

and Radiation Program (8P-AR), United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2466.

Copies of the documents relevant to this action are available for public inspection during normal business hours at: United States Environmental Protection Agency, Region VIII, Air and Radiation Program, 999 18th Street, Suite 500, Denver, Colorado 80202-2466.

Copies of the State documents relevant to this action are available for public inspection at: Colorado Department of Public Health and Environment, Air Pollution Control Division, 4300 Cherry Creek Drive South, Denver, Colorado 80246-1530.

FOR FURTHER INFORMATION CONTACT: Tim Russ, Air and Radiation Program (8P-AR), United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202-2466 Telephone number: (303) 312-6479.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations Section of this **Federal Register**.

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

Dated: December 21, 1998.

William P. Yellowtail,

Regional Administrator, Region VIII.

[FR Doc. 99-2982 Filed 2-8-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[Region 2 Docket No. NY30-188a, FRL-6231-6]

Approval and Promulgation of State Plans for Designated Facilities; New York

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the State Plan submitted by New York to fulfill the requirements of sections 111(d)/129 of the Clean Air Act for Municipal Waste Combustors (MWC). The revisions concern the implementation and enforcement of the Emissions Guidelines, as amended by EPA on August 25, 1997, applicable to existing large MWC units with individual capacity to combust more than 250 tons per day of municipal solid

waste. We are proposing to approve the State Plan which imposes revised emission limits for four pollutants (hydrogen chloride, sulfur dioxide, nitrogen oxides and lead) and compliance schedules for the existing MWC's in New York which will reduce the designated pollutants. In the "Rules and Regulations" section of this **Federal Register**, EPA is approving New York's revised State Plan submittal, as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received on or before March 11, 1999.

ADDRESSES: All comments should be addressed to: Ronald J. Borsellino, Chief, Air Programs Branch, Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10007-1866.

Copies of the State submittal are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10007-1866.

New York State Department of Environmental Conservation, Division of Air Resources, 50 Wolf Road, Albany, New York 12233.

FOR FURTHER INFORMATION CONTACT: Christine DeRosa or Kirk J. Wieber, Air Programs Branch, Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10278, (212) 637-4249.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the rules section of this **Federal Register**.

Dated: January 28, 1999.

William J. Muszynski,

Deputy Regional Administrator, Region 2.

[FR Doc. 99-2984 Filed 2-8-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 79

[FRL-6231-9]

Proposed Alternative Tier 2 Requirements for Methylcyclopentadienyl Manganese Tricarbonyl (MMT)

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed requirements.

SUMMARY: The purpose of this document is to announce that the Environmental Protection Agency (EPA) has notified the Ethyl Corporation (Ethyl), manufacturer of the fuel additive methylcyclopentadienyl manganese tricarbonyl (MMT), and other affected registrants of fuels and additives containing MMT, of proposed Alternative Tier 2 health and exposure testing requirements. The purpose of the proposed testing requirements is to assist in characterizing potential health risks associated with use of the additive in unleaded gasoline. By this document, EPA is affording an opportunity for members of the public to comment on these proposed requirements.

DATES: EPA will review and consider all comments on the proposed Alternative Tier 2 testing requirements for MMT which are received by EPA no later than March 30, 1999.

ADDRESSES: Written comments on this proposed action should be addressed to Public Docket Number A-98-35, Waterside Mall (Room M-1500), Environmental Protection Agency, Air Docket Section, 401 M Street, S.W., Washington, D.C. 20460. A copy of the notification transmitted to Ethyl and the notification transmitted to other affected registrants have been placed in Docket A-98-35. Documents may be inspected between the hours of 8:00 a.m. to 5:30 p.m., Monday through Friday. A reasonable fee may be charged for copying docket material.

FOR FURTHER INFORMATION CONTACT: Joseph R. Sopata, Chemist, U.S. Environmental Protection Agency, Office of Air and Radiation, (202) 564-9034.

SUPPLEMENTARY INFORMATION:

Regulated Entities

Entities who may be regulated pursuant to the notifications referenced in this document are those that manufacture or use the fuel additive MMT. Regulated categories and entities include:

Category	Examples of regulated entities	SIC codes
Industry	The Ethyl Corporation, petroleum refining, gasoline importers, fuel additive manufacturers.	2911, 5172, 2899.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware that could potentially be regulated pursuant to the notifications. Other types of entities not listed in this table could also be regulated. If you have any questions regarding the applicability of the notifications to a particular entity, consult the person listed in the preceding section dealing with EPA contacts.

I. Introduction

The Clean Air Act (CAA), as amended, required the Administrator of EPA to promulgate regulations requiring manufacturers of fuels and fuel additives to conduct tests to determine potential health effects of such products. The final rule, promulgated on May 27, 1994, established new health effects testing requirements for the registration of designated F/FAs as authorized by CAA sections 211(b)(2) and 211(e) of the CAA.

The registration requirements are organized within a three-tier structure. Tier 1 requires F/FA manufacturers to supply to EPA (1) the identity and concentration of certain emission products of designated F/FAs and an analysis of potential emission exposures, and (2) any available information regarding the health and welfare effects of the whole and speciated emissions. 40 CFR 79.52. Tier 2 requires that combustion emissions of each F/FA subject to the testing requirements be tested for subchronic systemic and organic toxicity, as well as the assessment of specific health effect endpoints. 40 CFR 79.53. Tier 3 testing may be required, at EPA's discretion, when remaining uncertainties as to the significance of observed health or welfare effects, or emissions exposures interfere with EPA's ability to reasonably assess the potential risks posed by emissions from a F/FA. 40 CFR 79.54. EPA's regulations permit submission of adequate existing test data in lieu of conducting new duplicative tests. 40 CFR 79.53(b).

At its discretion, EPA may modify the standard Tier 2 health effects testing requirements for a F/FA (or group thereof) by substituting, adding, or deleting testing requirements, or changing the underlying vehicle/engine specifications. 40 CFR 79.58(c). EPA

will not, however, delete a testing requirement for a specific endpoint in the absence of existing adequate information, or an alternative testing requirement for that endpoint. 40 CFR 79.58(c). When EPA exercises its authority under this special provision, it will allow an appropriate time for completion of the prescribed alternative tests.

II. Proposed Alternative Tier 2 Requirements for MMT

The purpose of this document is to announce that the Environmental Protection Agency (EPA) has notified the Ethyl Corporation (Ethyl), the manufacturer of MMT, and other affected registrants of fuels and additives containing MMT, of proposed Alternative Tier 2 testing requirements under 40 CFR 79.58(c) for fuels containing up to 1/32 gram per gallon (gpg) manganese in the form of MMT. This document also is intended to afford an opportunity for public comment on the proposed requirements.

The purpose of the proposed Alternative Tier 2 test requirements is to address specific research needs related to assessment of the potential risks associated with use of fuels containing MMT. The proposed Alternative Tier 2 test requirements are within two general categories, pharmacokinetic testing of manganese compounds and characterization of manganese emissions from vehicles utilizing fuels containing MMT. These Alternative Tier 2 testing requirements are intended to be the first stage in a two-stage Alternative Tier 2 test program. EPA intends to evaluate the results produced in the first stage of testing, as well as any other information which may be submitted to or obtained by EPA in the meantime, in determining the specific nature and scope of the second stage of Alternative Tier 2 testing. Any additional Alternative Tier 2 tests proposed for fuels and additives containing MMT in the future will be announced in a separate **Federal Register** document.

On January 29, 1999, Ethyl was notified by certified letter of the specific tests which the Agency is proposing to require under the Alternative Tier 2 provisions for MMT, and the proposed schedule for completion and submission of such tests. Other affected registrants of fuels and additives containing MMT were also notified by certified letter. A

copy of the notification to Ethyl and the notification to other registrants, including a description of the proposed Alternative Tier 2 tests and the proposed schedule for such tests, has been placed in the Public Docket Number A-98-35, Waterside Mall (Room M-1500), Environmental Protection Agency, Air Docket Section, 401 M Street, S.W., Washington, D.C. 20460. The notifications are also available on the internet via EPA's Mobile Source home page at <http://www.epa.gov/OMSWWW/>. The Agency is affording an opportunity for public comment on these proposed requirements.

III. Environmental Impact

EPA's health effects testing notifications for MMT will result in no immediate environmental impact. Section 211(c) of the CAA, however, authorizes EPA to take regulatory action to control or prohibit manufacture or sale of fuels and fuel additives if testing information submitted by registrants or other information available to EPA indicates that use of such products may be reasonably anticipated to endanger public health or welfare. Thus, information obtained from health effects testing conducted by manufacturers of F/FAs may provide a basis for subsequent regulatory action.

IV. Economic Impact

The proposed testing requirements which are the subject of this document will have a potential economic impact on the affected registrants, who are obligated to make expenditures to conduct any required testing. EPA does not anticipate that there will be any direct economic impact on registrants of fuels and additives containing MMT other than Ethyl, because Ethyl has stated that it will be responsible for satisfying any test requirements imposed by EPA for the group of fuels and additives containing MMT.

The regulations at 40 CFR 79.58(d) also contain special provisions limiting testing obligations for those fuel or fuel additive manufacturers whose total annual sales are less than \$10 million. EPA does not believe that the testing requirements which are the subject of these notifications will have any economic impact on small entities.

List of Subjects in 40 CFR Part 79

Environmental protection, Air pollution control, Gasoline, Conventional gasoline, Methylcyclopentadienyl manganese tricarbonyl, and Motor vehicle pollution.

Dated: February 2, 1999.

Robert A. Perciasepe,

Assistant Administrator, Office of Air and Radiation.

[FR Doc. 99-3141 Filed 2-8-99; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Parts 73 and 74**

[ET Docket No. 99-34; FCC 99-8]

An Industry Coordination Committee System for Broadcast Digital Television Service

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission has issued a Notice of Proposed Rule Making (NPRM) requesting comment on the establishment of an industry coordination committee to assist in the implementation of digital television (DTV) service. The Commission indicated that it believes such an industry committee could serve to improve its existing procedures for adjusting the DTV Table of Allotments and for managing requests for DTV station modifications as the transition to DTV progresses.

DATES: Comments must be received on or before March 29, 1999, and reply comments on or before April 28, 1999.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554

FOR FURTHER INFORMATION CONTACT: Alan Stillwell (202-418-2470), Office of Engineering and Technology.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making in ET Docket No. 99-34, FCC 99-8, adopted January 28, 1999, and released February 3, 1999. The full text of this decision is available for inspection and copying during normal business hours in the Public Reference Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision also may be purchased from the Commission's duplicating contractor, International Transcription Service, 1231 20th Street,

NW., Washington, DC 20036, (202-857-3800).

Summary of the Notice of Proposed Rule Making

1. In the NPRM, the Commission sought comment on the establishment of an industry coordination committee to assist in the implementation of digital television (DTV) service. The Commission indicated that it believes that such an industry committee may aid its efforts to provide fair and efficient means for adjusting the DTV Table of Allotments and for managing requests for DTV station modifications as the transition to DTV progresses. It stated that a coordination committee might also serve to provide assistance in managing any further requests for modification of analog (NTSC) television stations during the transition and on other issues such as inter-service sharing arrangements.

2. The Commission indicated that it believes that the general principles and policies that were applied in establishing rules for frequency coordination in the land mobile services are also relevant and appropriate for guiding the development of an industry coordination committee system for broadcast television. It presented a number of proposals for the DTV industry coordination committee system that were generally based on a plan suggested in a Petition for Rule Making submitted by the Broadcasters' Caucus. These proposals, which are presented below, address the following issues: (a) the structure of a DTV industry coordination committee system; (b) its functions; (c) the operation of the Committee system; (d) the selection of the DTV frequency coordinators; and (e) the Commission's oversight of committee operations. The Commission invited interested parties to submit suggestions for any changes in these proposals or alternative approaches relating to an industry committee system that they believe would serve to improve the process for modifying the DTV Table and/or to provide other assistance to the Commission on television spectrum matters.

3. The Commission also indicated that if it decides to establish a DTV coordination committee system, it will need to decide whether to make participation in the committee process mandatory or voluntary. It therefore requested comment on whether to require that television station applicants, construction permit holders, licensees and others with proposals that would affect TV spectrum coordinate their proposals through the industry committee process or simply make

participation in that process voluntary. It noted that under a mandatory approach, the industry coordination committee system would replace its existing rules for voluntary negotiation of DTV allotment and facility modifications. The Commission also reiterated its statement in the Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order in the DTV proceeding, MM Docket No. 87-268, 13 FCC Rcd 6860, 63 FR 15774, April 11, 1998, that it intends that consideration of an industry coordination committee system not delay the implementation of DTV service. It therefore advised broadcasters that it will continue to process applications for DTV stations and requests for modification of facilities during the course of this proceeding. Broadcasters preparing DTV applications and/or station modification requests therefore should not delay the filing of those applications.

4. Under the structural plan proposed by the Commission, the coordination of allotment and station changes would be organized on the basis of regional committees operating under the umbrella of a national organization (national coordinator). The national coordinator would establish an organizational structure and administrative system for the regional committees, manage a nationwide data base, maintain procedures and software systems for performing technical analyses, and monitor the work of the regional committees. The regional coordinating committees would conduct evaluations and provide recommendations/advice to the Commission and would also coordinate among local stations and within the industry. The Commission did not present a plan for a specific number of regional coordinating committees or for the boundaries of the regions in which they would operate. Rather, it requested that interested parties submit comments and suggestions with regard to this issue and indicated that it would select an appropriate number of committees and define the boundaries of the regions in which the individual committees would operate after considering such submissions. The Commission also requested comment on whether it might be more desirable to adopt an alternative approach under which the Commission would specify requirements for the organization and administration of the regional committees and the national coordinator and for the manner in which they would interact. Parties supporting such an approach were requested to submit