

because it does not involve decisions on environmental health or safety risks that may disproportionately affect children.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: May 18, 1998.

William T. Wisniewski,

Acting Regional Administrator, Region III.

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 U.S.C. 7401–7671q.

Subpart J—District of Columbia

2. Section 52.473 is added to read as follows:

§ 52.473 Conditional approval.

The District of Columbia's November 25, 1997 submittal, for an enhanced motor vehicle inspection and maintenance (I/M) program, is conditionally approved pending full implementation of the program by April 30, 1999. Should the District fail to fulfill this condition by April 30, 1999, this conditional approval will convert to a disapproval pursuant to CAA section 110(k). In that event, EPA would issue a letter to notify the District that the condition had not been met, and that the approval had converted to a disapproval.

[FR Doc. 98–14158 Filed 6–1–98; 8:45 am]
BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IN82–2; FRL–6013–5]

Approval and Promulgation of Implementation Plans; Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; technical amendment.

SUMMARY: This document contains corrections to final rules which were published on June 26, 1997 and October 23, 1997. These revisions related to items listed as incorporated in the Indiana State Implementation Plan as part of the State's photochemical

oxidant control strategy which is designated as § 52.777 Control strategy: Photochemical oxidants (hydrocarbons), Subpart P—Indiana, part 52, chapter 1, title 40 of the Code of Federal Regulations.

EFFECTIVE DATE: June 2, 1998.

FOR FURTHER INFORMATION CONTACT: Randolph O. Cano at (312)886–6036.

SUPPLEMENTARY INFORMATION: On October 23, 1997 (62 FR 55173), when the United States Environmental Protection Agency (EPA) approved the addition of a 1-year extension of the ozone attainment date in the Indiana portion of the Louisville moderate ozone nonattainment area which consists of Clark and Floyd Counties, EPA erroneously codified its approval at 40 CFR 52.777(q). Paragraph (q) had already been utilized to codify EPA's June 26, 1997 (62 FR 34406), approval of an addition to the Indiana SIP in the form of a transportation control measure for Vanderburgh County.

Need for Correction

This duplicate use of paragraph 52.777(q) makes citation to this paragraph confusing and unclear as well as imprecise. For this reason EPA is publishing this Technical Amendment to avoid further confusion.

Administrative Procedure Act

This action will be effective immediately upon publication in the **Federal Register** pursuant to the Administrative Procedure Act, 5 U.S.C. 533(d)(1) and (3)(APA) for good cause. This action which merely redesignates a paragraph used to codify EPA's approval of a one-year ozone attainment date extension for Clark and Floyd Counties in Indiana is too minor to be of interest to the general public. Holding a public comment period on this action is unnecessary. The thirty day delay of the effective date of this action generally required by the APA is unwarranted in that it does not serve the public interest to unnecessarily delay the effective date of this action.

Executive Order 12866

Under Executive Order 12866, this action is not a "significant regulatory action" and is therefore not subject to review by the Office of Management and Budget. In addition this action does not impose annual costs of \$100 million or more, will not significantly or uniquely affect small governments, and is not a significant Federal intergovernmental mandate. The EPA thus has no obligations under sections 202, 203, 204 and 205 of the Unfunded Mandates Reform Act. Moreover, since this action

is not subject to notice-and-comment requirements under the APA or any other statute, it is not subject to sections 603 or 604 of the Regulatory Flexibility Act.

Children's Health Protection

This rule is not subject to E.O. 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), because it does not involve decisions on environmental health risks or safety risks that may disproportionately affect children.

Submission to Congress and the General Accounting Office

Under section 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted 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 General Accounting Office prior to publication of the rule in this **Federal Register**. This rule is not a "major rule" as defined by section 804(2) of the APA as amended.

List of Subjects in 40 CFR Part 52

Environmental Protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone, Transportation control measure.

Dated: April 29, 1998.

Barry C. DeGraff,

Acting Regional Administrator.

Accordingly, part 52, chapter I, title 40 of the Code of Federal Regulations is corrected by making the following Technical Amendment:

PART 52—[AMENDED]

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

Authority: 452 U.S.C. 7401 et seq.

Subpart P—Indiana

2. Section 52.777 is amended by redesignating the second paragraph(q) as (r).

[FR Doc. 98–14290 Filed 6–1–98; 8:45 am]

BILLING CODE 6560–50–P