

PART 232—CONDUCT ON POSTAL PROPERTY

1. The authority citation for part 232 is revised to read as follows:

Authority: 18 U.S.C. 13, 3061; 21 U.S.C. 802, 844; 39 U.S.C. 401, 403(b)(3), 404(a)(7); 40 U.S.C. 318, 318a, 318b, 318c; Pub. L. 104-208, 110 Stat. 1060.

2. Section 232.1(b) is amended by revising the phrase "section 115 of the Domestic Mail Manual" to read "section 274 of the Administrative Support Manual."

3. Section 232.1 is amended by revising the heading of paragraph (g) and designating its existing text as (g)(1), revising the first sentence of paragraph (g)(1), and adding paragraph (g)(2) to read as follows:

§ 232.1 Conduct on postal property.

* * * * *

(g) *Alcoholic beverages, drugs, and smoking.*

(1) A person under the influence of an alcoholic beverage or any drug that has been defined as a "controlled substance" may not enter postal property or operate a motor vehicle on postal property. * * *

(2) Smoking (defined as having a lighted cigar, cigarette, pipe, or other smoking material) is prohibited in all postal buildings and office space, including public lobbies.

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4. Section 232.1(h)(1) introductory text is revised to read as follows:

(h) * * *

(1) Soliciting alms and contributions, campaigning for election to any public office, collecting private debts, soliciting and vending for commercial purposes (including, but not limited to, the vending of newspapers and other publications), displaying or distributing commercial advertising, soliciting signatures on petitions, polls, or surveys (except as otherwise authorized by Postal Service regulations), and impeding ingress to or egress from post offices are prohibited. These prohibitions do not apply to:

* * * * *

5. Section 232.1(h)(1)(i) is amended by adding the phrase "or nonprofit" after the word "Commercial."

6. Section 232.1(h)(3), (4), and (5) are added to read as follows:

(h) * * *

(3) Leafleting, distributing literature, picketing, and demonstrating by members of the public are prohibited in lobbies and other interior areas of postal buildings open to the public. Public assembly and public address, except when conducted or sponsored by the

Postal Service, are also prohibited in lobbies and other interior areas of postal building open to the public.

(4) *Voter registration.* Voter registration may be conducted on postal premises only with the approval of the postmaster or installation head provided that all of the following conditions are met:

(i) The registration must be conducted by government agencies or nonprofit civic leagues or organizations that operate for the promotion of social welfare but do not participate or intervene in any political campaign on behalf of any candidate or political party for any public office.

(ii) Absolutely no partisan or political literature may be available, displayed, or distributed. This includes photographs, cartoons, and other likenesses of elected officials and candidates for public office.

(iii) The registration is permitted only in those areas of the postal premises regularly open to the public.

(iv) The registration must not interfere with the conduct of postal business, postal customers, or postal operations.

(v) The organization conducting the voter registration must provide and be responsible for any equipment and supplies.

(vi) Contributions may not be solicited.

(vii) Access to the workroom floor is prohibited.

(viii) The registration activities are limited to an appropriate period before an election.

(5) Except as part of postal activities or activities associated with those permitted under paragraph (h)(4) of this section, no tables, chairs, freestanding signs or posters, structures, or furniture of any type may be placed in postal lobbies or on postal walkways, steps, plazas, lawns or landscaped areas, driveways, parking lots, or other exterior spaces.

* * * * *

7. Section 232.1(j) is revised to read as follows:

(j) *Dogs and other animals.* Dogs and other animals, except those used to assist persons with disabilities, must not be brought upon postal property for other than official purposes.

* * * * *

8. Section 232.1(l) is revised to read as follows:

(l) *Weapons and explosives.* No person while on postal property may carry firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, or store the same on postal property, except for official purposes.

* * * * *

9. Section 232.1(q)(3) is revised to read as follows:

(q) * * *

(3) Postal Inspectors, Office of Inspector General Criminal Investigators, and other persons designated by the Chief Postal Inspector may likewise enforce regulations in this section.

Stanley F. Mires,

Chief Counsel, Legislative.

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[IA 048-1048a; FRL-6113-1]

Approval and Promulgation of Implementation Plans and Approval Under Section 112(l); State of Iowa

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is approving revisions to the Iowa State Implementation Plan (SIP) submitted by the state of Iowa. This approval incorporates Iowa rule revisions which are necessary to meet the requirements of the Clean Air Act (CAA) and the Code of Federal Regulations (CFR). These revisions improve the state's permitting programs and strengthen the SIP with respect to attainment and maintenance of established air quality standards, and with respect to control of hazardous air pollutants (HAP).

DATES: This direct final rule is effective on August 24, 1998 without further notice, unless the EPA receives adverse comment by July 27, 1998. If adverse comment is received, the EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule did not take effect.

ADDRESSES: Comments may be mailed to Wayne A. Kaiser, Environmental Protection Agency, Air Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101.

Copies of the documents relevant to this action are available for public inspection during normal business hours at the: Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101; and the EPA Air & Radiation Docket and Information Center, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Wayne Kaiser at (913) 551-7603.

SUPPLEMENTARY INFORMATION: The state of Iowa requested approval of its SIP revisions under the authority and signature of the Governor's designee, Larry J. Wilson, Director, Iowa Department of Natural Resources (IDNR). Two separate requests, dated October 21, 1997, and January 3, 1998, were received by the EPA. All of the submittals were determined complete in accordance with the criteria specified in 40 CFR Part 51, Appendix V. The state provided evidence of the lawful adoption of regulations, public notice, and relevant public hearing requirements for each submittal.

The rule revisions adopted by the state are discussed in general terms below. Additional detail and supporting information relevant to the state's actions are contained in the EPA Technical Support Document (TSD) which is included in the docket for this action. Persons interested in obtaining a copy of the TSD should contact the EPA contact above.

Certain portions of the state rule revisions are not part of the SIP (e.g., new source performance standards, national emission standards for HAPs, and emission guidelines). While these updated regulations are an important component of the state's air quality program, they are excluded from this action because they are not intended to meet the SIP requirements of section 110 of the Act. Therefore, the EPA is not taking action on those portions.

Rules adopted April 15, 1996, and effective June 12, 1996. The definition of volatile organic compounds (VOC) in rule 20.2, Definitions, was updated to be consistent with the EPA definition in § 51.100(s). Rule 22.8(1), Permit by rule for spray booths, was revised to correct rule references within the rule. The voluntary operating permit rule at 22.202 was revised to allow sources the opportunity to obtain a permit under rule 22.300, as discussed below, and a clarification was made to rule 22.203 regarding the date to apply for a voluntary permit.

A new permitting program was established by rule 22.300 series, Operating permit by rule for small sources. These rules establish an optional voluntary permit program for small sources (sources which emit less than 50 percent of the major source threshold levels) otherwise subject to the Title V permitting program. Sources meeting the eligibility requirements and submitting the necessary documentation will be exempted from applying for a Title V operating permit and from paying the Title V fees.

Establishment of the operating permit by rule for small sources provides a mutual benefit to the state, the regulated community, and the public. Sources have an incentive to maintain low levels of emissions, thereby reducing their own and the state's administrative requirements while the public's exposure to pollutants is decreased. The rules require specific and enforceable operating restrictions which meet the EPA guidance for Federal enforceability. Because the rules limit emissions of HAPs as well as VOCs, the EPA is approving the rules under sections 110 and 112(l) of the Act.

Finally, rules 23.3 and 29.1 related to opacity limits in construction permits and observer qualifications were revised.

The IDNR also revised rule 22.1(2) pertaining to permit exemptions. However, the EPA is deferring action on this revision pending action on an earlier revision.

Rules adopted August 19, 1996, effective October 16, 1996. New definitions for "country grain elevator" and "potential to emit" were added to rule 20.2. These revisions, in conjunction with existing rules, allow the IDNR the opportunity to issue non-Title V permits to affected sources which accept operating capacity restrictions, and thus restricted emissions. This action is consistent with the EPA guidance memorandum of November 14, 1995.

Rules adopted October 21, 1996, effective December 25, 1996. Minor revisions were made to clarify and simplify certain provisions of rule 22.300(4), Stationary Sources With De Minimis Emissions, and 22.300(8), Registration and Reporting Requirements.

Rules adopted March 17, 1997, effective May 14, 1997. Definitions rule 20.2 was revised to add a new definition for "emergency generator," and the definition of "potential to emit" was revised. Rule 22.2 was revised to allow a source 60 days, rather than 30, to provide additional information prior to a permit denial. Voluntary operating permit rules, 22.201-22.203, were revised to clarify eligibility requirements for sources. Rules 22.300(3) "b" and "c" were clarified regarding the permit deferral date and applicability requirements, and 22.300(8) "a" was clarified regarding the application shield. Rule 22.1(2) was also revised by the IDNR in this rulemaking, but for the reason noted above, the EPA is deferring approval action on this revision at this time.

Rule adopted June 16, 1997, effective August 20, 1997. This minor revision

consisted of renumbering rule 23.1(5), Calculation of emission limitations based upon stack height, to 23.1(6).

I. Final Action

In summary, the EPA is taking final action approving the revisions to the Iowa SIP as described above. These revisions meet the requirements of the Act and ensure that the SIP remains consistent with Federal regulations.

The EPA is publishing 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, the EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should relevant adverse comments be filed. This rule will be effective August 24, 1998 without further notice unless the Agency receives relevant adverse comments by July 27, 1998.

If the EPA receives such comments, then the EPA will publish a notice withdrawing the final rule and informing the public that the rule did not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on the proposed rule. Only parties interested in commenting on the proposed rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on August 24, 1998 and no further action will be taken on the proposed rule.

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

II. Administrative Requirements

A. Executive Order 12866 and 13045

The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

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

B. Regulatory Flexibility

The Regulatory Flexibility Act 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 economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This final rule will not have a significant impact on a substantial number of small entities.

SIP approvals under section 110 and subchapter I, Part D of the CAA do not create any new requirements but simply approve requirements that the state is already imposing. Therefore, because the Federal SIP approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities. Moreover, due to the nature of the Federal-state relationship under the CAA, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids the EPA to base its actions concerning SIPs on such grounds (*Union Electric Co. v. U.S. E.P.A.*, 427 U.S. 246, 256-66 (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, the 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 the private sector, of \$100 million or more. Under section 205, the 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 the EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

The 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 preexisting 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 Comptroller General

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. The 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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 24, 1998. Filing a petition for reconsideration by the Administrator of this final 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 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, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: May 26, 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 Q—Iowa

2. Section 52.820 is amended by adding paragraph (c)(67) to read as follows:

§ 52.820 Identification of plan.

* * * * *

(c) * * *

(67) In correspondence dated October 21, 1997, and January 21, 1998, the Director of the Iowa Department of Natural Resources submitted revisions to the State Implementation Plan.

(i) Incorporation by reference.

(A) "Iowa Administrative Code" sections 567-22.8(1) "b," "c," and "e," 567-22.203(1) "a," 567-22.300, 567-22.300(1) through 567-22.300(11), 567-23.3(2) "d," and 567-29.1, effective June 12, 1996.

(B) "Iowa Administrative Code" section 567-20.2, effective October 16, 1996.

(C) "Iowa Administrative Code" sections 567-22.300(4) "b"(1), 567-22.300(8) "a"(1), and 567-22.300(8) "b"(2), effective December 25, 1996.

(D) "Iowa Administrative Code" sections 567-20.2, 567-22.2(1), 567-22.201(1) "a," 567-22.201(2) "b," 567-22.202, 567-22.203(1), 567-22.300(3) "b" and "c," 567-22.300(8) "a," effective May 14, 1997.

(ii) Additional material.

(A) "Iowa Administrative Code" section 567-23.1(5), Calculation of emission limitations based upon stack height, was renumbered to section 567-23.1(6), effective August 20, 1997.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[WA61-7136, WA64-7139; FRL-6110-7]

Approval and Promulgation of State Implementation Plans: Washington; Correcting Amendments

AGENCY: Environmental Protection Agency.

ACTION: Final rule; correcting amendments.

SUMMARY: This action corrects a paragraph numbering error in the Identification of Plan section found in the Washington State Implementation Plan (SIP) revision published on August 6, 1997.

EFFECTIVE DATE: June 25, 1998.

ADDRESSES: Copies of the State's request and other information supporting this proposed action are available for inspection during normal business hours at the following locations: Environmental Protection Agency (EPA), Office of Air Quality (OAQ-107), 1200 Sixth Avenue, Seattle, Washington 98101, and the State of Washington, Department of Ecology, 300 Desmond Drive, Lacey, WA 98503.