Harvest limits	Open season
* * * * *	
Hunting	
* * * * *	
Muskox:	
Unit 23 South of Kotzebue Sound and west of and including the Buckland River drainage—1 bull by Federal registration permit only. Federal public lands are closed to the taking of muskox except by Federally-qualified subsistence users. The hunt will be closed when 6 bulls have been taken.	Sept. 1–Jan. 31.
Remainder of Unit 23	No open season.
* * * * *	

* * * * *

15. Section ____.25(k)(24)(iii) is amended in the table under ''Hunting'' by revising the entry for Sheep to read as follows:

* * * * *

(k) * * *

(24) * * *

(iii) * * *

Harvest limits	Open season
* * * * *	
Hunting	
* * * * *	
Sheep:	
Unit 24 (Anaktuvuk Pass residents only)—that portion within the Gates of the Arctic National Park—community harvest quota of 60 sheep, no more than 10 of which may be ewes and a daily possession limit of 3 sheep per person no more than 1 of which may be a ewe.	July 15–Dec. 31.
Unit 24 (excluding Anaktuvuk Pass residents)—that portion within the Gates of the Arctic National Park—3 sheep.	Aug. 1–Apr. 30.
Unit 24—that portion within the Dalton Highway Corridor Management Area; except, Gates of the Arctic National Park—1 ram with 7/8 curl horn or larger by Federal registration permit only.	Aug. 10–Sept. 20.
Remainder of Unit 24—1 ram with 7/8 curl horn or larger.	Aug. 10–Sept. 20.
* * * * *	

* * * * *

16. Section ____.25(k)(25)(iii) is amended in the table under ''Trapping'' by revising the entry for Lynx to read as follows:

* * * * *

(k) * * *

(25) * * *

(iii) * * *

Harvest limits	Open season
* * * * *	
Trapping	
* * * * *	
Lynx:	
No limit	Nov. 1–Feb. 28.
* * * * *	

* * * * *

17. Section ____.25(k)(26)(iii) is amended in the table under ''Hunting'' by revising the entry for Sheep to read as follows:

* * * * *

(k) * * *

(26) * * *

(iii) * * *

Harvest limits	Open season
* * * * *	
Hunting	
* * * * *	
Sheep:	
26 (A) and (B) (Anaktuvuk Pass residents only)—those portions within the Gates of the Arctic National Park—community harvest quota of 60 sheep, no more than 10 of which may be ewes and a daily possession limit of 3 sheep per person no more than 1 of which may be a ewe.	July 15–Dec. 31.
Unit 26(A) (excluding Anaktuvuk Pass residents)—that portion within the Gates of the Arctic National Park—3 sheep.	Aug. 1–Apr. 30.
Unit 26(A)—that portion west of Howard Pass and the Etivluk River.	No open season.
Unit 26(B)—that portion within the Dalton Highway Corridor Management Area—1 ram with 7/8 curl horn or larger by Federal registration permit only.	Aug. 10–Sept. 20.
Remainder of Units 26 (A) and (B)—including the Gates of the Arctic National Preserve—1 ram with 7/8 curl horn or larger.	Aug. 10–Sept. 20.
Unit 26(C)—3 sheep per regulatory year; the Aug. 10–Sept. 20 season is restricted to 1 ram with 7/8 curl horn or larger. A Federal registration permit is required for the Oct. 1–Apr. 30 season.	Aug. 10–Sept. 20. Oct. 1–Apr. 30.
* * * * *	

* * * * *

Dated: August 14, 1997.

Thomas H. Boyd,

Acting Chair, Federal Subsistence Board.

Dated: August 18, 1997.

James A. Caplan,

Acting Regional Forester, USDA—Forest Service.

[FR Doc. 97–22751 Filed 8–28–97; 8:45 am]

BILLING CODE 3410–11–P, 4310–55–P

POSTAL RATE COMMISSION

39 CFR Part 3001

[Docket No. RM97–2; Order No. 1191]

Amendment to Rules Concerning Evidence Based on Market Research

AGENCY: Postal Rate Commission.

ACTION: Final rule.

SUMMARY: The Commission amends Rule 31(k) of its rules of practice by expanding foundation requirements for market research and making several editorial improvements. The amendment's purpose is to provide participants with guidance on the type of supporting information that must accompany market research submissions. The amendment will improve participants' ability to review these submissions.

DATES: This rule is effective August 29, 1997.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, Postal Rate Commission, 1333 H Street NW., Suite 300, Washington, DC 20268–0001, (202) 789–6820.

SUPPLEMENTARY INFORMATION: On May 2, 1997, the Commission issued a Notice of Proposed Rulemaking (NPRM) proposing three substantive changes in rule 31(k) (39 CFR 3001.31(k)). The changes addressed market research submitted (or relied upon) in Commission proceedings. The NPRM also proposed several minor editorial improvements in the rule, including limited restructuring. *See* Docket No. RM97–2, Rule 31(k) Revisions Concerning Market Research, 62 FR 25578 (May 9, 1997). One substantive

change reworded some of the existing foundation requirements for market research and added several new ones. Id. at 25582. Another recognized statistical disclosure limitation (SDL) methods as a means of protecting confidential survey data and information. Id. at 25580. A third change clarified reviewers' rights to obtain survey data. This included defining ''edited data file'' as raw data after appropriate coding, editing for consistency checks and application of SDL methodology. Id. at 25581. The proposed editorial improvements eliminated citations to outdated software standards, updated or revised several terms and headings, and separated market research rules from rules for other sample surveys. Id. at 25581.

Commenters' positions. The Commission received comments on the NPRM from United Parcel Service (UPS), the Commission's Office of the Consumer Advocate (OCA), and the United States Postal Service (Postal Service or Service). *See generally* Comments of UPS in Response to NPRM, Comments of the OCA to the Postal Rate Commission, and Comments of the Postal Service (all filed June 9, 1997). The Newspaper Association of America (NAA) filed reply comments, along with a motion for late acceptance, on July 29, 1997.

The commenters generally support the Commission's effort to address issues related to the growing use of market research, but differ on the procedure and conditions under which data confidentiality should be assured and on the advisability of proposed changes relating to reviewers' access to microdata. Opposition to contested elements of the proposal is based primarily on due process concerns.

In brief, the Postal Service's position is that the Commission's substantive changes reflect appropriate standards, and should be adopted with only minor revision. Postal Service Comments at 1–2. UPS supports most of the proposed changes affecting foundation requirements, with minor modification. UPS Comments at 2 and 7. However, UPS urges that SDL techniques be authorized as an optional, rather than standard practice. It also asserts that the availability of SDL should not be used to deny full access to unedited raw data. Id. at 3–7.

The OCA also generally supports the foundation requirements; however, it opposes the use of SDL methods and the proposed changes affecting reviewers' access to data. OCA Comments at 5. Moreover, the OCA urges that the Commission reissue the rulemaking and include all statistical studies within its scope. Id.

NAA generally agrees with the OCA's position. NAA Reply Comments at 1. Among other things, it specifically notes that given the size and scope of the Service's activities, the potential harm to private interests, and the Service's legal duty to operate in a non-discriminatory manner, it agrees with the OCA's conclusions that due process concerns require disclosure of Postal Service market research data, including access to data files necessary to permit replication of survey results. Id. at 2.

Commission response. The Commission is issuing a final rule that includes, with only minor changes, revisions to the foundation requirements for market research and the editorial improvements. The final rule does not adopt SDL methods or define edited data file. The comments from NAA, UPS and the OCA indicate that further consideration of these matters is needed before uniform standards can be developed for use in our proceedings. The Commission considered inviting a further round of comments, but has determined that the workload associated with the recent filing of an omnibus rate case forecloses pursuing these matters in an independent docket at this time. However, the Commission continues to believe that SDL methods may provide a useful avenue for resolving concerns about confidentiality and access. It also believes that recognizing distinctions between raw data and edited data files for market research purposes is a potentially useful means of addressing certain access issues.

Part I. Disposition of Proposed Substantive Changes

A. Revised and Expanded Support for Market Research in Proposed Rule

31(k)(2)(i)(*a*)(*1*)–(*7*) (39 CFR 3001.31(k)(2)(i)(*a*)(*1*)–(*7*))

Commenters addressing proposed changes affecting the foundation for market research submissions generally support the Commission's approach. They also offer several observations and specific suggestions for improvements. For example, the Service contends there is a potential for uneven application of foundation item 4 (39 CFR 31(k)(2)(i)(*a*)(*4*)). Specifically, it claims that the reference to ''the effects of benchmarking'' may not reflect current industry practice. Postal Service Comments at 4. It also notes that item 4's reference to ''data comparability over time'' is appropriate only for surveys repeated on a regular basis, and not for one-time surveys. Id.

The Commission considers benchmarking an acceptable survey practice, but also recognizes that it may have limited relevance to the market research submitted in our proceedings. Since the added burden of submitting this material may outweigh its benefits, the phrase ''and the effects of benchmarking and revisions'' is not included in the final rule. In response to the Service's observation about the applicability of a data comparability requirement to a one-time survey, the Commission has decided against amending the rule to account for this distinction. Instead, the sponsor of a one-time survey can simply affirmatively indicate, when appropriate, that the requirement does not pertain.

The Postal Service also observes that the phrase ''other potential sources of error'' in item 5 is ''perhaps necessarily, rather open-ended and vague,'' and acknowledges that consideration of other sources of error is appropriate at some level. However, it suggests that the phrase might foster motions to strike for failure to address a borderline ''other source.'' Id at 3. In response to the Service's comments, the Commission is deleting the reference to ''other potential sources of error'' in item 5, but revising item 3 to cover the same point. As a conforming change, item 5 in the final rule now ends after ''imputation;'.

UPS, consistent with its suggestion that SDL methods be available as an option, also suggests that proposed (*a*)(*5*) be revised to read: ''An assessment *and supporting explanation* of the effects of *the application of any statistical disclosure limitation methods used pursuant to section 31(k)(2)(i)(c) and of* editing and imputation and other potential sources of error on the quality of the survey estimates.'' UPS Comments at 7 (UPS's changes italicized).

The Commission is not including SDL provisions in the final rule, nor is it formally adopting them as an option. Thus, there appears no need to amend the rule in the manner suggested by UPS. However, if SDL methods or other means of protecting confidentiality are used, the Commission expects, at a minimum, that the type of supporting information and data UPS suggests would be produced under existing rules without the need for motion practice.

B. Recognition of SDL Methods as a Means of Balancing Sponsors' Interests in Confidentiality and Reviewers' Interests in Access to Survey Data

As indicated earlier, positions on the use of SDL techniques vary: the Postal Service strongly supports a central role

for them; UPS contends they should be used only on an optional basis; and the OCA sees little, if any, place for them in Commission proceedings. NAA indicates that it generally endorses the OCA's position. The Commission continues to believe that these techniques may provide a viable means of resolving concerns about confidentiality and survey reliability, without unduly interfering with participants' rights. However, commenters' widely-divergent positions on a rule that adequately provides for recognizing and preserving these rights indicates that a consensus is unlikely to be achieved without considerably more exploration of this technique and its ramifications. Thus, the Commission has determined to issue a final rule on those aspects of the NPRM that have broad support, and to exclude the SDL provisions (and related references) from the final rule. This does not reflect a decision on the merits of SDL procedures, but a conclusion related to efficient administration of the Commission's workload and management of its resources. Although SDL methods are not being formally adopted as a standard, the Commission encourages participants to familiarize themselves with these techniques, as they may provide, on occasion, an effective means of accommodating participants' requests. Moreover, additional experience with the use of these techniques on an ad hoc basis may facilitate the development of a satisfactory standard in some future rulemaking.

C. Clarification of Reviewers' Rights to Survey Data and Computer Files

Although the Postal Service supports the proposed revisions clarifying access to survey data, both UPS and the OCA oppose them. Consistent with its position on SDL methods, UPS proposes adding a provision specifically stating that a party is not precluded from obtaining unedited raw data. UPS Comments at 5. The OCA also suggests several revisions, including replacing the ''upon request'' language with a provision requiring the Service to produce all data at the time it files its request.

Although the Commission is not formally adopting the proposed definition, it recently has stated that the efforts of market research reviewers should be directed, in the first instance, at probing the overall reliability of the survey effort, instead of relying on techniques designed for microdata analysis. 62 FR 25581 (*citing* Docket No. RM81–1 Final Notice at 13 and PRC Op. MC95–1, Appendix C). The decision against adopting a definition of input data at this time does not alter that position.

The Commission believes that the OCA's suggestion that relevant data be produced earlier than now required under the rule is an idea that warrants additional consideration. However, the NPRM indicated that the Commission chose a narrow focus for this rulemaking. A timing change affecting production deadlines falls outside the current docket's boundaries.

Part II. Editorial Improvements

The Postal Service is the only commenter specifically addressing the editorial improvements identified in the NPRM. 62 FR 25581. The Service agrees that specific references to software standards are no longer necessary, and supports omitting the footnote in which they now appear. However, instead of the Commission's proposed replacement of ''magnetic tape'' with ''a compact disk'' (which appears in the first sentence of the concluding paragraph (k)(3)(i)(*i*) (39 CFR 3001.31(k)(3)(i)(*i*)), the Service suggests the following alternative:

> Paragraphs (k)(3)(i) (*d*) and (*f*) of this section shall be provided in the form of a compact disk or other media or method approved in advance by the Administrative Office of the Postal Rate Commission.

Postal Service Comments at 8.

As the NPRM indicates, the Commission had considered a more general reference. Since the Service's proposal preserves various options for complying with the rule, the Commission is including it in the final rule. The Commission further notes that it welcomes the Service's continued cooperation in this area.

No commenter objects to the minor restructuring of the rule or changing the heading of rule (k)(2)(ii) from ''Sample surveys'' to ''Other sample surveys.'' Accordingly, the final rule is unchanged in these respects.

List of Subjects in 39 CFR Part 3001

Administrative practice and procedure, Confidential business information, Freedom of information, Postal Service, Sunshine Act.

For reasons set forth in the preamble, 39 CFR part 3001 is amended as follows:

PART 3001—RULES OF PRACTICE AND PROCEDURE

1. The authority citation for part 3001 continues to read as follows:

Authority: 39 U.S.C. 404(b), 3603, 3622–3624, 3661, 3662.

2. 39 CFR 3001.31(k) is amended as follows:

3. Redesignate paragraphs (k)(2) (i) through (iv) as (k)(2) (ii) through (v).

4. Amend redesignated paragraph (k)(2)(ii) by changing the title from *Sample surveys* to *Other sample surveys*.

5. Add paragraph (k)(2)(i) to read as follows:

§ 3001.31 Evidence.

* * * * *

(k) Introduction and reliance upon studies and analyses—(1) * * *

(2) * * *

(i) *Market research*. (*a*) The following data and information shall be provided: (*1*) A clear and detailed description of the sample, observational, and data preparation designs, including definitions of the target population, sampling frame, units of analysis, and survey variables;

(*2*) an explanation of methodology for the production and analysis of the major survey estimates and associated sampling errors;

(*3*) a presentation of response, coverage and editing rates, and any other potential sources of error associated with the survey's quality assurance procedures;

(*4*) a discussion of data comparability over time and with other data sources;

(*5*) an assessment of the effects of editing and imputation;

(*6*) identification of applicable statistical models, when model-based procedures are employed; and

(*7*) an explanation of all statistical tests performed and an appropriate set of summary statistics summarizing the results of each test.

* * * * *

6. Revise paragraph (k)(3)(i)(*e*) to read as follows:

* * * * *

(k) * * *

(3) * * *

(i) * * *

(*e*) For all source codes, documentation sufficiently comprehensive and detailed to satisfy generally accepted sofitard documentation standards appropriate to the type of program and its intended use in the proceeding.

7. Revise the first sentence of the concluding text after paragraph (k)(3)(i)(*i*) to read as follows:

* * * * *

(k) * * *

(3) * * *

(i) * * *

(*i*) * * *

Paragraphs (k)(3)(i)(*d*) and (*f*) of this section shall be provided in the form of a compact disk or other media or method approved in advance by the

Administrative Office of the Postal Rate Commission. * * *

Dated: August 26, 1997.

Margaret P. Crenshaw,

Secretary.

[FR Doc. 97–23066 Filed 8–28–97; 8:45 am]

BILLING CODE 7710–FW–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[LA–39–1–7332a; FRL–5876–3]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: This document approves the Louisiana State Plan for controlling landfill gas emissions from existing municipal solid waste (MSW) landfills. The plan was submitted to fulfill the requirements of the Clean Air Act (the Act). The State Plan establishes emission limits for existing MSW landfills, and provides for the implementation and enforcement of those limits.

DATES: This action is effective on October 28, 1997, unless notice is postmarked by September 29, 1997, that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Comments should be mailed to Thomas H. Diggs, Chief, Air Planning Section (6PD–L), EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733. Copies of the State Plan and other information relevant to this action are available for inspection during normal hours at the following locations:

Environmental Protection Agency, Region 6, Air Planning Section (6PD–L), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733.

Air and Radiation Docket and Information Center, Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.

Louisiana Department of Environmental Quality, Air Quality Program, 7290 Bluebonnet Blvd., Baton Rouge, Louisiana 70810.

Anyone wishing to review this State Plan at the EPA office is asked to contact the person below to schedule an appointment 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Lt. Mick Cote, Air Planning Section (6PD–L), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, telephone (214) 665–7219.

SUPPLEMENTARY INFORMATION:

I. Background

The Act requires that States submit plans to EPA to implement and enforce the Emission Guidelines (EG) promulgated for MSW landfills pursuant to Section 111(d) of the Act. Section 111(d) requires that the State submit the State Plan not later than 9 months after EPA promulgates the EG. On March 12, 1996, EPA promulgated the EG as 40 CFR part 60, subpart Cc. Thus, the State Plans were due no later than December 12, 1996. The State of Louisiana submitted its State Plan to EPA on December 20, 1996.

Under section 111(d) of the Act, the EPA established procedures whereby States submit plans to control existing sources of designated pollutants. Designated pollutants are defined as pollutants which are not included on a list published under section 108(a) of the Act (i.e., National Ambient Air Quality Standard pollutants), but to which a standard of performance for new sources applies under section 111. Under section 111(d), emission standards are to be adopted by the States and submitted to EPA for approval. The standards limit the emissions of designated pollutants from existing facilities which, if new, would be subject to the New Source Performance Standards (NSPS). Such facilities are called designated facilities.

The procedures under which States submit these plans to control existing sources are defined in 40 CFR part 60, subpart B. According to subpart B, the States are required to develop plans within Federal guidelines for the control of designated pollutants. The EPA publishes guideline documents for development of State emission standards along with the promulgation of any NSPS for a designated pollutant. These guidelines apply to designated pollutants and include information such as a discussion of the pollutant's effects, description of control techniques and their effectiveness, costs and potential impacts. Also as guidance for the States, recommended emission limits and times for compliance are set forth, and control equipment which will achieve these emission limits are identified. The emission guidelines for landfill gas are promulgated in 40 CFR part 60. The final section 111(d) emission standards and guidelines for landfill gas were promulgated on March 12, 1995 (61 FR 9905), and codified in the CFR at 40 CFR subparts WWW and Cc, respectively. The emission guideline's specified limits for landfill gas requires affected facilities to operate a control system designed to reduce collected non-methane organic compounds (NMOC) concentrations by 98 weight-percent, or reduce the outlet NMOC concentration to 20 parts per million or less, using the test methods specified under § 60.754(d).

II. Analysis of State Submittal

The official procedures for adoption and submittal of State Plans are codified in 40 CFR part 60, subpart B. The EPA promulgated the original provisions on November 17, 1975, and then amended them on December 19, 1995, to incorporate changes specific to solid waste incineration. These changes, which were necessary to conform with the solid waste incineration requirements under section 129 of the Act, are not relevant to MSW landfills. Thus, the procedures described in the original provisions for adopting and submitting State Plans still apply to MSW landfills and are reflected in 40 CFR part 60, subpart B, §§ 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.

The Louisiana State Plan includes documentation that all applicable subpart B requirements have been met. Please see the evaluation report for a detailed description of EPA's analysis of the Plan's compliance with the subpart B requirements.

The Louisiana Department of Environmental Quality (LDEQ) cross-referenced both the NSPS and EG to adopt the requirements of the Federal rule. The State has ensured, through this cross-reference process, that all the applicable requirements of the Federal rule have been adopted into the State Plan. The emission limits, reporting and recordkeeping requirements, and other aspects of the Federal rule have been adopted into LAC 33.III.3003B, Table 2, as part of the AQ 145 State Implementation Plan revision.

Subpart Cc requires affected existing landfills to be capable of attaining the specified level of emissions within 30 months after the State Plan is federally approved. For compliance schedules for MSW landfills extending more than 12