

5. On page 1280, first column, paragraph (11), lines 3 and 4, are corrected to read "filter (i.e., high efficiency particulate filter) before release."

6. On page 1280, third column, following the equation, paragraph (a)(1) is revised to read: "(1) Check the respirator to make sure the sampling probe and line are properly attached to the facepiece and that the respirator is fitted with a particulate filter capable of preventing significant penetration by the ambient particles used for the fit test (e.g., NIOSH 42 CFR 84 series 100, series 99, or series 95 particulate filter) per manufacturer's instruction."

7. On page 1281, second column, paragraph (a)(2), line 2, the reference "– 1.5 mm" is corrected to read "– 15 mm".

8. On page 1283, second column, question 11, lines 6 and 7, are corrected to read "d. Any other eye or vision problem: Yes/No".

9. On page 1284, second column, line 17, is corrected to read "Appendix D to § 1910.134 (Mandatory)".

§ 1910.1003 13 Carcinogens [Correction]

10. On page 1286, first column after Table 1, paragraph (c)(4)(iv), lines 5 and 6 are corrected to read: "use a half-face filter-type respirator with filters for dusts, mists, and fumes, or air-purifying canisters or cartridges. A respirator".

§ 1910.1025 Lead [Correction]

11. On page 1287, second column following Table II, paragraph (f)(1)(i) is revised to read: "(i) Periods necessary to install or implement engineering or work-practice controls."

§ 1910.1028 Benzene [Correction]

12. On page 1289, third column following Table 2, paragraph (g)(2)(i), line 2, the reference "(d)(3)(iii)(b)(1)" is corrected to read "(d)(3)(iii)(B)(1)".

§ 1910.1045 Acrylonitrile [Correction]

13. On page 1291, second column following Table 1, paragraph (h)(2)(i), line 5, the reference "(d)(3)(iii)(b)(1)" is corrected to read "(d)(3)(iii)(B)(1)".

§ 1910.1048 Formaldehyde [Correction]

14. On page 1293, second column, paragraph (g)(2)(i), line 5, the reference "(d)(3)(iii)(b)(1)" is corrected to read "(d)(3)(iii)(B)(1)".

§ 1910.1050 Methylenedianiline [Correction]

15. On page 1293, first column following Table 1, paragraph 28, is revised to read "28. Section 1910.1050 is amended by removing Appendix E, and revising paragraph (h) and the first

paragraph of Section III to Appendix A to read as follows:".

§ 1910.1052 Methylene chloride [Correction]

16. On page 1295, second column following Table 1, paragraph (g)(1)(i), is revised to read "(i) Periods when an employee's exposure to MC exceeds the 8-hour TWA PEL, or STEL (for example, when an employee is using MC in a regulated area)."

17. On page 1295, third column following Table 1, paragraph (g)(2)(i), line 5, the reference "(d)(1)(iii)" is corrected to read "(d)(1)(iii) and (d)(3)(iii)(B)(1) and (2)".

§ 1926.1101 Asbestos [Correction]

18. On page 1298, first and second columns following Table 1, paragraph (h)(3)(iv) is revised to read:

"(iv) In addition to the above selection criteria, when employees are in a regulated area where Class I work is being performed, a negative exposure assessment of the area has not been produced, and the exposure level will not exceed 1 f/cc as an 8-hour time weighted average, employers must provide the employees with one of the following respirators:

(A) A tight-fitting powered air-purifying respirator equipped with high efficiency filters;

(B) A full facepiece supplied-air respirator operated in the pressure-demand mode equipped with HEPA egress cartridges; or

(C) A full facepiece supplied-air respirator operated in the pressure-demand mode equipped with an auxiliary positive pressure self-contained breathing apparatus. A full facepiece supplied-air respirator operated in the pressure-demand mode equipped with an auxiliary positive pressure self-contained breathing apparatus must be provided under such conditions when the exposure assessment indicates exposure levels above 1 f/cc as an 8-hour time weighted average."

Dated: April 15, 1998.

Charles N. Jeffress,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 98-10795 Filed 4-22-98; 8:45 am]

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DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 357

[Department of the Treasury Circular, Public Debt Series, No. 2-86]

Regulations Governing Book-Entry Treasury Bonds, Notes, and Bills; Determination Regarding State Statute

AGENCY: Bureau of the Public Debt, Fiscal Service, Treasury.

ACTION: Determination of substantially identical state statute.

SUMMARY: The Department of the Treasury is announcing that it has reviewed the recently enacted South Dakota law adopting Revised Article 8 of the Uniform Commercial Code—Investment Securities ("Revised Article 8") and has determined that it is substantially identical to the uniform version of Revised Article 8 for purposes of interpreting the rules in 31 CFR Part 357, Subpart B (the "TRADES" regulations). Therefore, that portion of the TRADES rule requiring application of Revised Article 8 if a state has not adopted Revised Article 8 will no longer be applicable for South Dakota.

EFFECTIVE DATE: April 23, 1998.

FOR FURTHER INFORMATION CONTACT: Lisa A. Crosby, Attorney-Advisor, (202) 219-3320, or Cynthia E. Reese, Deputy Chief Counsel, (202) 219-3320.

SUPPLEMENTARY INFORMATION: On August 23, 1996, The Department published a final rule to govern securities held in the commercial book-entry system, now referred to as the Treasury/Reserve Automated Debt Entry System ("TRADES"). 61 FR 43626.

In the commentary to the final regulations, Treasury stated that for the 28 states that had by then adopted Revised Article 8, the versions enacted were "substantially identical" to the uniform version for purposes of the rule. Therefore, for those states, that portion of the TRADES rule requiring application of Revised Article 8 was not invoked. Treasury also indicated in the commentary that as additional states adopt Revised Article 8, notice would be provided in the **Federal Register** as to whether the enactments are substantially identical to the uniform version so that the federal application of Revised Article 8 would no longer be in effect for those states. Treasury adopted this approach in an attempt to provide certainty in application of the rule in response to public comments. This notice addresses the recent adoption of Article 8 by South Dakota.

Treasury has reviewed the South Dakota enactment and has concluded that it is substantially identical to the uniform version of Revised Article 8. Accordingly, if either § 357.10(b) or § 357.11(b) directs a person to South Dakota, the provisions of §§ 357.10(c) and 357.11(d) of the TRADES rule are not applicable.

Dated: April 16, 1998.

Van Zeck,

Commissioner of the Public Debt.

[FR Doc. 98-10810 Filed 4-22-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[NE 052-1052a; FRL-6002-4]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Nebraska; Control of Landfill Gas Emissions From Existing Municipal Solid Waste Landfills

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is approving the Nebraska plan for implementing the Municipal Solid Waste (MSW) Landfill Emission Guideline (EG) at 40 CFR part 60, subpart Cc, which was required pursuant to section 111(d) of the Clean Air Act (Act). The state's plan was submitted to the EPA on January 6, 1998, in accordance with the requirements for adoption and submittal of state plans for designated facilities in 40 CFR part 60, subpart B. The plan establishes emission limits for existing MSW landfills, and provides for the implementation and enforcement of those limits.

DATES: This action is effective June 22, 1998, unless by May 26, 1998, relevant adverse comments are received.

ADDRESSES: Comments may be mailed to Wayne Kaiser, Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101.

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

FOR FURTHER INFORMATION CONTACT: Wayne Kaiser at (913) 551-7603.

SUPPLEMENTARY INFORMATION:

I. Background

Under section 111(d) of the Act, the EPA has established procedures whereby states submit plans to control certain existing sources of "designated pollutants." Designated pollutants are defined as pollutants for which a standard of performance for new sources applies under section 111, but which are not "criteria pollutants" (i.e., pollutants for which National Ambient Air Quality Standards are set pursuant to sections 108 and 109 of the Act). As required by section 111(d) of the Act, the EPA established a process at 40 CFR part 60, subpart B, similar to the process required by section 110 of the Act (regarding state implementation plan approval) which states must follow in adopting and submitting a section 111(d) plan. Whenever the EPA promulgates a new source performance standard (NSPS) that controls a designated pollutant, the EPA establishes EGs in accordance with 40 CFR 60.22 which contain information pertinent to the control of the designated pollutant from that NSPS source category (i.e., the "designated facility" as defined at 40 CFR 60.21(b)). Thus, a state's section 111(d) plan for a designated facility must comply with the EG for that source category as well as 40 CFR part 60, subpart B.

On March 12, 1996, the EPA published an EG for existing MSW landfills at 40 CFR part 60, subpart Cc (40 CFR 60.30c through 60.36c) and NSPS for new MSW landfills at 40 CFR part 60, subpart WWW (40 CFR 60.750 through 60.759). The pollutant regulated by the NSPS and EG is MSW landfill emissions, which contain a mixture of volatile organic compounds, other organic compounds, methane, and hazardous air pollutants. To determine whether control is required, nonmethane organic compounds (NMOC) are measured as a surrogate for MSW landfill emissions. Thus, NMOC is considered the designated pollutant. The designated facility which is subject to the EG is each existing MSW landfill (as defined in 40 CFR 60.31c) for which construction, reconstruction, or modification was commenced before May 30, 1991.

Pursuant to 40 CFR 60.23(a), states were required to submit a plan for the control of the designated pollutant to which the EG applies within nine months after publication of the EG, or by December 12, 1996. If there were no designated facilities in the state, then the state was required to submit a negative declaration by December 12, 1996.

II. Analysis of State Submittal

The official procedures for adoption and submittal of state plans are codified in 40 CFR part 60, subpart B, sections 60.23 through 60.26. Subpart B addresses public participation, legal authority, emission standards and other emission limitations, compliance schedules, emission inventories, source surveillance, compliance assurance and enforcement requirements, and cross-references to the MSW landfill EG.

On January 6, 1998, the state of Nebraska submitted its section 111(d) plan for MSW landfills for implementing the EPA's MSW landfill EG.

The Nebraska plan includes documentation that all applicable subpart B requirements have been met. More detailed information on the requirements for an approvable plan and Nebraska's submittal can be found in the Technical Support Document (TSD) accompanying this action, which is available on request.

The Nebraska plan cross referenced both the NSPS subpart WWW and EG subpart Cc to adopt the requirements of the Federal rule. The state has ensured, through this cross referencing process, that all the applicable requirements of the Federal rule have been adopted into the state plan. The emission limits, testing, monitoring, reporting and recordkeeping requirements, and other aspects of the Federal rule have been adopted. Nebraska rule Chapter 18, 004, contains the applicable requirements.

Nebraska demonstrated that it has the legal authority to implement and enforce the applicable requirements. The state provided evidence that it complied with the public notice and comment requirements of 40 CFR part 60, subpart B.

III. Final Action

Based on the rationale discussed above and in further detail in the TSD associated with this action, the EPA is approving Nebraska's January 6, 1998, submittal of its section 111(d) plan for the control of landfill gas from existing MSW landfills, except those located in Indian Country.

The EPA is publishing 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, the EPA is publishing a separate document that will serve as the proposal to approve the state plan revision should relevant adverse comments be filed. This rule will be effective June 22, 1998, without further