

Intracoastal Waterway (AICW) and connecting waters, from Bogue Sound—New River Light 58 (LLNR 39210) at approximate position 34°37'57" North, 077°12'18" West, and continuing in the AICW southwest to Bogue Sound—New River Daybeacon 70 (LLNR 39290) at approximate position 34°33'07" North, 077°20'30" West. All coordinates reference Datum: NAD 1983.

(b) Notwithstanding the provisions of 33 CFR 334.440(e)(2)(i), no vessel may enter the safety zone described in paragraph (a) of this section while weapons firing exercises are in progress, except as provided in paragraph (c) of this section or unless permitted by the Captain of the Port (COTP) Wilmington.

(1) Red warning flags or red warning lights will be displayed on towers located at both ends of the safety zone (Bear Creek and Cedar Point) while firing exercises are in progress. The flags or lights will be displayed by 8 a.m. on days where firing exercises are scheduled, and will be removed at the end of the firing exercise.

(2) A Coast Guard of U.S. Navy vessel will patrol each end of the safety zone to ensure the public is aware that firing exercises are in progress and that the firing area is clear of vessel traffic before weapons are fired.

(c)(1) The COTP Wilmington will announce the specific times and locations of firing exercises by Broadcast Notice to Mariners and Local Notice to Mariners. Normally, weapons firing for each firing exercise is limited to a two nautical mile portion of the safety zone. The COTP may issue general permission to transit all or specified parts of the safety zone outside of the actual firing area or if firing is temporarily stopped. This general permission will be announced in a Local Notice to Mariners and Broadcast Notice to Mariners.

(2) Weapons firing will be suspended and vessels permitted to transit the specified two nautical mile firing area for a one-hour period beginning at the start of each odd-numbered hour local time (e.g., 9 a.m.; 1 p.m.). A vessel may not enter the specified firing area unless it will be able to complete its transit of the firing area before firing exercises are scheduled to re-start at the beginning of the next even-numbered hour.

(d) U.S. Navy safety vessels may be contacted on VHF marine band radio channels 13 (156.65 Mhz) and 16 (156.8 Mhz). The Captain of the Port may be contacted at the Marine Safety Office, Wilmington, NC by telephone at 1-(800) 325-4956 or (910) 815-4895.

Dated: June 1, 1998.

Roger T. Rufe, Jr.,

*Vice Admiral, U.S. Coast Guard, Commander,
Fifth Coast Guard District.*

[FR Doc. 98-15896 Filed 6-15-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[AD-FRL-6106-7]

Standards of Performance for New Stationary Sources and Guidelines for Control of Existing Sources: Municipal Solid Waste Landfills

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This action proposes to amend, correct, and clarify regulatory text of the "Standards of Performance for New Stationary Sources and Guidelines for Control of Existing Sources: Municipal Solid Waste Landfills," which was issued as a final rule on March 12, 1996. These revisions add definitions, clarify regulatory text, and correct typographical and cross referencing errors and inconsistencies. Because these revisions do not change the intent of the NSPS and emission guidelines, the Agency does not anticipate receiving adverse comments. Consequently the revisions are also being issued as a direct final rule in the final rules section of this **Federal Register**. If no relevant adverse comments are timely received, no further action will be taken with respect to this proposal and the direct final rule will become final on the date provided in that action.

DATES: Comments. Comments must be received on or before July 16, 1998, unless a hearing is requested by June 26, 1998. If a hearing is requested, written comments must be received by July 31, 1998.

Public Hearing. Anyone requesting a public hearing must contact the EPA no later than June 26, 1998. If a public hearing is held, it will take place on July 1, 1998, beginning at 10:00 a.m. at the address below.

ADDRESSES: *Comments.* Comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (MC-6102), Attention Docket Number A-88-09/Category V-D, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. The EPA requests that a separate copy also be

sent to the contact person listed below. Refer to **SUPPLEMENTARY INFORMATION** for information regarding electronic submittal of comments.

Public Hearing. If a public hearing is held, it will be held at the EPA's Office of Administration Auditorium, Research Triangle Park, North Carolina or at an alternate site nearby. Persons interested in attending the hearing or wishing to present oral testimony should notify Ms. JoLynn Collins, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, telephone (919) 541-5671.

Docket. Docket No. A-88-09, containing the supporting information for the original new source performance standards (NSPS) and this action, is available for public inspection and copying between 8:00 a.m. and 5:30 p.m., Monday through Friday, at the EPA's Air and Radiation Docket and Information Center (Mail Code-6102), 401 M Street SW, Washington DC 20460, or by calling (202) 260-7548. The docket is located at the above address in Room M-1500, Waterside Mall (ground floor, central mall). A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: For information concerning this notice and analyses performed on developing this rule, contact Ms. Michele Laur, Waste and Chemical Processes Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5256. For implementation issues, contact Mary Ann Warner, Program Review Group, Information Transfer and Program Integration Division (MD-12), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-1192. For information on the landfill model, contact Susan Thorneloe through the internet at: thorneloe.susan@epamail.epa.gov. For information concerning applicability and rule determinations, contact the appropriate regional representative: Region I: Greg Roscoe, Air Programs Compliance Branch Chief, U.S. EPA/ASO, Region I, JFK Federal Building, Boston, MA 02203, (617) 565-3221. Region II: Christine DeRosa, U.S. EPA Region II, 290 Broadway, 25th Floor, New York, NY 10007-1866, (212) 637-4022. Region III: James Topsale, U.S. EPA/3AP22 Region III, 841 Chestnut Building, Philadelphia, PA 10107, (215) 566-2190. Region IV: R. Douglas Neeley, Chief, Air and Radiation, Technology Branch, U.S. EPA Region IV, 61 Forsyth St.,

SW, Atlanta, GA 30303, (404) 562-9105

Region V: George T. Czerniak, Jr., Air Enforcement Branch Chief, U.S. EPA/5AE-26 Region V, 77 West Jackson Street, Chicago, IL 60604, (312) 353-2088

Region VI: John R. Hepola, Air Enforcement Branch Chief, U.S. EPA Region VI, 1445 Ross Avenue, Suite 1200, Dallas, TX 75202-2733, (214) 655-7220

Region VII: Ward Burns, U.S. EPA/RME, Region VII, 726 Minnesota Avenue/ARTDAPCO, Kansas City, KS 66101-2728, (913) 551-7960

Region VIII: Vicki Stamper, U.S. EPA, Region VIII, 999 18th Street, Suite 500, Denver, CO 80202-2466, (303) 312-6445

Region IX: Patricia Bowlin, U.S. EPA/RM HAN/17211, Region IX, 75 Hawthorne Street/AIR-4, San Francisco, CA, (415) 744-1188

Region X: Catherine Woo, U.S. EPA, Region X, Office of Air Quality Planning and Standards-107, 1200 Sixth Avenue, Seattle, WA 98101, (206) 553-1814.

SUPPLEMENTARY INFORMATION: If no relevant adverse comments are timely received on these proposed amendments, no further activity is contemplated in relation to this proposed rule, and the companion direct final rule in the final rules section of this **Federal Register** will automatically become effective on the date specified in that final rule. If relevant adverse comments are received on this proposal, a timely document informing the public that the direct final rule is withdrawn will be published, and all public comments received will be addressed in a subsequent final rule based on this proposed rule. Because the Agency will not institute a second comment period on this proposed rule, any parties interested in commenting should do so during this comment period.

For further supplemental information, the detailed rationale, and the specific amendments being proposed, see the information provided in the direct final rule in the final rules section of this **Federal Register**.

Electronic Submittal of Comments

Comments and data may also be submitted electronically to A-and-R-Docket@epamail.epa.gov. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Electronic comments on this

proposed rule may be filed online at many Federal Depository Libraries.

Comments and data will also be accepted on disks in WordPerfect® 5.1 or 6.1 file format or ASCII file format. All comments and data for this proposal, whether in paper form or in electronic forms such as through e-mail or on disk, must be identified by the docket number A-88-09 Category V-d.

Administrative

A. Executive Order 12866 Review

Under Executive Order 12866 Order 12866 (58 FR 51735, October 4, 1993), EPA must determine whether the regulatory action is "significant" and, therefore, subject to OMB review and the requirements of the Executive Order. The EPA considered the 1996 promulgated standards to be significant and the rules were reviewed by OMB (see 61 FR 9913). The amendments proposed today do not result in any additional control requirements. Therefore, this regulatory action is considered "not significant" under Executive Order 12866.

B. Small Business Regulatory Flexibility

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. During the 1996 rulemaking, EPA estimated that no small entities would be affected by the promulgated standards and guidelines and, therefore, a regulatory flexibility analysis was not required (see 61 FR 9918). The proposed rule amendments do not establish any new requirements or create additional burden for any regulated entities. The changes in today's action do not increase the stringency of the rule or add additional control requirements. Nor is the scope of the rule changed so as to bring any entities not previously subject to the rule within its scope or coverage. Today's action does not alter control, monitoring, recordkeeping, or reporting requirements of the promulgated rule. Therefore, pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that the amendments to the guidelines and standards will not have a significant impact on a substantial number of small entities, and a regulatory flexibility analysis is not required.

C. Executive Order 12875 and Unfunded Mandates Act

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a statement to accompany any rule where the estimated costs to State, local, or tribal governments, or to the private sector will be \$100 million or more in any one year. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly impacted by the rule.

An unfunded mandates statement was prepared and published in the 1996 promulgation notice (see 61 FR 9913-9918).

The EPA has determined that these amendments do not include any new Federal mandate. Therefore, the requirements of the Unfunded Mandates Act do not apply to this proposed rule.

D. Children's Health Protection

This proposed 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.

List of Subjects in 40 CFR Part 60

Environmental protection, Air pollution control, Municipal solid waste landfills.

Dated: May 28, 1998.

Carol M. Browner,
Administrator.

[FR Doc. 98-15008 Filed 6-15-98; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

45 CFR Part 142

[HCFA-0047-P]

RIN 0938-A159

Health Insurance Reform: National Standard Employer Identifier

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Proposed rule.

SUMMARY: This rule proposes a standard for a national employer identifier and requirements concerning its use by health plans, health care clearinghouses, and health care providers. The health plans, health care clearinghouses, and