

**List of Subjects in 40 CFR Part 62**

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Methane, Municipal solid waste landfills, Nonmethane organic compounds, Reporting and recordkeeping requirements.

Dated: July 24, 1998.

**David A. Ullrich,**

*Acting Regional Administrator, Region V.*

40 CFR part 62 is amended as follows:

**PART 62—[AMENDED]**

1. The authority citation for part 62 continues to read as follows:

**Authority:** 42 U.S.C. 7401–7671q.

**Subpart KK—Ohio**

2. Subpart KK is amended by adding a new center heading and §§ 62.8870, 62.8871, and 62.8872 to read as follows:

**Landfill Gas Emissions From Existing Municipal Solid Waste Landfills****§ 62.8870 Identification of plan.**

The Ohio State Implementation Plan for implementing the Federal Municipal Solid Waste Landfill Emission Guidelines including Ohio Administrative Code (OAC) Rules 3745–76–01 through 3745–76–15 was submitted on March 30, 1998.

**§ 62.8871 Identification of sources.**

The plan applies to all existing municipal solid waste landfills for which construction, reconstruction or modification was commenced before May 30, 1991 that accepted waste at any time since November 8, 1987 or that have additional capacity available for future waste deposition, as described in 40 CFR part 60, subpart Cc.

**§ 62.8872 Effective date.**

The effective date of the plan for municipal solid waste landfills is October 6, 1998.

[FR Doc. 98–21030 Filed 8–6–98; 8:45 am]

BILLING CODE 6560–50–P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Parts 63 and 430**

[FRL–6132–6]

RIN 2040–AB53

**National Emission Standards for Hazardous Air Pollutants for Source Category: Pulp and Paper Production; Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards: Pulp, Paper, and Paperboard Category; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** EPA is correcting minor errors in the effluent limitations guidelines and standards promulgated under the Clean Water Act for a portion of the pulp, paper and paperboard industry and the national emission standards for hazardous air pollutants promulgated under the Clean Air Act for the pulp and paper production category, which appeared in the **Federal Register** on April 15, 1998 (63 FR 18504).

**DATES:** Effective on August 7, 1998.

**FOR FURTHER INFORMATION CONTACT:** Mr. Troy Swackhammer by voice on (202) 260–7128 or by e-mail at swackhammer.j-troy@epa.gov.

**SUPPLEMENTARY INFORMATION:**

**Overview**

The EPA published a document in the April 15, 1998 **Federal Register** (63 FR 18504–18751) promulgating the effluent limitations guidelines and standards under the Clean Water Act (CWA) for a portion of the pulp, paper and paperboard industry and national emission standards for hazardous air pollutants (NESHAP) under the Clean Air Act (CAA) as amended in 1990 for the pulp and paper production source category. The final rules promulgated in the April 15, 1998 **Federal Register** contained some minor errors that are discussed briefly below and are corrected by this notice.

**Administrative Requirements and Related Government Acts****A. The Administrative Procedure Act**

Consistent with section 553(b) of the Administrative Procedure Act (APA), EPA has found for good cause that notice and an opportunity to comment on these technical corrections is unnecessary because this rule merely corrects typographical errors and clerical oversights and would not

benefit from public comment. In addition, EPA has found good cause under APA section 553(d)(3) for waiving the APA's 30-day delay in effectiveness as to these final rules. It is important that these minor technical corrections become effective immediately because they correct or clarify certain regulatory requirements that are currently applicable to facilities within the affected subcategories.

**B. Executive Order 12866 and OMB Review**

EPA has determined that these corrections do not constitute "significant regulatory action" that would trigger review by the Office of Management and Budget.

**C. The Regulatory Flexibility Act**

EPA has determined that these corrections will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605. With respect to the underlying regulations that this rule corrects, EPA incorporates herein the findings set forth in 63 FR 18504.

**D. Paperwork Reduction Act**

EPA has determined that these regulations do not contain any information collection requirements that require the approval of the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. chapter 35. With respect to the underlying regulations that these rules correct, EPA incorporates herein the discussion set forth in 63 FR 18504.

**E. Unfunded Mandates Reform Act**

EPA incorporates herein the discussion set forth in 63 FR 18504.

**F. Congressional Review Act**

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. However, section 808 provides that any rule for which the issuing agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule) that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest, shall take effect at such time as the agency promulgating the rule determines. 5 U.S.C. 808(2). As stated previously, EPA has made such a good cause finding,

including the reasons therefore, and established an effective date of August 7, 1998. 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).

#### G. Other Applicable Executive Orders and Statutes

EPA incorporates herein the discussion of the Executive Orders and statutes presented in 63 FR 18504. This technical corrections rule is not a "major rule" as defined by 5 U.S.C. 804(2); therefore, it is not subject to the 60-day delay in effectiveness specified under the Small Business Regulatory Enforcement Fairness Act of 1996.

#### H. Protection of Children from Environmental Health Risks and Safety Risks

This final 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 "this is not an economically significant regulatory action as defined by E.O. 12866."

Dated: July 24, 1998.

#### Robert Perciasepe,

Assistant Administrator for Air and Radiation.

#### J. Charles Fox,

Acting Assistant Administrator for Water.

The following corrections are made in FRL-5924-8, National Emission Standards for Hazardous Air Pollutants for Source Category: Pulp and Paper Production; Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards: Pulp, Paper, and Paperboard Category, which was published in the **Federal Register** on April 15, 1998 (63 FR 18504).

#### § 63.446 [Corrected]

1. On page 18621, second column, in § 63.446, paragraph (i) is corrected to read:

\* \* \* \* \*

(i) For the purposes of meeting the requirements in paragraphs (c)(3), (e)(4), or (e)(5) of this section at mills producing both bleached and unbleached pulp products, owners and operators may meet a prorated mass standard that is calculated by prorating the applicable mass standards (kilograms of total HAP per megagram of ODP) for bleached and unbleached pulp products specified in paragraphs (c)(3), (e)(4), or (e)(5) of this section by the

ratio of annual megagrams of bleached and unbleached ODP.

\* \* \* \* \*

#### § 63.447 [Corrected]

2. On page 18621, third column, in § 63.447, paragraph (d)(1) is corrected to read:

\* \* \* \* \*

(d) \* \* \*

(1) Process and air pollution control equipment installed and operating on December 17, 1993, and.

\* \* \* \* \*

#### § 430.01 [Corrected]

3. On page 18637, third column, § 430.01(i), the second sentence is corrected to read, "The following minimum levels apply to pollutants in this part:"

4. On page 18639, second column, in § 430.01, paragraph (p) is corrected to read:

\* \* \* \* \*

(p) TCDF, 2,3,7,8-tetrachlorodibenzofuran.

\* \* \* \* \*

#### § 430.24 [Corrected]

5. On page 18654, in § 430.24 (b)(4)(i) in the table entitled "Ultimate Voluntary Advanced Technology Incentives Program BAT Limitations," in the sixth column, the third line under "Annual average" is corrected to read "0.05"; in note b, the second sentence is corrected to read, "Under Tier I, this includes all filtrates up to the point where kappa number is measured"; and in note d, the second sentence is corrected to read, "N/A means "not applicable."

6. On page 18654, first column, in § 430.24, paragraph (b)(4)(ii)(A) is corrected to read:

\* \* \* \* \*

(b) \* \* \*

(4) \* \* \*

(ii) \* \* \*

(A) A discharger enrolled in Tier I of the Voluntary Advanced Technology Incentives Program must achieve the Tier I limitations in paragraph (b)(4)(i) of this section by April 15, 2004.

\* \* \* \* \*

7. On page 18654, third column, in § 430.24 (d), the second sentence is corrected to read, "Also, for non-continuous dischargers, concentration limitations (mg/l) shall apply."

#### § 430.24 [Corrected]

8. On page 18657, in § 430.25(b) in the table entitled "Subpart B," in the first column, the first line is corrected to read, "AOX"; the second line is corrected to read, "BOD5"; and the third

line is corrected to read, "TSS". In the second column, the second line is corrected to read "4.52d" and third line is corrected to read "8.47d".

#### § 430.26 [Corrected]

9. On page 18658, third column, in § 430.26, the last four lines of the introductory text are corrected to read, "pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and must achieve the following pretreatment standards for existing sources (PSES)."

10. On page 18659, in § 430.26, paragraph (a)(2) introductory text is corrected to read:

\* \* \* \* \*

(a) \* \* \*

(2) The following pretreatment standards apply with respect to each fiber line operated by an indirect discharger subject to this section if the indirect discharger discloses to the pretreatment control authority in a report submitted under 40 CFR 403.12(b), (d), or (e) that it uses exclusively TCF bleaching processes at that fiber line. These pretreatment standards must be attained on or before April 16, 2001:

\* \* \* \* \*

#### § 430.27 [Corrected]

11. On pages 18659 and 18660, in the third and first columns, in § 430.27 the introductory text is corrected to read:

Except as provided in 40 CFR 403.7, any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and must achieve the following pretreatment standards for new sources (PSNS).

\* \* \* \* \*

12. On page 18660, in § 430.27, paragraph (a)(2) is corrected to read:

\* \* \* \* \*

(a) \* \* \*

(2) The following pretreatment standards apply with respect to each new source fiber line operated by an indirect discharger subject to this section if the indirect discharger discloses to the pretreatment control authority in a report submitted under 40 CFR 403.12(b), (d), or (e) that it uses exclusively TCF bleaching processes at that fiber line:

\* \* \* \* \*

13. On page 18683, third column, in § 430.56, the last four lines of the introductory text are corrected to read "treatment works must comply with 40 CFR part 403 and must achieve the following pretreatment standards for existing sources (PSES)."

§ 430.56 [Corrected]

14. On page 18683, in § 430.56(a)(1) in the table entitled "SUBPART E [Production of Calcium-, Magnesium-, or Sodium-based Sulfite Pulps]," in the second column, the first entry is corrected to read "<ML>".

15. On page 18684, in § 430.56(a)(2)(ii) in the table entitled "SUBPART E-PRODUCTION OF AMMONIUM-BASED SULFITE PULPS," the title in the second column is corrected to read "PSES (TCF)".

16. On page 18684, second column, in § 430.56(a)(3)(ii), the reference to "40 CFR 403.12(b)" is corrected to read, "40 CFR 403.12(b), (d), or (e)".

§ 430.57 [Corrected]

17. On page 18685, in § 430.57, paragraph (a)(2)(ii) is corrected to read:

\* \* \* \* \*

(a) \* \* \*

(2) \* \* \*

(ii) The following pretreatment standards apply with respect to each new source fiber line operated by an indirect discharger producing ammonium-based sulfite pulps if the indirect discharger discloses to the pretreatment control authority in a report submitted under 40 CFR 403.12(b), (d), or (e) that it uses exclusively TCF bleaching processes at that fiber line:

\* \* \* \* \*

18. On page 18686, in § 430.57, paragraph (a)(3)(ii) introductory text is corrected to read:

\* \* \* \* \*

(a) \* \* \*

(3) \* \* \*

(ii) The following pretreatment standards apply with respect to each new source fiber line operated by an indirect discharger producing specialty grade sulfite pulps if the indirect discharger discloses to the pretreatment control authority in a report submitted under 40 CFR 403.12(b), (d), or (e) that it uses exclusively TCF bleaching processes at that fiber line:

\* \* \* \* \*

[FR Doc. 98-20413 Filed 8-6-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-300686; FRL-6018-1]

RIN 2070-AB78

Carfentrazone-ethyl; Temporary Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation extends a temporary tolerance for combined residues of the herbicide carfentrazone-ethyl (fluorobenzenepropanoic acid) in or on wheat raw agricultural commodities: 0.2 ppm in or on wheat hay, 0.2 ppm in or on wheat straw, 0.2 ppm in or on wheat grain; and establishing tolerance for combined residues of the herbicide carfentrazone-ethyl (ethyl-alpha-2-dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]-4-fluorobenzene-propanoate) and its two major corn metabolites: carfentrazone-ethyl chloropropionic acid (alpha, 2-dichloro-5-[4-difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]-4-fluorobenzene-propanoic acid) and 3-desmethyl-FF8426 chloropropionic acid (alpha,2-dichloro-5-[4-difluoromethyl)-4,5-dihydro-5-oxo-1H-1,2,4-triazol-1-yl]-4-fluorobenzene-propanoic acid) in or on corn raw agricultural commodities; 0.15 ppm in or on corn forage, 0.15 ppm in or on corn fodder, 0.15 ppm in or on corn grain. FMC requested this tolerance under the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1966 (Pub. L. 104-170). The tolerance will expire on May 8, 1999.

DATES: This regulation is effective August 7, 1998. Objections and requests for hearings must be received by EPA on or before October 6, 1998.

ADDRESSES: Written objections and hearing requests, identified by the docket control number, [OPP-300686], must be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk identified by the docket control number, [OPP-300686], must also be submitted to:

Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring a copy of objections and hearing requests to Rm. 119, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect 5.1/6.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket control number [OPP-300686]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT: By mail: Joanne I. Miller, Product Manager PM-23, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 305-6224, e-mail: miller.joanne@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: In the Federal Register of June 10, 1998 (63 FR 31769) (FRL-5793-1), EPA, issued a notice pursuant to section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e) announcing the filing of a pesticide petition (PP 6G4615) for a tolerance by FMC Corporation, 1735 Market St., Philadelphia, PA 19103. This notice included a summary of the petition prepared by FMC Corporation, the registrant. There were no comments received in response to the notice of filing.

The petition requested that 40 CFR part 180 be amended by extending a temporary tolerance for combined residues of the herbicide carfentrazone-ethyl (ethyl-alpha-2-dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]-4-fluorobenzene-propanoate), and its metabolite, in or on field corn forage, fodder, and grain at 0.15 parts per million (ppm); and for wheat hay, straw,