

purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: June 12, 1998.

William Rice,

Acting Regional Administrator, Region VII.

Part 52, 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 et seq.

Subpart AA—Missouri

2. Section 52.1320 is amended by adding paragraph (c)(106) to read as follows:

§ 52.1320 Identification of plan.

* * * * *

(c) * * *

(106) On December 17, 1996, the Missouri Department of Natural Resources submitted a revised rule pertaining to capture efficiency.

(i) Incorporation by reference.

(A) Revised regulation 10 CSR 10-6.030 entitled, "Sampling Methods for Air Pollution Sources," effective November 30, 1996.

[FR Doc. 98-17973 Filed 7-7-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[DC038-2009a, MD058-3026a, VA083-5035a; FRL-6120-6]

Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Virginia, Maryland; 1990 Base Year Emission Inventory for the Metropolitan Washington, DC Ozone Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving revisions to the District of Columbia (the District),

the State of Maryland and the Commonwealth of Virginia State Implementation Plans (SIP) which pertain to the 1990 base year ozone emission inventory for the Washington, DC-MD-VA Consolidated Metropolitan Statistical Area (CMSA). This area, commonly referred to as the Metropolitan Washington, D.C. area, is classified as a serious ozone nonattainment area. These SIP revisions were prepared by the District, the Commonwealth of Virginia and the State of Maryland with the assistance of the Metropolitan Washington Council of Governments and were submitted for the purpose of revising the 1990 baseline of volatile organic compound (VOC) and nitrogen oxides (NOx) emissions that contribute to ozone nonattainment problems in the Metropolitan Washington, D.C. area. The intended effect of this action is to approve amendments to the 1990 base year ozone emission inventory for the Metropolitan Washington, D.C. area in accordance with the Clean Air Act.

DATES: This direct final rule is effective on September 8, 1998 without further notice, unless EPA receives adverse comment by August 7, 1998. If adverse comment is received, EPA will publish a timely document withdrawing this rule.

ADDRESSES: Comments may be mailed to David L. Arnold, Chief, Ozone & Mobile Sources Branch, Mailcode 3AP21, Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the District of Columbia Department of Health, Air Quality Division, 2100 Martin Luther King Ave., S.E., Washington, DC 20020; the Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland 21224; and the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

FOR FURTHER INFORMATION CONTACT: Christopher Cripps, (215) 814-2179, at EPA Region III address, or via e-mail at cripps.christopher@epamail.epa.gov. While information may be requested via e-mail, comments must be submitted in writing to the above Region III address.

SUPPLEMENTARY INFORMATION:

I. Background

Under the Clean Air Act (the Act), States have the responsibility to

inventory emissions contributing to national ambient air quality standard nonattainment, to track these emissions over time, and to ensure that control strategies are being implemented that reduce emissions and move areas towards attainment. The 1990 base year emissions inventory is the primary inventory from which the periodic inventory, the rate-of-progress (ROP) target level and projection inventories, and the modeling inventory are derived. The Act requires ozone nonattainment areas designated as moderate, serious, severe, and extreme to submit a plan within three years of 1990 to reduce VOC emissions by 15 percent within six years after 1990 (15% ROP plan). The baseline level of emissions, from which the 15 percent reduction is calculated, is determined by adjusting the base year VOC inventory to exclude biogenic emissions and to exclude certain emission reductions not creditable towards the 15% plan. The Act further requires ozone nonattainment areas designated as serious, severe, and extreme to submit a plan within four years of 1990 to reduce VOC emissions by a further nine percent in the period between six and nine years after 1990 (post-1996 ROP plan). The Act allows reductions in NOx emissions after 1990 to be substituted for VOC reductions in the post-96 ROP plan. When NOx reductions are substituted, the baseline level of emissions, from which the NOx reduction percentage is calculated, is determined by adjusting the base year NOx inventory to exclude certain emission reductions not creditable towards the 15% plan. Further information on these inventories and their purpose can be found in the following documents issued by EPA:

Emission Inventory Requirements for Ozone State Implementation Plans, Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina, March 1991

Guidance on the Adjusted Base Year Emissions Inventory and the 1996 Target for 15 Percent Rate of Progress Plans, Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina, October 1992.

Guidance on the Post '96 Rate-of-Progress Plan (RPP) and Attainment Demonstration (Corrected version of February 18, 1994), Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina, February 18, 1994.

The 1990 base year inventory may also serve as part of statewide inventories for purposes of regional modeling in transport areas. The 1990 base year inventory plays an important role in modeling demonstrations for areas classified as moderate and above that are located outside transport regions. The air quality planning requirements for marginal to extreme ozone nonattainment areas are set out in section 182(a)-(e) of Title I of the Act. The EPA has issued a General Preamble describing EPA's preliminary views on how EPA intends to review SIP revisions submitted under Title I of the Act, including requirements for the preparation of the 1990 base year inventory (see 57 FR 13502 April 16, 1992; and 57 FR 18070 April 28, 1992). Because EPA is describing its interpretations here only in broad terms, the reader should refer to the General Preamble for a more detailed discussion of the interpretations of Title I and its supporting rationale. In today's rulemaking action on the Metropolitan Washington, DC ozone nonattainment area's 1990 base year emissions inventory, EPA is applying its interpretations taking into consideration the specific factual issues presented.

Those states containing ozone nonattainment areas classified as marginal to extreme are required under section 182(a)(1) of the Act to submit a final, comprehensive, accurate, and current inventory of actual ozone season, weekday emissions from all sources within 2 years of enactment (November 15, 1992). This inventory is for calendar year 1990 and is denoted as the 1990 base year inventory. It includes both anthropogenic and biogenic sources of VOC, NO_x, and carbon monoxide (CO) emissions. The inventory is to address actual VOC, NO_x, and CO emissions for the area during peak ozone season, which is generally comprised of the summer months. All emissions from stationary point and area sources, as well as highway and non-road mobile sources, and biogenic emissions within the nonattainment area, are to be included in the compilation.

Air quality planning in the Washington, DC ozone nonattainment area is done jointly by the District of Columbia, Maryland, Virginia and the Metropolitan Washington Air Quality Committee (MWAQC). The MWAQC, composed of state and local elected officials, state air quality and transportation planning directors and the Chair of the National Capital Region Transportation Planning Board, ensures interstate air quality planning consultation requirements of sections

182(j) and 174 are fulfilled and has been certified under section 174 as the air quality planning organization for the Washington, DC ozone nonattainment area by the Governors of Maryland and Virginia and the Mayor of the District of Columbia. The MWAQC recommends air quality planning measures and approves ROP plans both of which the states adopt as SIP revisions. The MWAQC relies upon the three air planning agencies including the District of Columbia's Air Quality Division, Environmental Health Division, Department of Health (formerly the Air Resources Management Division of the Department of Consumer and Regulatory Affairs) and upon the Metropolitan Washington Council of Governments (MWCOC) for technical support. Each jurisdiction adopts the MWAQC-approved plan as a revision to its SIP.

In July 1996 the MWAQC and the Washington, DC ozone nonattainment area states began revisions to their 15% ROP plans in conjunction with the post-1996 ROP plans. At this time certain portions of the 1990 base year inventory were refined to utilize better information such as that relating to traffic demand modeling, updated information on point source emissions, and to correct certain errors in the inventory found while the states were auditing the inventory in preparation for the attainment demonstration modeling.

The update to the point source inventory reflects changes in emission factors, replacement of emission factors with actual stack testing results, correction of coding errors in boiler firing type and correction in the associated emission factor, and improved reporting by sources. The changes in area source emissions estimates are attributable to changes in several categories, including, "coal consumption," which includes residential, commercial/institutional, and industrial consumption. These changes resulted from the use of a corrected emissions factor for under-fired stokers in the commercial/institutional and industrial categories and a corrected emissions factor for the residential category. In addition, the spatial allocation approach for commercial, institutional and non-point source industrial fossil-fuel combustion categories was changed to use employment as the activity surrogate, instead of population. Other revisions in area source emissions result from use of better 1990 information available for the military airports, structure fires and certain industrial surface coating categories.

The changes in area source emissions estimates are attributable to changes in estimates of activity split between the weekend and weekday use of recreational boating and lawn and garden equipment and in the Reid vapor pressure (RVP) of gasoline used in the area in 1990. The 1990 inventory was based upon an EPA supplied inventory that did not accurately reflect the 1990 summer RVP of 8.3 psi nor the proper activity split between the weekend and weekday use of recreational boating and lawn and garden equipment.

The mobile source inventory was developed by using a network-based travel demand model which is the same network used for transportation conformity purposes. The refinements to the 1990 mobile source emissions inventory are attributable to refinements implemented in the traffic modeling process. These refinements are designed to provide a better feedback relationship between congested traffic speeds on the network and the gravity model. Additionally, updated land use assumptions, actual 1990 census data for households and population data and the Regional Employment Census for employment data were used in the refinements. These updated assumptions are slightly lower than the "projected" 1990 assumptions used for the initial 1990 inventory submittals.

II. Criteria for Approval

There are general and specific components of an acceptable emission inventory. In general, a state must meet the minimum requirements for reporting by source category. Specifically, the source requirements are detailed below.

The base year emission inventory is approvable if it passes Levels I, II, and III of the review process. Detailed Level I and II review procedures can be found in the following document: "Quality Review Guidelines for 1990 Base Year Emission Inventories." Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, July 27, 1992. Level III review procedures are specified in a memorandum from David Mobley and G.T. Helms to the Regions "1990 O₃/CO SIP Emission Inventory Level III Acceptance Criteria," October 7, 1992 and revised in a memorandum from John Seitz to the Regional Air Directors dated June 24, 1993.

The Levels I and II review process is used to determine that all components of the base year inventory are present. The review also evaluates the level of supporting documentation provided by the state and assesses whether the emissions were developed according to current EPA guidance. The data quality

is also evaluated. The Level III review process, as outlined here, consists of 10 criteria. For a base year emission inventory to be acceptable it must pass all of the following acceptable criteria:

A. An approved Inventory Preparation Plan (IPP) must be provided and the Quality Assurance (QA) program contained in the IPP must be performed and its implementation documented.

B. Adequate documentation must be provided that enables the reviewer to determine the emission estimation procedures and the data sources used to develop the inventory.

C. The point source inventory must be complete.

D. Point source emissions must be prepared or calculated according to the current EPA guidance.

E. The area source inventory must be complete.

F. The area source emissions must be prepared or calculated according to the current EPA guidance.

G. Biogenic emissions must be prepared according to current EPA guidance or another approved technique.

H. The method (e.g., a network transportation planning model) used to develop vehicle miles traveled (VMT) estimates must follow EPA guidance, which is detailed in the document, "Procedures for Emission Inventory Preparation, Volume IV: Mobile Sources." Environmental Protection Agency, Office of Mobile Sources and Office of Air Quality Planning and Standards, Ann Arbor, Michigan, and Research Triangle Park, North Carolina, December 1992. The VMT development methods must be adequately described and documented in the inventory report.

I. The EPA's MOBILE emission factor model must be correctly used to produce emission factors for each of the vehicle classes.

J. Non-road mobile emissions must be prepared according to current EPA guidance for all of the source categories.

III. The District's, Virginia's and Maryland's Submittals

On November 3, 1997, the Department of Consumer and Regulatory Affairs (DCRA) for the District of Columbia submitted the revised 1990 base year emission inventories as a formal revision to the District's State Implementation Plan (SIP). On December 24, 1997 the Maryland Department of the Environment submitted the revised 1990 base year emission inventories as a formal revision to the Maryland SIP, and on December 17, 1997 the Virginia Department of Environmental Quality submitted the revised 1990 base year emission inventories as a formal revision to the Virginia SIP. EPA reviewed this submittal to determine completeness shortly after submittal, in accordance with the completeness criteria set out at 40 CFR Part 51, Appendix V (1991), as amended by 57 FR 42216 (August 26, 1991). The submittals were determined to be complete on December 10, 1997, January 13, 1998 and January 12, 1998 for the District's, Maryland's and Virginia's submittals, respectively.

IV. EPA Analysis of the SIP Revisions

Based on EPA's Level I, II, and III review findings, the District, Maryland and Virginia have satisfied all of EPA's requirements for providing a comprehensive and accurate 1990 base year inventory of actual emissions for the Metropolitan Washington, D.C. ozone nonattainment area.

There were no deficiencies found during the Level I and II review. The Level I and II checklists are contained in the TSD prepared for this action.

A summary of EPA's Level III findings is given below:

A. The Inventory Preparation Plan (IPP) and Quality Assurance (QA) program have been approved and implemented. These were approved on March 27, 1992, August 11, 1992 and August 27, 1992 for the District, Maryland and Virginia, respectively.

B. The documentation was adequate for all emission types (stationary point, area, highway mobile, on-road mobile and biogenic sources) for the reviewer to determine the estimation procedures and data sources used to develop the inventory.

C. The point source inventory was found to be complete.

D. The point source emissions were estimated according to EPA guidance.

E. The area source inventory was found to be complete.

F. The area source emissions were estimated according to EPA guidance.

G. The biogenic source emissions were estimated using the Biogenic Emission Inventory System (PC-BEIS) in accordance with EPA guidance.

H. The method used to develop VMT estimates was adequately described and documented.

I. The mobile model was used correctly.

J. The non-road mobile emission estimates were correctly prepared in accordance with EPA guidance.

Thus, EPA has determined that the District's, the State of Maryland's and the Commonwealth of Virginia's submittals meet the essential reporting and documentation requirements for a 1990 base year emission inventory.

A summary of the emission inventories broken down by point, area, biogenic, on-road, and non-road mobile sources is presented for VOC, NO_x, and CO emissions in the tables below.

METROPOLITAN WASHINGTON, DC OZONE SEASON EMISSIONS IN TONS PER DAY BY JURISDICTION
[1990 Base-Year VOC Inventory]

	District of Columbia	Maryland	Virginia	Area total
Point Source Emissions	1.0	5.5	8.1	14.6
Area Source Emissions	20.0	94.2	77.0	191.2
Non-Road Mobile Emissions	5.5	32.1	32.8	70.4
On-Road Mobile Emissions	32.6	108.4	110.1	251.1
Biogenic Emissions	3.2	225.9	147.4	376.5
Total	62.3	466.1	375.4	903.8

METROPOLITAN WASHINGTON, DC OZONE SEASON EMISSIONS IN TONS PER DAY BY JURISDICTION
[1990 Base-Year NO_x Inventory]

	District of Columbia	Maryland	Virginia	Total
Point Source Emissions	7.6	267.4	59.8	334.8

METROPOLITAN WASHINGTON, DC OZONE SEASON EMISSIONS IN TONS PER DAY BY JURISDICTION—Continued
[1990 Base-Year NO_x Inventory]

	District of Columbia	Maryland	Virginia	Total
Area Source Emissions	3.4	15.8	28.1	47.3
Non-Road Mobile Emissions	5.5	43.5	36.0	85.0
On-Road Mobile Emissions	25.8	129.1	106.8	261.7
Biogenic Emissions	NA	NA	NA	NA
Total	42.3	455.8	230.7	728.8

METROPOLITAN WASHINGTON, DC OZONE SEASON EMISSIONS IN TONS PER DAY BY JURISDICTION
[1990 Base-Year Carbon Monoxide (CO) Inventory]

	District of Columbia	Maryland	Virginia	Total
Point Source Emissions	4.3	51.8	3.6	59.7
Area Source Emissions	2.7	9.8	49.6	62.1
Non-Road Mobile Emissions	145	427.4	365	937.4
On-Road Mobile Emissions	248.3	901.5	909.1	2058.9
Biogenic Emissions	NA	NA	NA	NA
Total	400.3	1390.5	1327.3	3118.1

EPA has determined that the submittals made by the District, Maryland and Virginia satisfy the relevant requirements of the Act. EPA's detailed review of the emission inventories is contained in a Technical Support Document (TSD) which is available, upon request, from the EPA Regional Office listed in the **ADDRESSES** section above.

EPA is approving this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should adverse or critical comments be filed. This rule will be effective September 8, 1998 without further notice unless the Agency receives adverse comments by August 7, 1998.

Should EPA receive such comments, then EPA will publish a document informing the public that this rule did not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this rule. Only parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this rule will be effective on September 8, 1998 and no further action will be taken on the proposed rule.

If adverse comments are received that do not pertain to all paragraphs in this rule, those paragraphs not affected by the adverse comments will be finalized

in the manner described here. Only those paragraphs which receive adverse comments will be withdrawn in the manner described here.

V. Final Action

EPA is approving the revised 1990 base year ozone emission inventory for VOC and NO_x submitted by the District of Columbia, State of Maryland and the Commonwealth of Virginia for the Metropolitan Washington, D.C. ozone nonattainment area. The inventory revisions concern VOC, and NO_x emissions from point, area, highway mobile, and non-road mobile biogenic emissions.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision of any SIP. Each request for revision to a SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

VI. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

The final rule is not subject to E.O. 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks," because it is not an "economically significant" action under E.O. 12866.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis

assessing the impact of any proposed or final rule on small entities, 5 U.S.C. 603 and 604. Alternatively, EPA may certify 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 government entities with jurisdiction over populations of less than 50,000. SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, the Administrator certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

C. Unfunded Mandates

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 budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under section 205,

EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule. EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

D. Submission to Congress and the General Accounting Office

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. 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).

E. Petitions for Judicial Review

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 8, 1998. Filing a petition for reconsideration by the Administrator of this rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action, regarding the 1990 emission inventory for the Washington, DC ozone nonattainment area submitted by the District of Columbia, State of Maryland and Commonwealth of Virginia, may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and record keeping requirements, and SIP requirements.

Dated: June 23, 1998.

Thomas Voltaggio,

Acting Regional Administrator, Region III.

Part 52, 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 52.474 is amended by adding paragraph (c) to read as follows:

§ 52.474 1990 Base Year Emission Inventory.

* * * * *

(c) EPA approves as a revision to the District of Columbia State Implementation Plan an amendment to the 1990 base year emission inventories for the District's portion of the Metropolitan Washington, D.C. ozone nonattainment area submitted by the Director, Department of Consumer and Regulatory Affairs, on November 3, 1997. This submittal consists of amendments to the 1990 base year point, area, highway mobile, and non-road source emission inventories in the area for the following pollutants: volatile organic compounds (VOC), and oxides of nitrogen (NO_x).

Subpart V—Maryland

3. Section 52.1075 is amended by adding paragraph (f) to read as follows:

§ 52.1075 1990 Base Year Emission Inventory.

* * * * *

(f) EPA approves as a revision to the Maryland State Implementation Plan an amendment to the 1990 base year emission inventories for the Maryland portion of the Metropolitan Washington DC ozone nonattainment area submitted by the Secretary of Maryland of the Department Environment on December 24, 1997. This submittal consists of amendments to the 1990 base year point, area, highway mobile, and non-road mobile source emission inventories in the area for the following pollutants: Volatile organic compounds (VOC), and oxides of nitrogen (NO_x).

Subpart VV—Virginia

4. Section 52.2425 is amended by adding paragraph (d) to read as follows:

§ 52.2425 1990 Base Year Emission Inventory.

* * * * *

(d) EPA approves as a revision to the Virginia State Implementation Plan amendments to the 1990 base year emission inventories for the Northern Virginia ozone nonattainment area submitted by the Director, Virginia Department Environmental Quality, on December 17, 1997. This submittal consists of amendments to the 1990 base year point, area, non-road mobile, and on-road mobile source emission inventories for the following pollutants: volatile organic compounds (VOC), and oxides of nitrogen (NO_x).

[FR Doc. 98-17971 Filed 7-7-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[MT-001-0004a; FRL-6122-2]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is approving the Montana plan and associated regulations for implementing the Municipal Solid Waste (MSW) Landfill Emission Guidelines at 40 CFR part 60, subpart Cc, which were required pursuant to section 111(d) of the Clean Air Act (Act). The State's plan was submitted to EPA on July 2, 1997 in accordance with the requirements for adoption and submittal of State plans for designated facilities in 40 CFR part 60, subpart B. The State's plan establishes performance standards for existing MSW landfills and provides for the implementation and enforcement of those standards. EPA finds that Montana's plan for existing MSW landfills adequately addresses all of the Federal requirements applicable to such plans.

DATES: This direct final rule is effective on September 8 1998 without further notice, unless EPA receives adverse comment by August 7, 1998. If adverse comment is received, EPA will publish a timely withdrawal of the direct final

