

Dated: August 13, 1998.

W. Michael McCabe,
Regional Administrator, Region III.

40 CFR Part 52 is amended as follows:

PART 52—[AMENDED]

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

Authority: 42 U.S.C. 7401et seq.

Subpart NN—Pennsylvania

2. Section 52.2020 is amended by adding paragraphs (c)(135) to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(c) * * *

(135) Revisions to the Pennsylvania State Implementation Plan consisting of contingency measures for USX Clairton in the Liberty Borough PM-10 Nonattainment Area, submitted on July 12, 1995 by the Pennsylvania Department of Environmental Protection:

(i) Incorporation by reference.

(A) Letter of July 12, 1995 from the Pennsylvania Department of Environmental Protection transmitting a SIP revision for contingency control measures for USX Clairton Works located in Liberty Borough PM-10 nonattainment area of Allegheny County.

(B) Revision to Allegheny County's Article XXI applicable to USX's Clairton Coke Works, effective July 11, 1995 specifically:

(1) Revisions to section 2105.21.e included in Appendix 34 which require improved procedures to capture pushing emissions for all USX-Clairton batteries except Battery B.

(ii) Additional Material—Remainder of the July 12, 1995 submittal.

3. Section 52.2059 is amended by adding paragraph (b) to read as follows:

§ 52.2059 Control strategy: particulate matter.

* * * * *

(b) EPA approves the PM-10 attainment demonstration for the Liberty Borough Area of Allegheny County submitted by the Pennsylvania Department of Environmental Protection on January 6, 1994.

[FR Doc. 98-24040 Filed 9-4-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[VA 011-5034a; FRL-6155-9]

Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Commonwealth of Virginia; Control of Total Reduced Sulfur Emissions from Existing Kraft Pulp Mills

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving the 111(d) plan for Kraft pulp mills submitted by the Commonwealth of Virginia. The plan requires the control of total reduced sulfur (TRS) emissions from existing Kraft pulp mills. The Virginia plan establishes emission limits for existing Kraft pulp mills, and provides for the implementation and enforcement of those limits. The intended effect of this action is to approve the plan which was submitted in accordance with the Clean Air Act (the Act).

DATES: This direct final rule is effective on November 9, 1998, without further notice, unless EPA receives adverse comments by October 8, 1998. If adverse comments are received EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Comments may be mailed to Makeba A. Morris, Chief, Technical Assessment Branch, Mailcode 3AP22, Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the following locations: Air Protection Division, Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; and Commonwealth of Virginia, Department of Environmental Quality, 629 East Main Street, Richmond, VA 23219.

FOR FURTHER INFORMATION CONTACT: Artra B. Cooper at (215) 814-2096, or by e-mail at cooper.artra@epamail.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The Act requires that states submit plans to EPA to implement and enforce the Emission Guidelines (EG) promulgated for Kraft pulp mills pursuant to Section 111(d). As required by section 111(d) of the Act, EPA

established a process at 40 CFR Part 60, Subpart B, which is similar to the process required by section 110 of the Act, which the states must follow for adopting and submitting 111(d) plans. Subpart B provides that, once a standard of performance for the control of a designated pollutant from a new source category is promulgated, the Administrator will then publish an emission guideline (E.G.) and guideline document applicable to the control of the same pollutant from designated (existing) facilities. The E.G. and related information were provided in a guideline document entitled "Kraft Pulping—Control of TRS Emissions from Existing Mills" (March 1979).

On May 15, 1990, the Commonwealth of Virginia submitted its Kraft pulp mill 111(d) plan for the control of TRS from existing kraft pulp mills to EPA for approval. The plan consists of regulations and consent agreements with the affected facilities within the Commonwealth. EPA has determined that the plan meets the requirements of 40 CFR Part 60, Subpart B. The Virginia regulation entitled: "Regulation for the Control and Abatement of Air Pollution, VR 120-01, Part IV, Rule 4-13, Emission Standard for Kraft Pulp Mills," is the regulatory portion of Virginia's 111(d) plan. This regulation provides for control of TRS emissions from Kraft pulp mills. The Commonwealth's regulation contains the emission limits found in the E.G. issued by EPA. The regulation includes emission limitations for applicable emission sources, provisions for compliance schedules, monitoring, record keeping and reporting requirements, all of which comport with the E.G. The regulation also requires operational standards for continuous monitoring systems, development and implementation of a quality control plan and submittal of control plans. The consent agreements included in the 111(d) plan were reached with the four affected facilities located within the Commonwealth of Virginia. They include the following sources: Westvaco Corporation—Covington, Union Camp—Franklin, Stone Container Corporation—Hopewell, and Chesapeake Corporation—West Point. These consent agreements provided interim emission limits while providing time for the affected facilities to comply with the E.G.-based limits. The consent agreements required compliance with the E.G.-based limits specified in the Commonwealth's regulation by no later than October 1994.

More detailed information on the requirements of Virginia's plan and EPA's evaluation are contained in the

Technical Support Document (TSD) accompanying this rulemaking. Copies of the TSD are available upon request from the EPA Regional Office listed in the ADDRESSES section of this document.

II. Final Action

EPA is approving the Commonwealth of Virginia's 111(d) plan for the control of total reduced sulfur emissions from Kraft pulp mills.

EPA is approving this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the 111(d) plan should adverse or critical comments be filed. This rule will be effective November 9, 1998, without further notice unless the Agency receives adverse comments by October 8, 1998. If EPA receives such comments, then EPA will publish a document withdrawing the final rule and informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this rule. Parties interested in commenting on this rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on November 9, 1998, and no further action will be taken on the proposed rule.

III. Administrative Requirements

A. Executive Orders 12866 and 13045

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review. The final rule is not subject to E.O. 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks," because it is not an "economically significant" action under E.O. 12866.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et. seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities (5 U.S.C. 603 and 604). Alternatively, the EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000. State

plan approvals under section 111 of the Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the federal action to approve the state plan does not impose any new requirements, EPA certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the Act, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The Act forbids EPA to base its actions concerning State plans on such grounds. *See Union Electric Co. v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

C. 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 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 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.

D. Submission to Congress and the General Accounting Office

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 Comptroller General of the United States 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).

E. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action approving The Commonwealth of Virginia's 111(d) plan for Kraft pulp mills must be filed in the United States Court of Appeals for the appropriate circuit by November 9, 1998. 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 62

Environmental protection, Air pollution control, Reporting and recordkeeping requirements, Total reduced sulfur.

Dated: August 27, 1998.

Thomas C. Voltaggio,

Acting Regional Administrator, EPA Region III.

40 CFR Part 62 is amended as follows:

PART 62—[AMENDED]

1. The authority citation for Part 62 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

Subpart VV—Virginia

2. Under existing heading, § 62.11610 is added to read as follows:

Total Reduced Sulfur Emissions From Existing Kraft Pulp Mills

§ 62.11610 Identification of plan.

(a) Title of Plan. Commonwealth of Virginia State Implementation Plan under section 111(d) plan for the Designated Facility—Kraft Pulp Mills.

(b) The plan was officially submitted by the Executive Director of the Department of Virginia Department of Air Pollution Control, on May 15, 1990.

(c) Identification of sources. The Plan includes the following Kraft Pulp Mills:

- (1) Chesapeake Corporation, West Point;
- (2) Stone Container Corporation, Hopewell;
- (3) Union Camp Corporation, Franklin; and

(4) Westvaco Corporation, Covington.
 (d) Article 13, 9 VAC—40—1690, Section 120—04—1304 (Standard for total reduced sulfur), effective October 1, 1989. This plan was submitted on May 15, 1990 by the Commonwealth of Virginia.

[FR Doc. 98-23888 Filed 9-4-98; 8:45 am]
 BILLING CODE 6560-50-P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 301-10

[FTR Amendment 73]

RIN 3090-AG75

Federal Travel Regulation; Privately Owned Vehicle Mileage Reimbursement

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Final rule.

SUMMARY: This final rule increases the mileage reimbursement rates for use of a privately owned vehicle (POV) on official travel to reflect current costs of operation as determined in cost studies conducted by the General Services Administration (GSA). The governing regulation is revised to increase the mileage allowance for advantageous use of a privately owned airplane from 85 to 88 cents per mile, the cost of operating a privately owned automobile from 31 to 32.5 cents per mile, and the cost of operating a privately owned motorcycle from 25 to 26 cents per mile.

EFFECTIVE DATE: This final rule is effective September 8, 1998.

FOR FURTHER INFORMATION CONTACT: Devoanna R. Reels, General Services Administration, Travel and Transportation Management Policy Division (MTT), Washington, DC 20405, telephone 202-501-3781.

SUPPLEMENTARY INFORMATION: GSA has determined that this rule is not a significant regulatory action for the purposes of E.O. 12866 of September 30, 1993. This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act does not apply. The Paperwork Reduction Act does not apply, because the proposed revisions do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 501 *et seq.* This proposed rule is also exempt from Congressional

review prescribed under 5 U.S.C. 801, since it relates solely to agency management and personnel.

List of Subjects in 41 CFR Part 301-10

Government employees, Travel and transportation expenses.

For the reasons set out in the preamble, 41 CFR part 301-10 is amended as follows:

PART 301-10—TRANSPORTATION EXPENSES

1. The authority citation for 41 CFR part 301-10 continues to read as follows:

Authority: 5 U.S.C. 5707; 40 U.S.C. 486(c); 49 U.S.C. 40118.

2. Section 301-10.303 is amended by revising the entries for “Privately owned airplane,” “Privately owned automobile,” and “Privately owned motorcycle” to read as follows:

§ 301-10.303 What am I reimbursed when use of a POV is determined by my agency to be advantageous to the Government?

For use of a—	Your reimbursement is—
* * * *	*
Privately owned airplane	188.0
Privately owned automobile	32.5
Privately owned motorcycle	26.0

¹ Cents per mile.

Dated: September 1, 1998.

David J. Barram,
Administrator of General Services.

General Services Administration; Report to Congress on the Costs of Operating Privately Owned Vehicles

Subparagraph (b)(1)(A) of Section 5707 of Title 5, United States Code, requires the Administrator of General Services to periodically investigate the cost to Government employees of operating privately owned vehicles (airplanes, automobiles, and motorcycles) while on official travel, to report the results of the investigations to Congress, and to publish the report in the **Federal Register**. This report is being published to comply with the requirements of the law.

Dated: September 1, 1998.

David J. Barram,
Administrator of General Services.

Report to Congress

Subparagraph (b)(1)(A) of Section 5707 of Title 5, United States Code, requires that the Administrator of General Services, in consultation with the Secretary of Transportation, the Secretary of Defense, and representatives of Government employee organizations, conduct

periodic investigations of the cost of operating privately owned vehicles (airplanes, automobiles, and motorcycles) to Government employees while on official travel and report the results to Congress at least once a year. The law further requires that a determination of the average, actual cost per mile be based on the results of the investigation. Such figures must be reported to Congress within 5 working days after the determination has been made.

Pursuant to the requirements of subparagraph (b)(1)(A) of Section 5707 of Title 5, United States Code, the General Services Administration (GSA) conducted an investigation of the cost of operating privately owned automobiles, airplanes, motorcycles, and consulted with the Secretaries of Defense, Transportation and representatives of employee organization on the results. As required, GSA is reporting the results of the investigation and the cost per mile determinations. GSA's cost studies show and I have determined the per-mile operating costs of privately owned vehicles to be 88 cents for airplanes, 32.5 cents for automobiles, and 26 cents for motorcycles.

I will issue a regulation to increase the current 85 to 88 cents for privately owned airplanes, 31 to 32.5 cents for privately owned automobiles, and the current 25 to 26 cents for privately owned motorcycles.

This report on the cost of operating privately-owned vehicles will be published in the **Federal Register**.

[FR Doc. 98-24019 Filed 9-4-98; 8:45 am]
 BILLING CODE 6820-34-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[MD Docket No. 98-36; FCC 98-115]

Assessment and Collection of Regulatory Fees for Fiscal Year 1998

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects portions of the Commission's rules that were published in the **Federal Register** of July 1, 1998 (63 FR 35847).

EFFECTIVE DATE: September 8, 1998.

FOR FURTHER INFORMATION CONTACT: Terry Johnson, Office of Managing Director, (202) 418-0445.

SUPPLEMENTARY INFORMATION: The Federal Communications Commission published a document establishing rules