

CALIFORNIA—CARBON MONOXIDE

Designated area	Designation		Classification	
	Date <sup>1</sup>	Type	Date <sup>1</sup>	Type
Bakersfield Area:				
Kern County (part) .....	April 30, 1998	..... Attainment.		
Bakersfield Metropolitan Area (Urbanized part)				
Chico Area:				
Butte County (part) .....	April 30, 1998	..... Attainment.		
Chico Urbanized Area (Census Bureau Urbanized part).				
Fresno Area:				
Fresno County (part) .....	April 30, 1998	..... Attainment.		
Fresno Urbanized Area				
Lake Tahoe North Shore Area:				
Placer County (part) .....	April 30, 1998	..... Attainment.		
*                   *                   *	*                   *                   *			
Lake Tahoe South Shore Area:				
El Dorado County (part) .....	April 30, 1998	..... Attainment.		
Modesto Area:				
Stanislaus County (part) .....	April 30, 1998	..... Attainment.		
Modesto Urbanized Area (Census Bureau Urbanized Area).				
Sacramento Area:				
Census Bureau Urbanized Areas .....	April 30, 1998	..... Attainment.		
Placer County (part)				
Sacramento County (part)				
Yolo County (part)				
San Diego Area:				
San Diego County (part) .....	April 30, 1998	..... Attainment.		
San Francisco-Oakland-San Jose Area:				
Urbanized Areas .....	April 30, 1998	..... Attainment.		
Alameda County (part)				
Contra Costa County (part)				
Marin County (part)				
Napa County (part)				
San Francisco County				
San Mateo County (part)				
Santa Clara County (part)				
Solano County (part)				
Sonoma County (part)				
Stockton Area:				
San Joaquin County (part) .....	April 30, 1998	..... Attainment.		
Stockton Urbanized Area:				
*                   *                   *	*                   *                   *			

<sup>1</sup> This date is November 15, 1990, unless otherwise noted.

\* \* \* \* \*  
 [FR Doc. 98-8416 Filed 3-30-98; 8:45 am]  
 BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 63**

[AD-FRL-5988-5]

RIN 2060-AH47

**National Emission Standards for Hazardous Air Pollutants Emissions: Group IV Polymers and Resins**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule; extension of compliance.

**SUMMARY:** On September 12, 1996, the EPA published the Group IV Polymers

and Resins NESHAP (61 FR 48208). This action temporarily extends the compliance date specified in 40 CFR 63.1311(c) for the provisions contained in 40 CFR 63.1329 for existing affected sources producing poly(ethylene terephthalate) (PET) using the continuous terephthalic acid (TPA) high viscosity multiple end finisher process because the EPA is in the process of responding to a request to reconsider relevant portions of the rule (Docket Item: A-92-45; VI-A-1). The EPA is providing this temporary extension to February 27, 2001 to complete reconsideration and any necessary revision to the rule. The EPA is providing this temporary extension pursuant to Clean Air Act section 301(a)(1).

**DATES:** The direct final rule will become effective May 20, 1998 without further

notice unless the Agency receives relevant adverse comments on the parallel notice of proposed rulemaking by April 30, 1998. Should the Agency receive such comments, it will publish a document informing the public that this rule did not take effect. If relevant adverse comments are received on the proposal, they will be addressed in a subsequent final rule. For additional information concerning comments, see the parallel proposal notice found in the Proposed Rules Section of this **Federal Register**.

**ADDRESSES: Comments.** Comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-92-45 (see docket section below), room M-1500, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, D.C.

20460. The EPA requests that a separate copy also be sent to the contact person listed below. Comments and data may also be submitted electronically by following the instructions provided in the **SUPPLEMENTARY INFORMATION** section. No Confidential Business Information (CBI) should be submitted through electronic mail.

#### Docket

The official record for this rulemaking has been established under docket number A-92-45 (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments and data, which does not include any information claimed as CBI, is available for inspection between 8 a.m. and 4 p.m., Monday through Friday, excluding legal holidays. The official rulemaking record is located at the address in the **ADDRESSES** section. Alternatively, a docket index, as well as individual items contained within the docket, may be obtained by calling (202) 260-7548 or (202) 260-7549. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Rosensteel, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5608.

**SUPPLEMENTARY INFORMATION: Electronic Filing.** Electronic comments and data can be sent directly to EPA at: a-and-r-docket@epamail.epa.gov. Electronic comments and data must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on diskette in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number A-92-45. Electronic comments may be filed online at many Federal Depository Libraries.

#### Electronic Availability

This document is available in docket number A-92-45 or by request from the EPA's Air and Radiation Docket and Information Center (see **ADDRESSES**), and is available for downloading from the Technology Transfer Network (TTN), the EPA's electronic bulletin board system. The TTN provides information and technology exchange in various areas of emissions control. The service is free, except for the cost of a telephone call. Dial (919) 541-5742 for up to a 14,000 baud per second modem. For further information, contact the TTN

HELP line at (919) 541-5348, from 1:00 p.m. to 5:00 p.m., Monday through Friday, or access the TTN web site at: [www.epa.gov/ttn/oarpg/rules.html](http://www.epa.gov/ttn/oarpg/rules.html).

**Regulated entities.** Regulated categories and entities include:

Category	Examples of regulated entities
Industry ....	Facilities that produce PET using the continuous TPA high viscosity multiple end finisher process.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities regulated by the NESHAP addressed in this direct final rule. If you have questions regarding the applicability of the NESHAP addressed in this direct final rule to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

The information presented in this preamble is organized as follows:

- I. Background and Rationale
- II. Authority for Temporary Extension of the Compliance Date and Reconsideration
- III. Impacts
- IV. Administrative Requirements

#### I. Background and Rationale

On September 12, 1996, the EPA published 40 CFR part 63, subpart JJJ—Group IV Polymers and Resins NESHAP (61 FR 48208). The final rule established a new subcategory for PET manufacture specified as the continuous TPA high viscosity multiple end finisher subcategory. The final rule also established standards for process contact cooling towers (PCCT) contained in 40 CFR 63.1329 for existing affected sources in the new subcategory. The final rule required existing affected sources in the continuous TPA high viscosity multiple end finisher subcategory to comply with 40 CFR 63.1329 beginning September 12, 1999 (see 40 CFR 63.1311(c)).

A petition has been submitted to the EPA requesting reconsideration of the technical basis for establishment of the continuous TPA high viscosity multiple end finisher subcategory (Docket Item: A-92-45; VI-A-1). The petition presents new information related to the production processes for the manufacture of PET that the petitioner claims calls into question the need and justification for a separate subcategory for the continuous TPA high viscosity multiple end finisher process. The information presented in the petition has led the EPA to accept the petitioner's request to reconsider the need for the continuous TPA high viscosity multiple end finisher subcategory. When compared to the

other PET subcategories, there are two regulatory differences that pertain to affected sources in the continuous TPA high viscosity multiple end finisher subcategory; exemption from the equipment leaks provisions contained in 40 CFR 63.1331 and requirements to limit the concentration of ethylene glycol in PCCTs for existing affected sources under the provisions contained in 40 CFR 63.1329. Because affected sources in the continuous TPA high viscosity multiple end finisher subcategory are exempt from the equipment leaks provisions, no action is required by the EPA with regards to the equipment leaks provisions in response to the request to reconsider. However, as a result of the EPA's need to respond to the request to reconsider the need for the continuous TPA high viscosity multiple end finisher subcategory, existing affected sources in this subcategory cannot be certain of the final standards for PCCTs. If the EPA finds that the continuous TPA high viscosity multiple end finisher subcategory is not justified, existing affected sources in this subcategory will be subject to a PCCT performance standard that has yet to be determined. If the EPA finds that the continuous TPA high viscosity multiple end finisher subcategory is justified, existing affected sources in this subcategory will be subject to the current PCCT standard, but owners or operators will have lost considerable time in preparing for compliance.

At this time, representatives of one existing affected source in the continuous TPA high viscosity multiple end finisher subcategory have informed the EPA in writing (Docket Item: A-92-45; VI-D-8) that they are on the verge of committing to capital expenditures to purchase equipment necessary to comply with the current PCCT standard. Because of the uncertainty of the final standards for PCCTs and the impending need to commit to capital expenditures, representatives of this existing affected source have requested temporary relief from the PCCT standard. For these reasons, the EPA is providing a temporary extension of the compliance date specified in 40 CFR 63.1311(c) from September 12, 1999, until February 27, 2001, for the provisions contained in 40 CFR 63.1329 for existing affected sources producing PET using the continuous TPA high viscosity multiple end finisher process to allow the EPA to fully evaluate the petition for reconsideration and take any curative regulatory action necessary. The new compliance date is 3 years from the effective date of the rule. See 63 FR

9944 (February 27, 1998). Following completion of reconsideration, any subsequent curative rulemaking will also include consideration of the appropriate compliance date for any revised standard. This temporary extension applies only to existing affected sources producing PET using the continuous TPA high viscosity multiple end finisher process. It does not affect any other provisions of the rule or any other source categories or subcategories.

By this action, the EPA is providing, pursuant to Clean Air Act section 301(a)(1), a temporary extension of the compliance date specified in 40 CFR 63.1311(c) for the provisions contained in 40 CFR 63.1329, only as necessary to complete reconsideration and potential revision of the rule. The EPA intends to complete its reconsideration of the rule and, following the notice and comment procedures of Clean Air Act section 307(d), take appropriate action as expeditiously as practical. The EPA does not believe this temporary extension will, as a practical matter, impact the overall effectiveness of the rule.

Following the EPA's reconsideration of the rule, the EPA will establish a new compliance date for the provisions contained in 40 CFR 63.1329 that is most likely to be beyond the current compliance date of September 12, 1999. Such an extension beyond September 12, 1999 is likely to be necessary for the following reasons. As discussed earlier, if the EPA finds that the continuous TPA high viscosity multiple end finisher subcategory is not justified, existing affected sources in this subcategory will be subject to a PCCT performance standard that has yet to be determined. Development of any such standard will include evaluation of how much time will be needed for compliance. On the other hand, if the EPA finds that the continuous TPA high viscosity multiple end finisher subcategory is justified, existing affected sources in this subcategory will be subject to the current PCCT standard but will have lost considerable time in preparing for compliance by the September 12, 1999 compliance date. In such a case additional time beyond the September 12, 1999 compliance date may be required.

## II. Authority for Temporary Extension of the Compliance Date and Reconsideration

The temporary extension of the compliance date specified in 40 CFR 63.1311(c) for the provisions contained in 40 CFR 63.1329 for existing affected sources producing PET using the

continuous TPA high viscosity multiple end finisher process is being undertaken pursuant to Clean Air Act section 301(a)(1). Reconsideration is being undertaken pursuant to Clean Air Act section 307(d)(7)(B). Reconsideration is appropriate if the grounds for an objection arose after the period for public comment and if the objection is of central relevance to the outcome of the rule.

The grounds for reconsideration of this rule arose after publication of the final rule. Therefore, the EPA is providing a temporary extension of the compliance date specified in 40 CFR 63.1311(c) for the provisions contained in 40 CFR 63.1329 for existing affected sources producing PET using the continuous TPA high viscosity multiple end finisher process in order to allow time to reconsider the issues raised by the petitioner. This reconsideration was undertaken pursuant to Clean Air Act section 307(d)(7)(B).

## III. Impacts

The extension of the compliance date for PCCTs at existing affected sources producing PET using the continuous TPA high viscosity multiple end finisher process will not affect the eventual annual estimated emissions reduction or the control cost for the rule.

## IV. Administrative

### A. Paperwork Reduction Act

For the Group IV Polymers and Resins NESHAP, the information collection requirements were submitted to the Office of Management and Budget (OMB) under the *Paperwork Reduction Act*. The OMB approved the information collection requirements and assigned OMB control number 2060-0351. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations are listed in 40 CFR Part 9. The EPA has amended 40 CFR Part 9, Section 9.1, to indicate the information collection requirements contained in the Group IV Polymers and Resins NESHAP.

This action has no impact on the information collection burden estimates made previously. Therefore, the ICR has not been revised.

### B. Executive Order 12866 Review

Under Executive Order 12866, the EPA must determine whether the regulatory action is "significant" and therefore, subject to OMB review and the requirements of the Executive Order.

The Executive Order defines "significant regulatory action" as one that is likely to lead to a rule that may:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety in State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The direct final rule will provide a temporary extension of the compliance date specified in 40 CFR 63.1311(c) for the provisions contained in 40 CFR 63.1329 for existing affected sources producing PET using the continuous TPA high viscosity multiple end finisher process. The direct final rule does not add any additional control requirements. Therefore, this direct final rule was classified "non-significant" under Executive Order 12866 and was not required to be reviewed by OMB.

### C. Regulatory Flexibility

EPA has determined that it is not necessary to prepare a regulatory flexibility analysis in connection with this final rule. EPA has also determined that this rule will not have a significant impact on a substantial number of small entities because the temporary compliance extension would not impose any economic burden on any regulated entities.

### D. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), the 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 the private sector, of \$100 million or more. Under Section 205, the EPA must select the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires the EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

The EPA has determined that this direct final rule 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. Therefore, the requirements of the Unfunded Mandates Act do not apply to this action.

*E. 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 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).

**List of Subjects in 40 CFR Part 63**

Environmental protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements.

Dated: March 23, 1998.

**Carol M. Browner,**  
*Administrator.*

For the reasons set out in the preamble, part 63 of chapter I of title 40 of the Code of Federal Regulations is amended as follows:

**PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES**

1. The authority citation for part 63 continues to read as follows:

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

**Subpart JJJ—National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins**

2. Section 63.1311 is amended by revising paragraph (c) introductory text to read as follows:

**§ 63.1311 Compliance schedule and relationship to existing applicable rules.**

(c) Existing affected sources shall be in compliance with this subpart (except for § 63.1331 for which compliance is covered by paragraph (d) of this section) no later than September 12, 1999, as

provided in § 63.6(c), unless an extension has been granted as specified in paragraph (e) of this section, except that the compliance date for the provisions contained in 40 CFR 63.1329 is temporarily extended from September 12, 1999, to February 27, 2001, for existing affected sources whose primary product, as determined using the procedures specified in § 63.1310(f), is PET using a continuous terephthalic acid high viscosity multiple end finisher process.

\* \* \* \* \*

[FR Doc. 98-8212 Filed 3-30-98; 8:45 am]

BILLING CODE 6560-50-P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Health Care Financing Administration**

**42 CFR Part 413**

[HCFA-1808-CN]

RIN 0938-AG70

**Medicare and Medicaid Programs; Salary Equivalency Guidelines for Physical Therapy, Respiratory Therapy, Speech Language Pathology, and Occupational Therapy Services; Revised Effective Date and Technical Correction**

**AGENCY:** Health Care Financing Administration (HCFA), HHS.

**ACTION:** Final rule; delay of effective date and correction.

**SUMMARY:** This document delays the effective date of the final rule on salary equivalency guidelines, published in the **Federal Register** (63 FR 5106) on January 30, 1998, from April 1, 1998 to April 10, 1998. In addition, we are making a technical correction in the preamble to the January 30, 1998 final rule.

**EFFECTIVE DATES:** The effective date of the final rule published at 63 FR 5106 is April 10, 1998. The technical correction is effective April 10, 1998.

**FOR FURTHER INFORMATION CONTACT:** Jackie Gordon, (410) 786-4517.

**SUPPLEMENTARY INFORMATION:** On January 30, 1998, we issued a final rule in the **Federal Register** (63 FR 5106) that set forth revisions to the salary equivalency guidelines for Medicare payment for the reasonable costs of physical therapy and respiratory therapy services furnished under arrangements by an outside contractor. This final rule also set forth new salary equivalency guidelines for Medicare payment for the reasonable costs of speech language pathology and

occupational therapy services furnished under arrangements by an outside contractor. The guidelines do not apply to inpatient hospital services and hospice services. The guidelines will be used by Medicare fiscal intermediaries to determine the maximum allowable cost of those services. We announced that the effective date for this final rule would be April 1, 1998.

**Revised Effective Date**

This rule is a major rule as defined in Title 5, United States Code, section 804(2). Pursuant to 5 U.S.C. 801(a)(3), this rule may not take effect until 60 days after the report required by that section is submitted to Congress. The report for this rule was submitted to Congress on February 10, 1998. Therefore, the earliest date this rule can become effective is April 10, 1998.

**Technical Correction**

In the January 30, 1998 final rule (63 FR 5106) on page 5108, first column, beginning in the sixth line, the phrase "Medicare beneficiaries whose nursing home stays are not paid by Medicare" is corrected to read "Medicare SNF residents who are not in a covered Part A stay".

**Authority:** Secs. 1102, 1861(v)(1)(A), and 1871 of the Social Security Act (42 U.S.C. 1302, 1395x(v)(1)(A), and 1395hh).

(Catalog of Federal Domestic Assistance Program No. 93.773 Medicare—Hospital Insurance Program and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: March 3, 1998.

**Nancy-Ann Min DeParle,**  
*Administrator, Health Care Financing Administration.*

Dated: March 26, 1998.

**Donna E. Shalala,**  
*Secretary.*

[FR Doc. 98-8502 Filed 3-30-98; 8:45 am]

BILLING CODE 4120-01-P

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 64**

[CC Docket 92-77; FCC 98-9]

**Billed Party Preference for InterLATA 0+ Calls; Correction**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a final rule published in the **Federal**