

under section 110(c). It should be noted that the rule covered by this document has been adopted and is currently in effect in Ventura County. EPA's final limited disapproval action will not prevent the VCAPCD or EPA from enforcing this rule.

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

V. Administrative Requirements

A. Executive Orders 12866 and 13045

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

The 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.

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 sections 110 and 301, 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 impose any new requirements, I certify 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 action 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 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.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401-7671q.

Dated: September 2, 1998.

Felicia Marcus,

Regional Administrator, Region IX.

[FR Doc. 98-24608 Filed 9-11-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[AL-047-1 9825b; FRL 6156-8]

Approval and Promulgation of Implementation Plans Alabama: Revisions to Several Chapters of the Alabama Department of Environmental Management (ADEM) Administrative Code for the Air Pollution Control Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) proposes to approve the

State Implementation Plan (SIP) revision submitted by the State of Alabama through the Department of Environmental Management. On March 5, 1998, the State of Alabama through the Department of Environmental Management (ADEM) submitted a SIP submittal to revise the ADEM Administrative Code for the Air Pollution Control Program. Revisions were made to Chapters 335-3-1, 335-3-12, 335-3-14, and Appendix F. In the final rules section of this **Federal Register**, the EPA is approving Alabama's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to the direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time.

DATES: To be considered, comments must be received by October 14, 1998.

ADDRESSES: Written comments should be addressed to Kimberly Bingham, at the EPA Regional Office listed below. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460

U.S. Environmental Protection Agency, Atlanta Federal Center, Region 4, Air Planning Branch, 61 Forsyth Street, Atlanta, Georgia 30303-3104.

FOR FURTHER INFORMATION CONTACT: Kimberly Bingham of the EPA Region 4, Air Planning Branch at (404) 562-9038 and at the above address.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the rules section of this **Federal Register**.

Dated: August 24, 1998.

A. Stan Meiburg,

Acting Regional Administrator, Region 4.

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**FEDERAL COMMUNICATIONS
COMMISSION**

47 CFR Part 97

[WT Docket No. 98-143; FCC 98-183]

Amateur Service Rules

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The proposed rule amendments would phase out the Novice Class operator license (current licensees grandfathered) and the Technician Plus operator license. In addition, the proposed amendments would authorize Advanced Class operators to prepare and administer examinations for the General Class operator license, and would sunset RACES station licenses by not issuing any license renewals. Comments are invited from the amateur community on improvement of amateur enforcement processes, on the specific telegraphy speeds requirement for the various license classes, and on ways to streamline and improve the operator written examinations.

DATES: Comments are due on or before December 1, 1998, and reply comments are due on or before January 15, 1999.

FOR FURTHER INFORMATION CONTACT:

Maurice J. DePont, Federal Communications Commission, Washington, D.C. 20554, (202) 418-0690.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rule Making* (NPRM), adopted July 29, 1998, and released August 10, 1998. The complete text of this Commission action, including the proposed rules, is available for inspection and copying during normal business hours in the FCC Reference Center (Room 230) 1919 M Street, N.W., Washington, D.C. The complete text of this *Notice of Proposed Rule Making* may also be ordered from the Commission's copy contractor, International Transcription Services, Inc., 1231 20th Street, N.W., Washington, D.C. 20036, Telephone (202) 857-3800.

Summary of Notice of Proposed Rule Making

1. The proposed rule amendments would reduce the number of amateur operator license classes from six to four by phasing out the Novice Class and Technician Class operator licenses. Current Novice Class licensees would be grandfathered. The four remaining classes would be the Amateur Extra, Advanced, General and Technician. Pursuant to the proposal, Advanced Class operators could prepare and administer examinations for a General Class license.

2. The proposed rule amendments also would eliminate Radio Amateur Civil Emergency Service (RACES) licenses because the emergency communications that routinely are transmitted by RACES stations can be transmitted by primary, club or military recreation stations. It is proposed that current RACES licenses would not be renewed.

3. Comments are sought on ideas for improving the amateur enforcement processes. One possibility, for example, would be to encourage or require persons bringing complaints of interference to the Commission to include a draft order to show cause to initiate a revocation or cease and desist hearing proceeding. In addition, comments are sought on how to better utilize the services of the Amateur Auxiliary, consistent with its statutory basis.

4. Interested persons were also invited to submit comments about the current telegraphy speeds and to indicate whether the three levels of 5, 13, and 20 words per minute should be retained or reduced to two or one speed requirement. Comments were also invited concerning the written examinations and whether the current list of topics used in the written examinations adequately covers current technology and contemporary operating practices.

5. Finally, various routine and repetitive petitions concerning licensing requirements, frequency privileges, or restructuring of the various amateur license classes were dismissed.

6. In accordance with provisions of the Regulatory Flexibility Act, the Commission certifies that the amended rules will not have a significant economic impact on a substantial number of small entities because the amateur stations that are the subject of this proceeding are not authorized to transmit communications for a pecuniary interest.

7. Comments may be filed using the Commission's Electronic Filing System

(ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (May 1, 1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

8. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 1919 M St., N.W., Room 222, Washington, D.C. 20554.

9. Parties who choose to file by paper should also submit their comments on diskette. These diskettes should be submitted to: MJDePont, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, Room 8332, 2025 M Street, N.W., Washington, D.C. 20554. Such a submission should be on a 3.5 inch diskette formatted in an IBM compatible format using WordPerfect 5.1 for Windows or compatible software. The diskette should be accompanied by a cover letter and should be submitted in "read only" mode. The diskette should be clearly labelled with the commenter's name, proceeding (including the lead docket number in this case, WT Docket No. 98-143), type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase "Disk Copy—Not an Original." Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, commenters must send diskette copies to the