

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 proposed 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 Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

D. Executive Order 13045

This proposed 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.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide.

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

Dated: July 31, 1998.

Felicia Marcus,

Regional Administrator, Region IX.

[FR Doc. 98-21527 Filed 8-10-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 82

[FRL-6137-1]

RIN: 2060-A107

Protection of Stratospheric Ozone: Halon Recycling and Recovery Equipment Certification

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed determination.

SUMMARY: Through this action EPA is proposing a determination that it is neither necessary nor appropriate under section 608(a)(2) of the Clean Air Act as amended in 1990 (CAA or "Act") to issue a proposed rule requiring the

certification of recycling and recovery equipment for halons; and further, that it is neither necessary nor appropriate under section 608(a)(2) of the CAA to require that halons be removed only through the use of certified equipment. This proposed determination is also being issued, pursuant to a consent decree, as a direct final determination in the final rules section of today's **Federal Register**. A detailed discussion of the reasoning for this proposed determination is set forth in the direct final determination and the accompanying study referred to therein. If no relevant adverse comment is timely received, no further action will be taken with respect to this proposal and the direct final determination will become final on the date provided in that action.

DATES: Comments on this proposed determination must be received by September 10, 1998.

ADDRESSES: Comments on this proposed determination should be sent to Docket No. A-98-37, U.S. Environmental Protection Agency, OAR Docket and Information Center, Room M-1500, Mail Code 6102, 401 M Street, S.W., Washington, D.C. 20460. The docket may be inspected from 8:00 a.m. until 5:30 p.m., weekdays. The docket phone number is (202) 260-7548, and the fax number is (202) 260-4400. A reasonable fee may be charged for copying docket materials. A second copy of any comments should also be sent to Lisa Chang, U.S. Environmental Protection Agency, Stratospheric Protection Division, 401 M Street, S.W., Mail Code 6205J, Washington, D.C. 20460 if by mail, or at 501 3rd Street, N.W., Room 267, Washington, D.C. 20001 if comments are sent by courier delivery.

FOR FURTHER INFORMATION CONTACT: Lisa Chang at (202) 564-9742 or fax (202) 565-1096, U.S. Environmental Protection Agency, Stratospheric Protection Division, Mail Code 6205J, 401 M Street, S.W., Washington, D.C. 20460.

SUPPLEMENTARY INFORMATION: If no relevant adverse comment is timely received, no further activity is contemplated in relation to this proposed determination and the direct final determination in the final rules section of today's **Federal Register** will be final and become effective in accordance with the information discussed in that action. If relevant adverse comment is timely received, the direct final determination will be withdrawn and all public comments will be addressed in a subsequent final determination. The Agency will not institute a second comment period on

this proposed determination; therefore, any parties interested in commenting should do so during this comment period.

For more detailed information and the rationale supporting this proposed determination, the reader should review the information provided in the direct final determination in the final rules section of today's **Federal Register**.

I. Administrative Requirements

A. Executive Order 12866

Executive Order 12866 (58 FR 51735, October 4, 1993) provides for interagency review of "significant regulatory actions." It has been determined by the Office of Management and Budget (OMB) and EPA that this action—which is a proposed determination that requiring the certification of equipment used in halon recovery and recycling, and requiring that halons be removed from halon-containing equipment only through use of certified recovery and recycling equipment, is not necessary or appropriate—is not a "significant regulatory action" under the terms of Executive Order 12866 and is therefore not subject to OMB review under the Executive Order.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601-602, requires that Federal agencies, when developing regulations, consider the potential impact of those regulations on small entities. Because this action is a proposed determination that requiring the certification of equipment used in halon recovery and recycling, and requiring that halons be removed from halon-containing equipment only through use of certified recovery and recycling equipment, is not necessary or appropriate, the Regulatory Flexibility Act does not apply. By its nature, this action will not have an adverse effect on the regulated community, including small entities.

C. Paperwork Reduction Act

This action does not add any new requirements or increase burdens under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

D. Unfunded Mandates Reform Act

It has been determined that this action does not contain a Federal mandate that may result in expenditures of \$100 million or more for State, local and tribal governments, in the aggregate, or the private sector, in any one year.

E. Executive Order 13045—Children's Health

Executive Order 13045: "Protection of Children from Environmental Health Risk and Safety Risk" (62 FR 19885, April 23, 1997) applies to any rule that (1) is determined to be "economically significant" as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This action is not subject to E.O. 13045 because it is not a rule and is not likely to result in a rule.

List of Subjects in 40 CFR Part 82

Environmental protection, Administrative practice and procedure, Air pollution control, Chemicals, Reporting and recordkeeping requirements, Stratospheric ozone layer.

Dated: July 31, 1998.

Carol M. Browner,
Administrator.

[FR Doc. 98-21526 Filed 8-10-98; 8:45 am]

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**GENERAL SERVICES
ADMINISTRATION****41 CFR Part 101-47**

RIN: 3090-AG60

Utilization and Disposal of Real Property

AGENCY: General Services Administration.

ACTION: Proposed rule.

SUMMARY: The General Services Administration proposes to amend the public benefit conveyance regulations for utilization and disposal of real property to update the regulations and to include implementation regulations for new laws. The new regulations incorporate the public benefit conveyance of excess Federal Government real property for housing, law enforcement, and emergency management purposes. The laws that this proposed regulation implements are Pub. L. 105-50, Pub. L. 105-119 Sec. 118, Pub. L. 98-181, 97 Stat. 1175, and Federal Property and Administrative Services Act amendments to 203(k).

DATES: Submit comments on or before October 13, 1998.

ADDRESSES: Address all comments concerning this proposed rule to the General Services Administration, Office of Governmentwide Policy, Real Property Policy Division (MPR), 1800 F Street, NW, Washington, DC 20405; Attention: Carol Braegelmann. Comments can also be submitted via electronic mail (E-mail) to Carol.Braegelmann@gsa.gov. Any attached files must be in Microsoft Word 97 or Microsoft Word 6.0.

FOR FURTHER INFORMATION CONTACT: Carol Braegelmann, 202-208-3992.

SUPPLEMENTARY INFORMATION: The General Services Administration (GSA) has determined that this rule is not a significant regulatory action for the purposes of Executive Order 12866. This rule is not required to be published in the Federal Register for notice and comment. Therefore, the Regulatory Flexibility Act does not apply. The Paperwork Reduction Act does not apply to this action because the proposed changes to the Federal Property Management Regulations do not impose reporting, record keeping or information collection requirements which require the approval of the Office of Management and Budget.

List of Subjects in 41 CFR Part 101-47

Government property management, Surplus Government property.

For the reasons stated in the preamble, it is proposed that 41 CFR Part 101-47 be amended as set forth below:

**PART 101-47—UTILIZATION AND
DISPOSAL OF REAL PROPERTY**

1. The authority citation for Part 101-47 continues to read as follows:

Authority: 40 U.S.C. 486(c).

§ 101-47.103-4 [Removed and reserved]

2. Section 101-47.103-4 is removed and reserved.

3. Section 101-47.203-5 is amended by revising paragraphs (b) and (c) to read as follows:

§ 101-47.203-5 Screening of excess real property.

* * * * *

(b) Notices of availability for information of the Secretary of Health and Human Services and the Secretary of Education in connection with the exercise of the authority vested under the provisions of section 203(k)(1) of the Act; the Secretary of the Interior in connection with provisions in 16 U.S.C. 667b through d, the exercise of the authority vested under the provisions of

section 203(k)(2) of the Act, or a determination under the provisions of section 203(k)(3) of the Act; and the Secretary of Housing and Urban Development in connection with the exercise of the authority vested under the provisions of section 203(k)(6) of the Act will be sent to the offices designated by those officials to serve the areas in which the properties are located. Similar notices of availability for information of the Attorney General and the Director of the Federal Emergency Management Agency in connection with a possible determination under the provisions of section 203(p)(1) of the Act, and for information of the Secretary of Transportation in connection with the exercise of the authority vested under the provisions of section 203(q) of the Act, will be respectively sent to the Office of Justice Programs, Department of Justice; the Federal Emergency Management Agency; and the Maritime Administration, Department of Transportation.

(c) The Departments of Health and Human Services, Education, Interior, Housing and Urban Development, Justice, and Transportation, and the Federal Emergency Management Agency shall not attempt to interest a local applicant in a property until it is determined surplus, except with the prior consent of GSA on a case-by-case basis or as otherwise agreed upon. When such consent is obtained, the local applicant shall be informed that consideration of the application is conditional upon the property being determined surplus to Federal requirements and made available for the purposes of the application. However, these Federal agencies are encouraged to advise the appropriate GSA regional office of those excess properties which are suitable for their programs.

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4. Section § 101-47.204-1 is amended by revising the first sentence in paragraph (a), and paragraphs (b) and (c) to read as follows:

§ 101-47.204-1 Reported property.

* * * * *

(a) The holding agency, the Secretary of Health and Human Services, the Secretary of Education, the Secretary of the Interior, the Secretary of Housing and Urban Development, the Attorney General, the Director of the Federal Emergency Management Agency, and the Secretary of Transportation will be notified of the date upon which determination as surplus becomes effective. * * *

(b) The notices to the Secretary of Health and Human Services, the Secretary of Education, the Secretary of