

contributions to the consolidated section 53(c) limitation for each consolidated return year; reduced by

(2) The aggregate of the member's minimum tax credits arising and absorbed in all consolidated return years (whether or not absorbed by the member).

(B) *Computational rules—(1)*

Member's contribution to the consolidated section 53(c) limitation.

Except as provided in the special rule of paragraph (h)(4)(iii)(B)(2) of this section, a member's contribution to the consolidated section 53(c) limitation for a consolidated return year equals the member's share of the consolidated net regular tax liability minus its share of consolidated tentative minimum tax. The group computes the member's shares by applying to the respective consolidated amounts the principles of section 1552 and the percentage method under § 1.1502-33(d)(3), assuming a 100% allocation of any decreased tax liability. The group makes proper adjustments so that taxes and credits not taken into account in computing the limitation under section 53(c) are not taken into account in computing the member's share of the consolidated net regular tax, etc. (See, for example, the taxes described in section 26(b) that are disregarded in computing regular tax liability.)

(2) *Adjustment for year in which alternative minimum tax is paid.* For a consolidated return year for which consolidated tentative minimum tax is greater than consolidated regular tax liability, the group reduces the member's share of the consolidated tentative minimum tax by the member's share of the consolidated alternative minimum tax for the year. The group determines the member's share of consolidated alternative minimum tax for a year using the same method it uses to determine the member's share of the consolidated minimum tax credits for the year.

(3) *Years included in computation.* For purposes of computing the limitation under this paragraph (h)(4)(iii), the consolidated return years of the group include only those years, including the year to which a credit is carried, that the member has been continuously included in the group's consolidated return, but exclude any years after the year to which the credit is carried.

(4) *Subgroup principles.* The SRLY subgroup principles under § 1.1502-21T(c)(2) apply for purposes of this paragraph (h)(4)(iii). The predecessor and successor principles under § 1.1502-21T(f) also apply for purposes of this paragraph (h)(4)(iii).

(C) *Effective date.* This paragraph (h)(4)(iii) applies to consolidated return years beginning on or after January 1, 1997. However, a group does not take into account a consolidated taxable year beginning before January 1, 1997, in determining a member's (or subgroup's) contributions to the consolidated section 53(c) limitation under paragraph (h)(4)(iii)(b) of this section.

Michael P. Dolan,

Deputy Commissioner of Internal Revenue.

Approved: December 11, 1997.

Donald C. Lubick,

Acting Assistant Secretary of the Treasury.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD 08-97-049]

Drawbridge Operating Regulation; Rigolets Pass, LA

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation in 33 CFR 117.5 governing the operation of the US 90 swing span drawbridge across Rigolets Pass, mile 6.2 at New Orleans, Orleans and St. Tammany Parishes, Louisiana. This deviation allows the Louisiana Department of Transportation and Development to close the bridge for a continuous 45 day period. Presently, the draw is required to open on signal. This temporary deviation is issued to allow for the repairs to the gears, shafts, and bearings of the swing span, an extensive but necessary maintenance operation.

DATES: This deviation is effective from 6:01 a.m. on January 19, 1998 through 6 p.m. on February 27, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. David Frank, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130-3396, telephone number 504-589-2965.

SUPPLEMENTARY INFORMATION: The US 90 swing span drawbridge across Rigolets Pass, mile 6.2, in New Orleans, Orleans and St. Tammany Parishes, Louisiana, has a vertical clearance of 14 feet above high water in the closed-to-navigation position and unlimited clearance in the open-to-navigation position. Navigation

on the waterway consists of tugs with tows, fishing vessels, sailing vessels, and other recreational craft. The Louisiana Department of Transportation and Development sent a letter to the Coast Guard requesting a temporary deviation from the normal operation of the bridge in order to accommodate the maintenance work. The maintenance work involves removing, repairing, and replacing the worn gears, shafts, and bearings. This work is essential for the continued operation of the draw span.

This deviation allows the draw of the US 90 swing span bridge across Rigolets Pass, mile 6.2, at New Orleans to remain in the closed-to-navigation position for a period of 45 days commencing January 19, 1998. With the draw in the closed-to-navigation position, vessels requiring vertical clearances of greater than 14 feet above high water will be required to use alternate routes during the maintenance period. Alternate routes include the Chef Pass and the Inner Harbor Navigation Canal.

This deviation will be effective from 6:01 a.m. January 19, 1998, through 6 p.m. February 27, 1998. Presently, the draw opens on signal at any time.

Dated: December 24, 1997.

Paul J. Prokop,

Captain, U.S. Coast Guard, Commander, 8th Coast Guard District, Acting.

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BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60, 61, and 63

[FRL-5948-5]

Standards of Performance for New Stationary Sources (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP); Delegation of Authority to the States of Iowa, Kansas, Missouri, Nebraska, Lincoln-Lancaster County, Nebraska, and the City of Omaha, Nebraska

AGENCY: Environmental Protection Agency (EPA).

ACTION: Delegation of authority.

SUMMARY: The states of Iowa, Kansas, Missouri, Nebraska, and the local agencies of Lincoln-Lancaster County, Nebraska, and city of Omaha, Nebraska, have submitted updated regulations for delegation of the EPA authority for implementation and enforcement of NSPS and NESHAP. The submissions cover new EPA standards and, in some instances, revisions to standards previously delegated. The EPA's review

of the pertinent regulations shows that they contain adequate and effective procedures for the implementation and enforcement of these Federal standards. This document informs the public of delegations to the above-mentioned agencies.

DATES: The dates of delegation can be found in the **SUPPLEMENTARY INFORMATION** section of this document.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the following location: Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101.

Effective immediately, all requests, applications, reports, and other correspondence required pursuant to the newly delegated standards and revisions identified in this notice should be submitted to the Region VII office, and, with respect to sources located in the jurisdictions identified in this notice, to the following addresses: Iowa Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Urbandale, Iowa 50322.

Kansas Department of Health and Environment, Bureau of Air Quality and Radiation, Building 283, Forbes Field, Topeka, Kansas 66620.
Missouri Department of Natural Resources, Air Pollution Control Program, Jefferson State Office Building, P.O. Box 176, Jefferson City, Missouri 65102.

Nebraska Department of Environmental Quality, Air and Waste Management Division, P.O. Box 98922, Statehouse Station, Lincoln, Nebraska 68509.

Lincoln-Lancaster County Air Pollution Control Agency, Division of Environmental Health, 3140 "N" Street, Lincoln, Nebraska 68510.

City of Omaha, Public Works Department, Air Quality Control Division, 5600 South 10th Street, Omaha, Nebraska 68510.

FOR FURTHER INFORMATION CONTACT: John Pawlowski, Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101 (913) 551-7920.

SUPPLEMENTARY INFORMATION: Section 111(c)(1) of the Clean Air Act (CAA) as amended November 15, 1990, authorizes the EPA to delegate authority

to any state agency which submits adequate regulatory procedures for implementation and enforcement of the NSPS program. Section 112(l) of the CAA and 40 CFR part 63, subpart E, authorize the EPA to delegate authority to any state or local agency which submits adequate regulatory procedures for implementation and enforcement of emission standards for hazardous air pollutants.

The following table is an update of 40 CFR part 60 NSPS subparts previously delegated to the states. The states have adopted by reference the subparts of 40 CFR part 60 amended as of the first date in each cell shown in the table. The second date in the table is the current effective date of the state regulation for which the EPA is providing delegation. The EPA has delegated various authorities under 40 CFR part 60 as listed in the following table. The EPA regulations effective after the first date specified in each cell have not been delegated, and authority for implementation of these regulations is retained solely by the EPA.

DELEGATION OF AUTHORITY—PART 60 NSPS—REGION VII

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska
A	General Provisions	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
D	Fossil-Fuel Fired Steam Generators for Which Construction is Commenced After August 17, 1971.	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
Da	Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978.	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
Db	Industrial-Commercial-Institutional Steam Generating Units	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
E	Incinerators	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
Ea	Municipal Waste Combustors	12/15/94 07/12/95	07/01/96 06/06/97	..... .....	07/01/92 09/07/97
Eb	Municipal Waste Combustors for Which Construction is Commenced after September 20, 1994.	.....	07/01/96 06/06/97	.....	07/01/96 09/07/97
F	Portland Cement Plants	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
G	Nitric Acid Plants	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
H	Sulfuric Acid Plants	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
I	Asphaltic Concrete Plants	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
J	Petroleum Refineries	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
K	Storage Vessels for Petroleum Liquid for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
Ka	Storage Vessels for Petroleum Liquid for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97

DELEGATION OF AUTHORITY—PART 60 NSPS—REGION VII—Continued

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska
Kb	Volatile Organic Liquid Storage Vessels for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
L	Secondary Lead Smelters	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
M	Brass & Bronze Production Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
N	Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/96	05/30/96	09/07/97
Na	Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.	12/15/94	07/01/94	07/01/94	07/01/96
		07/12/95	06/06/97	05/30/96	09/07/97
O	Sewage Treatment Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
P	Primary Copper Smelters	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
Q	Primary Zinc Smelters	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
R	Primary Lead Smelters	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
S	Primary Aluminum Reduction Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
T	Wet Process Phosphoric Acid Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
U	Superphosphoric Acid Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
V	Diammonium Phosphate Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
W	Triple Superphosphate Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
X	Granular Triple Superphosphate Storage Facilities	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
Y	Coal Preparation Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
Z	Ferroalloy Production Facilities	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
AA	Steel Plant Electric Arc Furnaces Constructed After October 21, 1974, and on or Before August 17, 1983.	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
AAa	Steel Plant Electric Arc Furnaces & Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
BB	Kraft Pulp Mills	12/15/94	07/01/96	07/01/94	
		07/12/95	06/06/97	05/30/96	
CC	Glass Manufacturing Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
DD	Grain Elevators	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
EE	Surface Coating of Metal Furniture	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
GG	Stationary Gas Turbines	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
HH	Lime Manufacturing Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
KK	Lead-Acid Battery Manufacturing Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
LL	Metallic Mineral Processing Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
MM	Auto & Light-Duty Truck Surface Coating Operations	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
NN	Phosphate Rock Plants	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
PP	Ammonium Sulfate Manufacture	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
QQ	Graphic Arts Industry: Publication Rotogravure Printing	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
RR	Pressure Sensitive Tape & Label Surface Coating Operations	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97
SS	Industrial Surface Coating: Large Appliances	12/15/94	07/01/96	07/01/94	07/01/92
		07/12/95	06/06/97	05/30/96	09/07/97

DELEGATION OF AUTHORITY—PART 60 NSPS—REGION VII—Continued

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska
TT	Metal Coil Surface Coating	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
UU	Asphalt Processing & Asphalt Roofing Manufacture	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
VV	SOCMI Equipment Leaks (VOC)	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
WW	Beverage Can Surface Coating Industry	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
XX	Bulk Gasoline Terminals	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
AAA	New Residential Wood Heaters	08/31/93 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	.....
BBB	Rubber Tire Manufacturing Industry	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
DDD	Polymer Manufacturing Industry (VOC)	12/15/94 07/12/95	07/01/96 06/06/97	.....	.....
FFF	Flexible Vinyl and Urethane Coating and Printing	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
GGG	Equipment Leaks of VOC in Petroleum Refineries	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
HHH	Synthetic Fiber Production Facilities	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
III	SOCMI AIR Oxidation Unit Processes	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
JJJ	Petroleum Dry Cleaners	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
KKK	VOC Leaks from Onshore Natural Gas Processing Plants	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
LLL	Onshore Natural Gas Processing: SO ₂ Emissions	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
NNN	VOC Emissions from SOCMI Distillation Operations	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
OOO	Nonmetallic Mineral Processing Plants	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
PPP	Wool Fiberglass Insulation Manufacturing Plants	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
QQQ	VOC Emissions from Petroleum Refinery Wastewater Systems	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
RRR	VOC Emissions from SOCMI Reactor Processes	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	.....
SSS	Magnetic Tape Coating Facilities	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
TTT	Surface Coating of Plastic Parts for Business Machines	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
UUU	Calciners & Dryers in Mineral Industries	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	09/28/92 09/07/97
VVV	Polymeric Coating of Supporting Substrates Facilities	12/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97
WWW	New Municipal Solid Waste Landfills	06/24/96 05/14/97	07/01/96 06/06/97	.....	07/01/96 09/07/97

The following table is an update of 40 CFR part 61 NESHAP subparts previously delegated to the states and local agencies. The states and local agencies have adopted by reference the subparts of 40 CFR part 61 amended as of the first date in each cell shown in the table. The second date in the table is the current effective date of the state regulation for which the EPA is providing delegation. The EPA has delegated various authorities under 40 CFR part

61 as listed in the following table. The EPA regulations effective after the first date specified in each cell have not been delegated, and authority for implementation of these regulations is retained solely by the EPA.

DELEGATION OF AUTHORITY—PART 61 NESHAP—REGION VII

Sub-part	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska	Lincoln-Lancaster County	City of Omaha
A	General Provisions	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
B	Radon Emissions from Underground Uranium Mines.		07/01/96 06/06/97				
C	Beryllium	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
D	Beryllium Rocket Motor Firing	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
E	Mercury	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
F	Vinyl Chloride	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
J	Equipment Leaks (Fugitive Emission Sources) of Benzene.	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
L	Benzene Emissions from Coke By-Product Recovery Plants.	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
M	Asbestos	07/15/94 07/12/95	07/01/96 06/06/97	07/01/88 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
N	Inorganic Arsenic Emissions from Glass Manufacturing Plants.	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
O	Inorganic Arsenic Emissions from Primary Copper Smelters.	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
P	Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities.	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
Q	Radon Emissions from Department of Energy Facilities.		07/01/96 06/06/97				
R	Radon Emissions from Phosphogypsum Stacks.		07/01/96 06/06/97				
T	Radon Emissions from the Disposal of Uranium Mill Tailings.		07/01/97 06/06/97				
V	Equipment Leaks (Fugitive Emission Sources).	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
W	Radon Emissions from Operating Mill Tailings.		07/01/96 06/06/97				
Y	Benzene Emissions from Benzene Storage Vessels.	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
BB	Benzene Emissions from Benzene Transfer Operations.	07/15/94 07/12/95	07/01/96 06/06/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95
FF	Benzene Waste Operations	07/15/94 07/12/95	07/01/96 06/01/97	07/01/94 05/30/96	07/01/92 09/07/97	07/01/92 05/16/95	07/01/92 05/29/95

The following table is an update of 40 CFR part 63 NESHAP subparts previously delegated to the states and local agencies. The states and local agencies have adopted by reference the subparts of 40 CFR part 63 amended as of the first date in each cell shown in the table. The second date in the table is the current effective date of the state regulation for which the EPA is providing delegation. The EPA has delegated various authorities under 40 CFR part 63 as listed in the following table. The EPA regulations effective after the first date specified in each cell have not been delegated, and authority for implementation of these regulations is retained solely by the EPA.

DELEGATION OF AUTHORITY—PART 63 NESHAP—REGION VII

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska	Lincoln-Lancaster County	City of Omaha
A	General Provisions	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96		03/16/94 03/31/97	
B	Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Section 112(j).	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96			
D	Compliance Extensions for Early Reductions of Hazardous Air Pollutants.	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96	12/29/92 09/07/97	12/29/92 11/17/95	12/29/92 11/17/95
F	Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry.	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96		06/20/96 03/31/97	
G	Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96		06/20/96 03/31/97	
H	Organic Hazardous Air Pollutants for Equipment Leaks.	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96		06/20/96 03/31/97	
I	Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96		06/20/96 03/31/97	
L	Coke Oven Batteries	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96			
M	Perchloroethylene Emissions from Dry Cleaning Facilities.	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96	07/01/96 09/07/97	12/20/93 03/31/97	09/22/93 11/17/95
N	Chromium Emissions from Hard and Decorative Chromium Electroplating Anodizing Tanks.	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96	07/01/96 09/07/97	01/25/95 03/31/97	
O	Ethylene Oxide Sterilization Facilities	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96		12/06/94 03/31/97	
Q	Industrial Process Cooling Towers	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96	07/01/96 09/07/97	09/08/94 03/31/97	
R	Gasoline Distribution Facilities	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96	07/01/96 09/07/97	12/14/94 03/31/97	
T	Halogenated Solvent Cleaning	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96	07/01/96 09/07/97	12/02/94 03/31/97	
U	Polymers and Resins Group I					09/05/96 03/31/97	
W	Epoxy Resins and Non-Nylon Polyamides Production.	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96		03/08/95 03/31/97	
X	Secondary Lead Smelting	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96	07/01/96 09/07/97	06/23/95 03/31/97	
Y	Marine Tank Vessel Loading Operations	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96			
CC	Petroleum Refineries	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96		08/18/95 03/31/97	
DD	Off-Site Waste Operations		07/01/96 06/06/97			07/01/96 03/31/97	
EE	Magnetic Tape Manufacturing	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96		12/15/94 03/31/97	
GG	Aerospace Manufacturing and Rework Facilities.	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96	07/01/96 09/07/97	09/01/95 03/31/97	
II	Shipbuilding and Ship Repair	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96			
JJ	Wood Furniture Manufacturing Operations	06/24/96 05/14/97	07/01/96 06/06/97	12/31/95 12/30/96	07/01/96 09/07/97	12/07/95 03/31/97	
KK	Printing and Publishing Industry	06/24/96 05/14/97	07/01/96 06/06/97			05/30/96 03/31/97	
JJJ	Polymers and Resins Group IV					09/12/96 03/31/97	

After a review of the submissions, the Regional Administrator determined that delegation was appropriate for the source categories with the conditions set forth in the original NSPS and NESHAP delegation agreements, and the

limitations in all applicable regulations, including 40 CFR parts 60, 61, and 63. The reader should refer to the applicable agreements and regulations to determine specific provisions which are not delegated. All sources subject to

the requirements of 40 CFR parts 60, 61, and 63 are also subject to the equivalent requirements of the above-mentioned state or local agencies.

Since review of the pertinent laws, rules, and regulations of these state or

local agencies has shown them to be adequate for the implementation and enforcement of the listed NSPS and NESHAP categories, the EPA hereby notifies the public that it has delegated the authority for the source categories listed as of the dates specified in the above tables.

The Office of Management and Budget has exempted this rule from the requirements of section 6 of Executive Order 12866.

Authority: This document is issued under the authority of sections 101, 110, 111, 112 and 301 of the CAA, as amended (42 U.S.C. 7401, 7410, 7411, 7412 and 7601).

Dated: December 3, 1997.

William Rice,

Acting Regional Administrator.

[FR Doc. 98-552 Filed 1-9-98; 8:45 am]

BILLING CODE 6560-50-U

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AD07

Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of the Mexican Gray Wolf in Arizona and New Mexico

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) has decided to reintroduce the endangered Mexican gray wolf (*Canis lupus baileyi*) into the Blue Range Wolf Recovery Area, a designated area within the subspecies' probable historic range. This reintroduction will be the first step toward recovery of the Mexican wolf in the wild. The Blue Range Wolf Recovery Area consists of the entire Apache and Gila National Forests in east-central Arizona and west-central New Mexico. If the Service later finds it to be both necessary for recovery and feasible, we would reintroduce wolves into the White Sands Wolf Recovery Area, which also lies within the subspecies' probable historic range. This area consists of all land within the boundary of the White Sands Missile Range in south-central New Mexico together with designated land immediately to the west of the missile range. By this rule, the Service classifies wolves to be re-established in these areas as one nonessential experimental population under section 10(j) of the Endangered

Species Act (Act) of 1973, as amended. This final rule sets forth management directions and provides for limited allowable legal take of wolves within a defined Mexican Wolf Experimental Population Area.

EFFECTIVE DATE: January 24, 1998.

ADDRESSES: Send correspondence concerning this rule to the Mexican Gray Wolf Recovery Program, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103-1306. The complete file for this final rule is available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Mr. David R. Parsons (see **ADDRESSES** section) at telephone (505) 248-6920; facsimile (505) 248-6922; or electronic mail at david__parsons@fws.gov.

SUPPLEMENTARY INFORMATION:

Background

Legislative

The Endangered Species Act Amendments of 1982, Pub. L. 97-304, created section 10(j), providing for the designation of specific populations of listed species as "experimental populations." Under previous authorities of the Act, the Service was permitted to re-establish (reintroduce) populations of a listed species into unoccupied portions of its historic range for conservation and recovery purposes. However, local opposition to reintroduction efforts, stemming from concerns by some about potential restrictions, and prohibitions on Federal and private activities contained in sections 7 and 9 of the Act, reduced the effectiveness of reintroduction as a conservation and recovery tool.

Under section 10(j), a population of a listed species re-established outside its current range but within its probable historic range may be designated as "experimental" at the discretion of the Secretary of the Interior (Secretary). Reintroduction of the experimental population must further the conservation of the listed species. An experimental population must be separate geographically from nonexperimental populations of the same species. Designation of a population as experimental increases the Service's management flexibility.

Additional management flexibility exists if the Secretary finds the experimental population to be "nonessential" to the continued existence of the species. For purposes of section 7 [except section 7(a)(1), which requires Federal agencies to use their authorities to conserve listed species],

nonessential experimental populations located outside national wildlife refuge or national park lands are treated as if they are proposed for listing. This means that Federal agencies are under an obligation to confer, as opposed to consult (required for a listed species), on any actions authorized, funded, or carried out by them that are likely to jeopardize the continued existence of the species. Nonessential experimental populations located on national wildlife refuge or national park lands are treated as threatened, and formal consultation may be required. Activities undertaken on private or tribal lands are not affected by section 7 of the Act unless they are authorized, funded, or carried out by a Federal agency.

Individual animals used in establishing an experimental population can be removed from a source population if their removal is not likely to jeopardize the continued (12.9 km²) existence of the species (see Findings Regarding Reintroduction, below), and a permit has been issued in accordance with 50 CFR part 17.22.

The Mexican gray wolf was listed as an endangered subspecies on April 28, 1976 (41 FR 17742). The gray wolf species in North America south of Canada was listed as endangered on March 9, 1978, except in Minnesota where it was listed as threatened (43 FR 9607). This listing of the species as a whole continued to recognize valid biological subspecies for purposes of research and conservation (43 FR 9610).

Biological

This final experimental population rule addresses the Mexican gray wolf (*Canis lupus baileyi*), an endangered subspecies of gray wolf that was extirpated from the southwestern United States by 1970. The gray wolf species (*C. lupus*) is native to most of North America north of Mexico City. An exception is in the southeastern United States, which was occupied by the red wolf species (*C. rufus*). The gray wolf occupied areas that supported populations of hoofed mammals (ungulates), its major food source.

The Mexican gray wolf historically occurred over much of New Mexico, Arizona, Texas, and northern Mexico, mostly in or near forested, mountainous terrain. Numbering in the thousands before European settlement, the "lobo" declined rapidly when its reputation as a livestock killer led to concerted eradication efforts. Other factors contributing to its decline were commercial and recreational hunting and trapping, killing of wolves by game managers on the theory that more game animals would be available for hunters,