On page 66502, in the third column, in the **FOR FURTHER INFORMATION CONTACT** Section, ''Jerry Robinette, Aerospace Engineer, Atlanta Aircraft Certification Office, FAA, Small Airplane Directorate, Campus Building, 1701 Columbia Ave., Suite 2–160, College Park, GA 30337–2748; telephone (404) 305–7371, fax (404) 305–7348.'' is corrected to read ''Jerry Robinette, Aerospace Engineer, Atlanta Aircraft Certification Office, FAA, Small Airplane Directorate, 1895 Phoenix Blvd., One Crown Center, Suite 450, Atlanta, GA 30349, (770) 703–6096, fax (770) 703–6097.''.

§ 39.13 [Corrected]

On page 66506, in the second column, in the Compliance section of AD 97–26–17, in paragraph (f), ''telephone (334) 438–3411'' is corrected to read ''telephone (888) 826–5874''.

Issued in Burlington, MA, on February 26, 1998.

Ronald L.Vavruska,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 98–5798 Filed 3–6–98; 8:45 am]

BILLING CODE 4910–13–U

COMMODITY FUTURES TRADING COMMISSION

17 CFR Parts 1, 5, and 31

Fees for Applications for Contract Market Designation, Leverage Commodity Registration and Registered Futures Association and Exchange Rule Enforcement and Financial Reviews

AGENCY: Commodity Futures Trading Commission.

ACTION: Final schedule of fees.

SUMMARY: The Commission periodically adjusts fees charged for certain program services to assure that they accurately reflect current Commission costs. In this regard, the staff recently reviewed the Commission's actual costs of processing applications for contract market designation (17 CFR part 5, appendix B), audits of leverage transaction merchants (17 CFR part 31, appendix B) and registered futures association and exchange rule enforcement and financial reviews (17 CFR part 1, appendix B). The following fee schedule for fiscal year 1998 reflects the average annual actual costs to the Commission of providing those services during fiscal years 1995, 1996, and 1997. Accordingly, the Commission will charge the following fees: applications for contract market designation for a futures contract will be reduced from $8,300 to $7,900; contract market designation for an option contract will be reduced from $1,700 to $1,600; and contract markets that simultaneously submit designation applications for a futures contract and an option on that futures contract will be reduced from a combined fee of $9,000 to a combined fee of $8,500. In addition, the Commission is publishing the schedule of fees for registered futures association and exchange rule enforcement and financial reviews.

EFFECTIVE DATES: The Fee Schedule for Contract Market Designation is effective on March 9, 1998. Registered Futures Association and Exchange Rule Enforcement and Financial Review fees are due May 8, 1998.

FOR FURTHER INFORMATION CONTACT: Gerald P. Smith, Special Assistant to the Executive Director, Office of the Executive Director, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, D.C. 20581, 202–418–5160.

SUPPLEMENTARY INFORMATION: The Commission periodically reviews the actual costs of providing services for which fees are charged and adjusts these fees accordingly. In connection with its most recent review, the Commission has determined that fees for contract market designations should be adjusted. Also, this release announces the fiscal year 1998 schedule of fees for registered futures association and exchange rule enforcement and financial reviews and leverage commodity registration fees.

Background Information

I. Computation of Fees

The Commission has established fees for certain activities and functions it performs.[1] In calculating the actual cost of processing applications for contract market designation, registering leverage commodities, and performing registered futures association and exchange rule enforcement and financial reviews, the Commission takes into account personnel costs (direct costs) and benefits and administrative costs (overhead costs).

The Commission first determines personnel costs by extracting data from the agency's Management Accounting Structure Codes (MASC) system. Employees of the Commission record the time spent on each project under the MASC system. The Commission then adds an overhead factor that is made up of two components—benefits and general and administrative costs. Benefits, which include retirement, insurance and leave, are based on a government-wide standard established by the Office of Management and Budget. General and administrative costs include the Commission's costs for space, equipment, utilities, etc. These general and administrative costs are derived by computing the percentage of Commission appropriations spent on these non-personnel items. The overhead calculations fluctuate slightly due to changes in government-wide benefits and the percentage of Commission appropriations applied to non-personnel costs from year to year. The actual overhead factor for prior fiscal years were 92% in 1995, 98% in 1996 and 91% in 1997.

Once the total personnel costs for each fee item (contract market designation, rule enforcement review, etc.) have been determined for each year, the overhead factor is applied and the costs for fiscal years 1995, 1996 and 1997 are averaged. This results in a calculation of the average annual cost over the three-year period.

II. Applications for Contract Market Designation

On August 23, 1983, the Commission established a fee for Contract Market Designation (48 FR 38214). The fee was based upon a three-year moving average of the actual costs expended and the number of contracts reviewed during that period of time. The formula for determining the fee was revised in 1985. At that time the overwhelming majority of designation applications was for futures contracts as opposed to option contracts. Therefore, the fee covered both futures and option designation applications. In fiscal year 1992, the Commission reviewed its data on the actual costs for reviewing designation applications for both futures and option contracts and determined that the costs for reviewing a futures contract designation application was much higher than the cost of reviewing an application for an option contract. It also determined that, when designation applications for both a futures contract and an option on that futures contract are submitted simultaneously, the cost for reviewing both together was lower than reviewing them individually. Based on that review, separate fees were established for futures, option and combined futures and option contracts.

The Commission staff reviewed the actual costs of processing applications for contract market designation for a futures contract for fiscal years 1995, 1996, and 1997 and found that the

[1] See Section 237 of the Futures Trading Act of 1982, 7 U.S.C. 16a and 31 U.S.C. 9701. For a broader discussion of the history of Commission fees, see 52 FR 46070 (Dec. 4, 1987).

average cost over the three-year period was $7,939.48. The review of actual costs of processing applications for contract market designation for an option contract for fiscal years 1995, 1996 and 1997 revealed that the average costs over the same three-year period was $1,628.67. Accordingly, the Commission has determined that the fee for applications for contract market designation for a futures contract will be reduced to $7,900 and the fee for applications for contract market designation as an option contract will be reduced to $1,600 in accordance with the Commission's regulations (17 CFR part 5, Appendix B). In addition, the combined fee for contract markets simultaneously submitting designation applications for a futures contract and an option contract on that futures contract will be reduced to $8,500.

III. Leverage Commodity Registration

No new applications for leverage commodity registration have been received for approximately ten years. Accordingly, the Commission will not publish a fee for this service.

IV. Registered Futures Association and Exchange Rule Enforcement and Financial Reviews

Under the formula adopted in 1993 (58 FR 42643, August 11, 1993, which appears in 17 CFR Part I, Appendix B), the Commission calculates the rule enforcement and financial review fees based on its actual costs as well as actual exchange trading volume. The formula for calculating the rule enforcement and financial review fee is 0.5a + 0.5vt=current fee. In the formula, ''a'' equals the average annual costs, ''v'' equals the percentage of total volume across exchanges over the last three years and ''t'' equals the average annual cost for all exchanges.

To determine the fee, the staff first calculates actual costs for the last three fiscal years. The average annual costs for that time period for rule enforcement reviews and financial reviews for each exchange are as follows:

Exchange	FY 1995–1997 average annual costs for review services
Chicago Board of Trade	$292,692.79
Chicago Mercantile Exchange	202,687.56
New York Mercantile/COMEX Exchange	208,224.10
Coffee Sugar and Cocoa Exchange	75,516.41
New York Cotton/New York Futures Exchange	141,279.28
Kansas City Board of Trade	11,266.57
Minneapolis Grain Exchange	24,991.23
Philadelphia Board of Trade	624.35
Total	957,282.29

Then, the staff calculates the trading volume for the past three fiscal years to determine the cumulative volume for each exchange and its percentage of total volume across all exchanges during that same period. The trading volume figures for that period are as follows:

Exchange	FY 1995–1997 cumulative volume (# of contracts)	Percentage of total volume across all exchanges
Chicago Board of Trade	668,713,095	43.9419
Chicago Mercantile Exchange	558,542,483	36.7024
New York Mercantile/COMEX Exchange	229,833,443	15.1026
Coffee, Sugar and Cocoa Exchange	35,725,840	2.3476
New York Cotton/New York Futures Exchange	19,593,431	1.2875
Kansas City Board of Trade	6,190,142	0.4068
Minneapolis Grain Exchange	3,092,736	0.2032
Philadephia Board of Trade	121,721	0.0080
Total	1,521,812,891	100.00

Finally, the staff calculates the current fees by applying the appropriate exchange data to the formula. The following is an example of how the rule enforcement and financial review fees for exchanges are calculated:

The Minneapolis Grain Exchange (MGE) average annual cost is $24,991.23 and its percentage of total volume over the last three years is 0.2032. The annual average total cost for all exchanges during that same time period is $957,282.29. As a result, the MGE fee for fiscal 1997 is: (.5) ($24,991.23)+(.5) (.002032) ($957,282.79)=current fee or $12,495.62+$972.73=$13,468.35.

As stated in 1993 when the formula was adopted, if the calculated fee using this formula is higher than actual costs, the exchange pays actual costs. If the calculated fee using the formula is less than actual costs, the exchange pays the calculated fee. No exchange will pay more than actual costs. Also, if an exchange has no volume over the three-year period, it pays a flat 50% of actual costs.

The National Futures Association (NFA) is a registered futures association which is responsible for regulating the practices of its members. In its oversight role, the Commission performs rule enforcement and financial reviews of the NFA. The Commission's average annual cost for reviewing the National Futures Association during fiscal years 1995 through 1997 was $344,364.39. The National Futures Association will continue to be charged 100% of its actual costs.

Based upon this formula, the fees for all of the exchanges and the NFA for fiscal 1998 are as follows:

Exchange	FY 1998 fee
Chicago Board of Trade	$292,692.79
Chicago Mercantile Exchange	202,687.56
New York Mercantile/COMEX Exchange	176,399.35
Coffee, Sugar and Cocoa Exchange	48,994.71
New York Cotton/New York Futures Exchange	76,802.17
Kansas City Board of Trade	7,580.21
Minneapolis Grain Exchange	13,468.35
Philadelphia Board of Trade	350.46
NFA	344,364.39
Total	1,163,339.99

V. Regulatory Flexibility Act

The Regulatory Flexibility Act (''RFA''), 5 U.S.C. 601 *et seq.*, requires agencies to consider the impact of rules on small businesses. The fees implemented in this release affect contract markets (also referred to as ''exchanges'') and registered futures associations. The Commission has previously determined that contract markets are not ''small entities'' for purposes of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, 47 FR 18618 (April 30, 1982). Registered futures associations also are not considered ''small entities'' by the Commission. Therefore, the requirements of the Regulatory Flexibility Act do not apply to contract markets or registered futures associations. Accordingly, the Chairperson, on behalf of the Commission, certifies that the fees implemented herein do not have a significant economic impact on a substantial number of small entities.

Issued in Washington, D.C. on March 3, 1998, by the Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 98–5881 Filed 3–6–98; 8:45 am]

BILLING CODE 6351–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[PA–4067a; FRL–5968–2]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of VOC and NO_X RACT Determinations for Individual Sources

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania. This revision establishes and requires volatile organic compounds (VOC) and nitrogen oxides (NO_X) reasonably available control technology (RACT) for six (6) major sources located in Pennsylvania. The intended effect of this action is to approve source-specific operating permits and compliance permits that establish the above-mentioned RACT requirements in accordance with the Clean Air Act. This action is being taken under section 110 of the Clean Air Act.

DATES: This action is effective May 8, 1998, unless notice is received on or before April 8, 1998, that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Comments may be mailed to David Campbell, Air Protection Division, Mailcode 3AP11, U.S. 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, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: David J. Campbell, (215) 566–2196, at the EPA Region III office or via e-mail at campbell.dave@epamail.epa.gov. While information may be requested via e-mail, any comments must be submitted in writing to the above Region III address.

SUPPLEMENTARY INFORMATION: On December 31, 1997, the Commonwealth of Pennsylvania submitted formal revisions to its State Implementation Plan (SIP). Each source subject to this rulemaking will be identified and discussed below. Any plan approvals and operating permits submitted coincidentally with those being approved in this document, and not identified below, will be addressed in a separate rulemaking action.

Pursuant to sections 182(b)(2) and 182(f) of the Clean Air Act (CAA), Pennsylvania is required to implement RACT for all major VOC and NO_X sources by no later than May 31, 1995. The major source size is determined by its location, the classification of that area and whether it is located in the ozone transport region (OTR), which is established by the CAA. The Pennsylvania portion of the Philadelphia ozone nonattainment area consists of Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties and is classified as severe. The remaining counties in Pennsylvania are classified as either moderate or marginal nonattainment areas or are designated attainment for ozone. However, under section 184 of the CAA, at a minimum, moderate ozone nonattainment area requirements (including RACT as specified in sections 182(b)(2) and 182(f)) apply throughout the OTR. Therefore, RACT is applicable statewide in Pennsylvania. The Pennsylvania submittals that are the subject of this document are meant to satisfy the RACT requirements for six (6) sources in Pennsylvania.

Summary of SIP Revision

The details of the RACT requirements for the source-specific operating and compliance permits can be found in the docket and accompanying technical support document (TSD) and will not be reiterated in this document. Briefly, EPA is approving a revision to the Pennsylvania SIP pertaining to the determination of RACT for six (6) major sources. Several of the operating permits contain conditions irrelevant to the determination of VOC or NO_X RACT. Consequently, these provisions are not being included in this approval for source-specific VOC or NO_X RACT.

RACT Determinations

The following table identifies the individual operating and compliance permits EPA is approving. The specific emission limitations and other RACT requirements for these sources are summarized in the accompanying technical support document, which is available upon further request, from the EPA Region III office listed in the **ADDRESSES** section of this document.

PENNSYLVANIA—VOC AND NO_X RACT DETERMINATIONS FOR INDIVIDUAL SOURCES

Source	County	Operating permit (OP #), compliance permit (CP #)	Source type	''Major source'' pollutant
Allegro MicroSystems W.G. Inc	Montgomery	OP 46–0006	Semiconductor manufacturing	VOC
Hale Products, Inc	Montgomery	OP 46–0057	Foundry	VOC
Con-Lime	Centre	OP 14–0001	Lime manufacturing	NO_X
Coastal Aluminum Rolling Mills, Inc	Lycoming	OP 41–0007	Secondary metal processing	VOC
International Envelope Company	Chester	OP 15–0023	Printing	VOC