilcher,
Deputy Assistant Secretary for Federal Contract Compliance.

Part 60-999 of title 41 of the Code of Federal Regulations is hereby amended as follows:

PART 60-999—[AMENDED]

1. The authority citation for part 60-999 continues to read as follows:

Authority: 44 U.S.C. Ch. 35.

2. Section 60-999.2 is republished further convenience of the reader to read follows:

§ 60-999.2 Display.

41 CFR Part where the information collection requirement is located	Current OMB control No.
Part 60-1	1215-0072, 1215-0131, 1215-0163.
Part 60-2	1215-0072.
Part 60-3	3046-0017
Part 60-4	1215-0163.
Part 60-20	1215-0072, 1215-0163.
Part 60-30	1215-0072, 1215-0163.
Part 60-40	1215-0072, 1215-0163.
Part 60-50	1215-0072, 1215-0163.
Part 60-250	1215-0072, 1215-0131, 1215-0163.
Part 60-741	1215-0072, 1215-0131, 1215-0163.

[FR Doc. 99-7835 Filed 3-31-99; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AE38

Endangered and Threatened Wildlife and Plants; Final Rule To List the Flatwoods Salamander as a Threatened Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the Fish and Wildlife Service, determine the flatwoods salamander (*Ambystoma cingulatum*) to be a threatened species under the authority of the Endangered Species Act of 1973, as amended (Act). This salamander occurs in isolated populations scattered across the lower southeastern Coastal Plain in Florida, Georgia, and South Carolina. Habitat loss and degradation from agriculture, urbanization, and silvicultural practices have resulted in the loss of more than 80 percent of its pine flatwoods habitat. Surviving populations are currently threatened by the continued destruction and degradation of their habitat. This action extends the protection of the Act for the flatwoods salamander.

EFFECTIVE DATE: May 3, 1999.

ADDRESSES: The complete administrative file for this rule is available for inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service, Jackson Field Office, 6578 Dogwood View Parkway, Jackson, Mississippi 39213.

FOR FURTHER INFORMATION CONTACT: Ms. Linda LaClaire at the above address, or telephone 601/965-4900, extension 26; facsimile 601/965-4340.

SUPPLEMENTARY INFORMATION:

Background

The earliest reference to the flatwoods salamander, *Ambystoma cingulatum*, was by Cope in 1867 from specimens he collected in Jasper County, South Carolina (referenced in Martof 1968). This salamander is a member of the family Ambystomatidae, the mole salamanders, which contains 15 North American species. Shaffer *et al.* 1991, conducted a phylogenetic (evolutionary history or genealogy) analysis of ambystomatid salamanders and determined that the flatwoods salamander is most closely related to the ringed salamander (*A. annulatum*), which occurs in portions of Arkansas, Missouri, and Oklahoma.