

proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways.

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V-165 [Revised]

From Mission Bay, CA; INT Mission Bay 270° and Oceanside, CA, 177° radials; Oceanside; 24 miles, 6 miles wide, Seal Beach, CA; 6 miles wide, INT Seal Beach 287° and Los Angeles, CA, 138° radials; Los Angeles; INT Los Angeles 357° and Lake Hughes, CA, 154° radials; Lake Hughes; INT Lake Hughes 344° and Shafter, CA, 137° radials; Shafter; Porterville, CA; INT Porterville 339° and Clovis, CA, 139° radials; Clovis; 68 miles, 50 miles, 131 MSL, Mustang, NV; 40 miles, 12 AGL, 7 miles, 115 MSL, 54 miles, 135 MSL, 81 miles, 12 AGL, Lakeview, OR; 5 miles, 72 miles, 90 MSL, Deschutes, OR; 16 miles, 19 miles, 95 MSL, 24 miles, 75 MSL, 12 miles, 65 MSL, Newberg, OR; 32 miles, 45 MSL, INT Newberg 355° and Olympia, WA, 195° radials; Olympia; Penn Cove, WA; to Bellingham, WA.

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V-287 [Revised]

From Fort Jones, CA, via INT Fort Jones 041° and Rouge Valley, OR, 157° radials; Rouge Valley; North Bend, OR; Newberg, OR; Battle Ground, WA; 20 miles, 51 miles, 45 MSL, Olympia, WA; INT Olympia 005°T (346.32°M) and Paine, WA, 256°T (236°M) radials; Paine; to Penn Cove, WA.

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Issued in Washington, DC, on April 27, 1998.

John S. Walker,

Program Director for Air Traffic Airspace Management.

[FR Doc. 98–11855 Filed 5–4–98; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–121755–97]

RIN 1545–AV86

Reorganizations; Nonqualified Preferred Stock; Hearing Cancellation

AGENCY: Internal Revenue Service, Treasury.

ACTION: Cancellation of notice of public hearing on notice of proposed regulations.

SUMMARY: This document provides notice of cancellation of a public hearing on proposed regulations relating to the receipt of nonqualified preferred stock in certain exchanges.

DATES: The public hearing originally scheduled for Tuesday, May 5, 1998, beginning at 10 a.m. is cancelled.

FOR FURTHER INFORMATION CONTACT: LaNita Van Dyke of the Regulations Unit, Assistant Chief Counsel (Corporate), 202) 622–7190, (not a toll-free number).

SUPPLEMENTARY INFORMATION: The subject of the public hearing is under section 356(e) of the Internal Revenue Code. A notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing appearing in the **Federal Register** on Tuesday, January 6, 1998 (63 FR 453), announced that the public hearing on the proposed rulemaking would be held on Tuesday, May 5, 1998, beginning at 10:00 a.m., in Room 2615, Internal Revenue Building, 1111 Constitution Avenue NW, Washington DC.

The public hearing scheduled for Tuesday, May 5, 1998, is cancelled.

Cynthia E. Grigsby,

Chief, Regulations Unit, Assistant Chief Counsel, (Corporate).

[FR Doc. 98–11804 Filed 5–4–98; 8:45 am]

BILLING CODE 4830–01–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD–FRL–6007–4]

National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; proposed compliance extension.

SUMMARY: On December 2, 1994, the EPA issued the “National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning”. Elsewhere in today’s **Federal Register**, the EPA is announcing an immediate 3-month stay of the effectiveness of that standard for continuous web cleaning machines using halogenated hazardous air pollutant (HAP) solvents for good cause pursuant to section 553(b)(3)(B) of the Administrative Procedures Act.

This action proposes a temporary extension of the applicable compliance date beyond the 3 months of the stay for up to 1 year to complete analysis of equivalent methods of control for continuous web cleaning machines using halogenated HAP solvents.

DATES: Comments. Comments must be received on or before June 4, 1998, unless a hearing is requested by May 15, 1998. If a hearing is requested, written comments must be received by June 19, 1998.

Public Hearing. Anyone requesting a public hearing must contact the EPA no later than May 15, 1998. If a hearing is held, it will take place on May 20, 1998, beginning at 10:00 a.m.

ADDRESSES: Comments. Interested parties may submit written comments (in duplicate, if possible) to: Air and Radiation Docket and Information Center (6102), Attention, Docket No. A–92–39, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Comments on the proposed changes to the national emission standards for hazardous air pollutants (NESHAP) also may be submitted electronically by sending electronic mail (e-mail) to: a-and-r-docket@epamail.epa.gov.

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. Persons interested in attending the hearing or wishing to present oral testimony should notify Mrs. Kim Teal, U.S. Environmental Protection Agency, Research Triangle Park, N.C. 27711, telephone (919) 541–5580.

FOR FURTHER INFORMATION CONTACT: For information concerning the standards and the proposed changes, contact Mr. Paul Almódovar, Coatings and Consumer Products Group, Emission Standards Division (MD–13), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone (919) 541–0283. For information regarding the applicability of this action to a particular entity, contact Mrs. Tracy Back, Manufacturing Branch, Office of Compliance (2223A), U.S. EPA, 401 M Street, SW,

Washington, DC 20460; telephone (202) 564-7076.

SUPPLEMENTARY INFORMATION:

Electronic Comment Submission

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments also will be accepted on diskette in WordPerfect 5.1 or ASCII file format. All comments in electronic form must be identified by the docket number A-92-39. No confidential business information should be submitted through e-mail. Electronic comments may be filed on-line at many Federal Depository Libraries.

Regulated Entities

Entities potentially regulated by this action are owners or operators of individual continuous web cleaning machines using any solvent containing methylene chloride, perchloroethylene, trichloroethylene, 1,1,1 trichloroethane, carbon tetrachloride, or chloroform, or any combination of these halogenated HAP solvents in a concentration greater than 5 percent by weight, as a cleaning or drying agent. Regulated categories include:

Category	Examples of regulated entities
Industry	Facilities engaging in cleaning operations using halogenated solvent cleaning machines.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities that the EPA is now aware potentially could be regulated by this action. Other types of entities not listed in the table also could be regulated. To determine whether your facility [company, business, organization, etc.] is regulated by this action, you should carefully examine the applicability criteria in § 63.460 of the NESHAP for halogenated solvent cleaning operations that was promulgated in the **Federal Register** on December 2, 1994 (59 FR 61801) and codified at 40 CFR part 63, subpart T. If you have questions regarding the applicability of this action to a particular entity, consult Mrs. Tracy Back at the address listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

The information presented below is organized as follows:

- I. Background
- II. Summary of and Rationale for Proposed Compliance Extension
- III. Proposed Compliance Extension
- IV. Solicitation of Comments
- V. Administrative Requirements

- a. Docket
- b. Paperwork Reduction Act
- c. Executive Order 12866
- d. Regulatory Flexibility
- e. Regulatory Review
- f. Unfunded Mandates Act

I. Background

On December 2, 1994 (59 FR 61801), the EPA promulgated the NESHAP for halogenated solvent cleaning operations. These standards were codified as subpart T in 40 CFR part 63. These standards established equipment and work practice standards for individual batch vapor, in-line vapor, in-line cold, and batch cold solvent cleaning machines using any solvent containing methylene chloride, perchloroethylene, trichloroethylene, 1,1,1 trichloroethane, carbon tetrachloride, or chloroform, or any combination of these halogenated HAP solvents in a concentration greater than 5 percent by weight, as a cleaning or drying agent.

Under § 63.469 of the halogenated solvent cleaning NESHAP, the Administrator may approve the use of equipment or procedures that have been demonstrated to be equivalent in terms of reducing emissions of methylene chloride, perchloroethylene, trichloroethylene, 1,1,1 trichloroethane, carbon tetrachloride, or chloroform to the atmosphere, to those prescribed for compliance within a specified paragraph of the NESHAP. Since the rule was promulgated, two owners and operators of affected halogenated solvent cleaning machines have requested approval for equivalent methods of control determinations for their continuous web cleaning machines because the rule does not presently address their situation. In addition, the EPA has become aware of several other continuous web cleaning machines experiencing difficulties in determining how to comply with the NESHAP. In each case, the emission control requirements specified by the NESHAP would be difficult or impossible to implement due to the operating and emission characteristics of these machines. Case-by-case equivalency determinations would be required to ensure that each machine is applying alternative control measures that achieve the same or better emission reductions as the NESHAP-required controls. Such a case-by-case approach would be unduly burdensome for both the affected sources and the EPA. Therefore, the EPA is conducting an evaluation of methods of control for all continuous web cleaning machines to determine which emission control

measures would be equivalent to the NESHAP.

II. Summary of and Rationale for Proposed Extension

As indicated above, since promulgation of the halogenated solvent cleaning NESHAP on December 2, 1994, the EPA has become aware of the existence of various sources cleaning parts such as film, coils, wire, and metal strips at speeds in excess of the 11 feet per minute limit in the NESHAP using halogenated cleaning machines. Parts are generally uncoiled, cleaned such that the same part is simultaneously entering and exiting the solvent cleaning machine, and then recoiled or cut. These solvent cleaning machines are typically referred to as continuous web cleaning machines. The design and operation, and therefore, the emission characteristics of these machines are different from the solvent cleaning machines (e.g., batch cold cleaners, in-line cleaners) that the EPA analyzed during the NESHAP rule development process.

In-line cleaning machines have automated parts handling systems, such as conveyors, to move parts through the cleaning machine. Continuous web cleaning machines do not have a "true" automated parts handling system; instead the whole part (the coil, wire, film, etc.) is pulled through the solvent cleaning machine. The halogenated solvent cleaning NESHAP requires that the automated parts handling system on an in-line cleaning machine be capable of moving the parts at 11 feet per minute or less as a basic design requirement. However, process speeds for the continuous web cleaning processes that the EPA has information on range between 40 feet per minute and 1,200 feet per minute.

Air emissions from continuous web cleaning machines are primarily due to solvent drag-out or solvent carry-out on the cleaned parts. The controls required by the halogenated solvent cleaning NESHAP to reduce drag-out emissions require that parts be held inside the solvent cleaning machine for a specified period of time, depending on the part being cleaned, until solvent dripping stops. This technique is called dwell time. Dwelling parts when using a continuous web cleaning machine is not technically feasible due to the high rates of speed at which the parts are being cleaned. Continuous web cleaning machines generally use squeegees, rubber stoppers, or fabric pads to remove pooled solvent from the surface of the parts being cleaned before they exit the machine.

In order for the EPA to evaluate methods of emission control for continuous web cleaning machines using halogenated HAP solvents, and therefore, better regulate HAP emissions from these machines, the Agency is proposing a temporary extension of the applicable compliance dates.

III. Proposed Compliance Extension

Elsewhere in today's **Federal Register**, the EPA is announcing a 3-month stay from the requirements of the halogenated solvent cleaning machine NESHAP for continuous web cleaning machines using halogenated HAP solvents for good cause pursuant to section 553(b)(3)(B) of the Administrative Procedures Act. However, the EPA may not be able to complete evaluation of equivalent methods of control for continuous web cleaning machines and any appropriate curative regulatory action to the rule within 3 months. If the EPA does not complete the equivalency determination and rulemaking in this timeframe, then it will be necessary to temporarily extend the applicable compliance dates until the EPA completes final rulemaking action. By this action the EPA proposes, pursuant to section 301(a)(1) of the Clean Air Act (CAA), 42 U.S.C. 7601(a)(1), a temporary extension of the compliance dates for continuous web cleaning machines using halogenated HAP solvents. The EPA is proposing to extend the compliance dates to August 3, 1999, 1 year after the 3-month stay.

IV. Solicitation of Comments

The EPA specifically requests comment on the following issues:

1. Applications in which continuous web cleaning machines are used. Information supplied should include industries that use these machines, types of products cleaned (e.g., material out of which parts are made, size of parts), types of solvents used for cleaning, and a general description of the cleaning process.

2. Design and operational parameters of continuous web solvent cleaning machines. Information supplied should include machine dimensions, solvent capacity, rate of speed at which parts are cleaned, estimate of solvent usage on a yearly basis, solvent application method (e.g., spraying, flooding), and any other information relevant to the design and operation of the solvent cleaning machine.

3. Emission reduction techniques/controls used on continuous web cleaning machines. Information supplied should include control efficiencies, monitoring parameters and

procedures, and costs of the controls (e.g., capital costs, operating costs).

V. Administrative Requirements and Docket

A. Docket

A-92-39 is an organized and complete file of all of the information submitted to, or otherwise considered by, the EPA in the development of this rulemaking. The docket is a dynamic file, since material is added throughout the rulemaking development. The docketing system is intended to allow members of the public to readily identify and locate documents to enable them to participate effectively in the rulemaking process. The contents of the docket serves as the record in case of judicial review (except for interagency review materials) (§ 307(d)(7)(A) of the CAA, 42 U.S.C. 7607(d)(7)(A)).

B. Paperwork Reduction Act

There are no additional information collection requirements contained in this proposal. Therefore, approval under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501, *et seq.*, is not required.

C. Executive Order 12866

Under Executive Order 12866, the EPA is required to determine whether a regulation is "significant," and therefore, subject to Office of Management and Budget review and the requirements of this Executive Order to prepare a regulatory impact analysis. The Executive Order defines "significant regulatory action" as one that is likely to result in a rule that may (1) have an annual effect on the economy of \$100 million or more, or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, it has been determined that this action is not a "significant regulatory action" within the meaning of the Executive Order because it proposes a temporary extension of the applicable compliance dates beyond the 3 months of the stay for up to 1 year to

complete evaluation of equivalent methods of control for continuous web cleaning machines using halogenated HAP solvents.

D. Regulatory Flexibility

Pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), I certify that this rule will not have a significant economic impact on a substantial number of small entities. This notice proposes a temporary extension of the applicable compliance dates beyond the 3 months of the stay for up to 1 year to complete equivalent methods of control determinations for continuous web cleaning machines using halogenated HAP solvents. This proposal will not place any additional requirements on any entity affected by this rule, including small entities. Therefore, these amendments will not have a significant impact on a substantial number of small entities.

Under the Regulatory Flexibility Act, an agency is not required to prepare a regulatory flexibility analysis for a rule that the agency head certifies will not have a significant economic impact on a substantial number of small entities. Consequently, a regulatory flexibility analysis is not required and has not been prepared.

E. Regulatory Review

In accordance with sections 112(d)(6) and 112(f)(2) of the CAA, 42 U.S.C. 7412(d)(6) and 7412(f)(2), this regulation will be reviewed within 8 years of the date of promulgation. This review may include an assessment of such factors as evaluation of the residual health risk, any overlap with other programs, the existence of alternative methods of control, enforceability, improvements in emission control technology and health data, and recordkeeping and reporting requirements.

F. Unfunded Mandates Act

The economic impact analysis performed for the original rule showed that the economic impacts from implementation of the promulgated standards would not be "significant" as defined in Executive Order 12866. No changes are being made in these amendments that would increase the economic impacts. The EPA prepared the following statement of the impact of the original rule in response to the requirements of the Unfunded Mandates Reform Act.

There are no Federal funds available to assist State, local, and Tribal governments in meeting these costs. There are important benefits from volatile organic compounds and HAP emission reductions because these

compounds have significant adverse impacts on human health and welfare, and on the environment. The rule does not have any disproportionate budgetary effects on any particular region of the nation, State, local, or Tribal government, or urban, rural, or other type of community. Moreover, the rule will not have a material effect on the national economy.

Throughout the regulatory development process prior to issuing the final rule on December 2, 1994, the EPA provided numerous opportunities for consultations with interested parties (e.g., public comment period; opportunity for a public hearing [none was requested]; meetings with industry, trade associations, State and local air pollution control agency representatives, environmental groups, State, local, and Tribal governments, and concerned citizens). Although small governments are not significantly or uniquely affected by this rule, these procedures, as well as additional public conferences and meetings, gave small governments an opportunity to give meaningful and timely input and obtain

information, education, and advice on compliance.

List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Halogenated solvent cleaning machines, Hazardous substances, Reporting and recordkeeping requirements.

Dated: April 27, 1998.

Carol M. Browner,
Administrator.

For the reasons set out in the preamble, title 40, chapter I of the Code of Federal Regulations is proposed to be amended as follows:

PART 63—[AMENDED]

1. The authority citation for part 63 continues to read as follows:

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

Subpart T—National Emission Standards for Halogenated Solvent Cleaning

2. Section 63.460 is amended by revising paragraphs (c) and (d), and adding paragraph (g) to read as follows:

§ 63.460 Applicability and designation of source.

* * * * *

(c) Except as provided in paragraph (g) of this section, each solvent cleaning machine subject to this subpart that commences construction or reconstruction after November 29, 1993 shall achieve compliance with the provisions of this subpart immediately upon start-up or by December 2, 1994, whichever is later.

(d) Except as provided in paragraph (g) of this section, each solvent cleaning machine subject to this subpart that commenced construction or reconstruction on or before November 29, 1993 shall achieve compliance with the provisions of this subpart no later than December 2, 1997.

* * * * *

(g) Each continuous web cleaning machine subject to this subpart shall achieve compliance with the provisions of this subpart no later than August 3, 1999.

[FR Doc. 98-11752 Filed 5-4-98; 8:45 am]
BILLING CODE 6560-50-P