

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.

It has been determined that this amendment to the final rule is not a "significant regulatory action" under the terms of the Executive Order and is therefore not subject to OMB review.

#### *Unfunded Mandates Act*

Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act") requires that the Agency prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in expenditure by State, local, and tribal governments, in aggregate, or by the private sector, of \$100 million or more in any 1 year. Section 203 requires the Agency to establish a plan for obtaining input from and informing, educating, and advising any small governments that may be significantly or uniquely affected by the rule.

Under section 205 of the Unfunded Mandates Act, the Agency must identify and consider a reasonable number of regulatory alternatives before promulgating a rule for which a budgetary impact statement must be prepared. The Agency must select from those alternatives the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule, unless the Agency explains why this alternative is not selected or the selection of this alternative is inconsistent with law.

Because this proposed rule is estimated to result in the expenditure by State, local, and tribal governments or the private sector of significantly less than \$100 million in any 1 year, the Agency has not prepared a budgetary impact statement or specifically addressed the selection of the least costly, most cost-effective, or least burdensome alternative. Because small governments will not be significantly or uniquely affected by this rule, the Agency is not required to develop a plan with regard to small governments.

#### *Paperwork Reduction Act*

Under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., the EPA must consider the paperwork burden imposed by any information collection request in a proposed or final rule. This amendment to the rule will not impose any new information collection requirements.

#### *Regulatory Flexibility Act*

The Regulatory Flexibility Act (or RFA, Pub. L. 96-354, September 19, 1980) requires Federal agencies to give special consideration to the impact of regulation on small businesses. The RFA specifies that a regulatory flexibility analysis must be prepared if a screening analysis indicates a regulation will have a significant economic impact on a substantial number of small entities. Therefore, I certify that this action will not have a significant economic impact on a substantial number of small entities.

#### *National Technology Transfer and Advancement Act*

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA) directs all federal agencies to use voluntary consensus standards instead of government-unique standards in their regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., material specifications, test methods, sampling and analytical procedures, business practices, etc.) that are developed or adopted by one or more voluntary consensus standards bodies. Examples of organizations generally regarded as voluntary consensus standards bodies include the American Society for Testing and Materials (ASTM), the National Fire Protection Association (NFPA), and the Society of Automotive Engineers (SAE). The NTTAA requires federal agencies like EPA to provide Congress, through OMB, with explanations when an agency decides not to use available and applicable voluntary consensus standards. This action does not involve the proposal of any new technical standards, or incorporate by reference existing technical standards.

#### *Protection of Children From Environmental Health Risks and Safety Risk Under Executive Order 13045*

The Executive Order 13045 applies to any rule that (1) OMB determine is "economically significant" as defined under Executive Order 12866, and (2) EPA determine the environmental health or safety risk addressed by the

rule has a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety aspects 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 Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), because it does not involve decisions on environmental health risks or safety risks that may disproportionately affect children.

#### *Enhancing the Intergovernmental Partnership Under Executive Order 12875*

Under the executive order EPA must consult with representatives of affected State, local, and Tribal governments. The EPA consulted with State and local governments at the time of promulgation of subpart X (60 FR 32587), and no tribal governments are believed to be affected by this action. Today's changes are minor and will not impose costs on governments entities or the private sector. Consequently, the EPA has not consulted with State, local, or Tribal governments on this amendment.

#### **List of Subjects in 40 CFR Part 63**

Environmental protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements, Secondary lead smelters.

Dated: August 11, 1998.

**Carol M. Browner,**  
Administrator.

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Parts 72 and 73**

[FRL-6150-2]

RIN 2060-AH60

### **Revisions to the Permits and Sulfur Dioxide Allowance System Regulations Under Title IV of the Clean Air Act**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** Title IV of the Clean Air Act (the Act), as amended by the Clean Air Act Amendments of 1990, authorizes

the Environmental Protection Agency (EPA or Agency) to establish the Acid Rain Program. The program sets emissions limitations to reduce acidic particles and deposition and their serious, adverse effects on natural resources, ecosystems, materials, visibility, and public health.

The allowance trading component of the Acid Rain Program allows utilities to achieve sulfur dioxide emissions reductions in the most cost-effective way. Allowances are traded among utilities and recorded in EPA's Allowance Tracking System for use in determining compliance at the end of each year. The Acid Rain Program's permitting, allowance trading, and emissions monitoring requirements are set forth in the "core rules" promulgated on January 11, 1993. On August 3, 1998 (63 FR 41358) EPA published a proposal that would amend certain provisions in the permitting and Allowance Tracking System rules for the purpose of improving the operation of the Allowance Tracking System and the allowance market, while still preserving the Act's environmental goals. This document extends the comment period on that notice of proposed rulemaking until September 17, 1998.

**DATES: Comments.** Comments on the August 3, 1998 proposed rule must be received on or before September 17, 1998.

**ADDRESSES: Comments.** Comments should be submitted in duplicate, to: EPA Air Docket, Attention, Docket No. A-98-15, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.

**Docket.** Docket No. A-98-15, containing supporting information used in developing the proposed rule, is available for public inspection and copying between 8:30 a.m. and 3:30 p.m., Monday through Friday, at EPA's Air Docket Section, Waterside Mall, room 1500, 1st Floor, 401 M Street, SW, Washington, DC 20460. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Donna Deneen, Permits and Allowance Market Branch, Acid Rain Division (6204J), U.S. Environmental Protection Agency, 401 M Street SW, Washington, DC 20460 (202-564-9089).

**SUPPLEMENTARY INFORMATION:** The notice of proposed rulemaking for this action (63 FR 41358, August 3, 1998) provided for a 30 day comment period ending on September 2, 1998, unless a public hearing was requested, in which case the comment period would be extended 15 days until September 17, 1998. The Agency has received a request that the

comment period be extended until September 17, 1998, without a public hearing (see docket Item A-98-15-IV-D-1). That request indicated that in the event EPA declined to extend the comment period in this manner, the request constituted a request for a public hearing, which would have the same effect of extending the comment period.

In the interest of full public participation in this rulemaking, and in recognition that the Agency should not require the public to present testimony at a public hearing for the procedural reason to extend the written comment period, the Agency with this document extends the comment period until September 17, 1998. Because no public hearing was requested by the August 13, 1998 deadline specified in the original document, no public hearing will be held on this rulemaking.

Dated: August 14, 1998.

**Brian McLean,**

*Director, Acid Rain Division.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 36, 54, and 69

[CC Docket Nos. 96-45 and 97-160; DA 98-1587]

#### Model Platform Development

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In the *Universal Service Order*, 62 FR 32862 (June 17, 1997), the Commission stated that it would select a federal mechanism to calculate the forward-looking economic cost of non-rural carriers serving rural, insular, and high cost areas. The Commission determined that it would select the "platform" (fixed assumptions and algorithms) of the mechanism in one stage, and that it would select other parts of the mechanism, including all input values, in a second stage. Three models have been submitted to the Commission for consideration as the platform for the federal mechanism: the Benchmark Cost Proxy Model (BCPM), the HAI Model (HAI), and the Hybrid Cost Proxy Model (HCPM). In an effort to move towards a result that combines the best ideas of all parties considering these complex issues, this document seeks comment on approaches to a model platform that combine specific aspects from the customer location and

outside plant modules of the models under consideration.

**DATES:** Comments are due on or before August 28, 1998 and reply comments are due on or before September 11, 1998.

**ADDRESSES:** One original and six copies of all comments and reply comments should be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554. All filings should reference CC Docket Nos. 96-45 and 97-160, and DA 98-1587. Parties also may file comments electronically via the Internet at: <<http://www.fcc.gov/e-file/ecfs.html>> and <[ckeller@fcc.gov](mailto:ckeller@fcc.gov)>. Only one copy of an electronic submission must be submitted. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the lead docket number for this proceeding, which is Docket No. 96-45. Parties not submitting their comments via the Internet are also asked to submit their comments on diskette. Parties submitting diskettes should submit them to Sheryl Todd, Accounting Policy Division, 2100 M Street, N.W., Room 8606, 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 party's name, proceeding (including the lead docket number in this case, Docket No. 96-45), type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, parties must send copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, N.W., Washington, D.C. 20037.

**FOR FURTHER INFORMATION CONTACT:** Chuck Keller, Common Carrier Bureau, Accounting Policy Division, (202) 418-7400 or Jeff Prisbrey, Common Carrier Bureau, (202) 418-7400.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document released on August 7, 1998. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C., 20554. An electronic copy of the complete