

**§9.1 OMB approvals under the Paperwork Reduction Act.**

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40 CFR Citation	OMB Control No.
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Regulation of Fuels and Fuel Additives:	
80.40 .....	2060-0277
80.65 .....	2060-0277
80.68-80.69 .....	2060-0277
80.74-80.77 .....	2060-0277
80.79 .....	2060-0277
80.91-80.94 .....	2060-0277
80.101-80.106 .....	2060-0277
80.125 .....	2060-0277
80.128-80.130 .....	2060-0277
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[FR Doc. 98-3886 Filed 2-13-98; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Parts 50, 53, and 58**

[AD-FRL-5963-3]

RIN 2060-AE66

**National Ambient Air Quality Standards for Particulate Matter and Revised Requirements for Designation of Reference and Equivalent Methods for PM<sub>2.5</sub> and Ambient Air Quality Surveillance for Particulate Matter; Correction****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule; correction.**SUMMARY:** The EPA is making minor clarification and/or corrections to the final rules revising 40 CFR parts 50, 53, and 58 published on July 18, 1997.**DATES:** Effective on February 17, 1998.**FOR FURTHER INFORMATION CONTACT:** Brenda Millar (MD-14), Monitoring and Quality Assurance Group, Emissions Monitoring and Analysis Division,

Environmental Protection Agency, Research Triangle Park, North Carolina 27711, Telephone (919) 541-4036, e-mail: millar.brenda@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** On July 18, 1997, EPA revised the national ambient air quality standards for particulate matter set forth in 40 CFR part 50 by, among other things, establishing provisions for particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers (PM<sub>2.5</sub>) as measured by a new reference method or by an equivalent method. On the same day, EPA revised 40 CFR part 53 to set forth criteria for designation of candidate instruments as reference or equivalent methods for PM<sub>2.5</sub>; it also revised 40 CFR part 58 to establish air quality monitoring, data reporting, and surveillance requirements for PM<sub>2.5</sub> and revise such requirements for particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM<sub>10</sub>). A review of the document resulted in the identification of a number of minor errors which this notice is correcting.

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and, is therefore not subject to review by the office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (P.L. 104-4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Because this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted 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 General Accounting Office prior to publication of this rule in today's **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 8094(2).

**List of Subjects in 40 CFR Parts 50, 53, and 58**

Environmental protection, Administrative practice and procedure, Air pollution control, Carbon monoxide, Lead, Nitrogen dioxide, Ozone, Particulate matter, Sulfur oxides, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: January 30, 1998.

**Richard Wilson,***Acting Assistant Administrator, for Air and Radiation.*

The following corrections are made to rule FR Doc. 97-18577, FRL-5725-2, "National Ambient Air Quality Standards for Particulate Matter" published on July 18, 1997 (62 FR 38652).

**Appendix L to Part 50 [Corrected]**

1. Page 38714, column 2, section 1.1—correct "§ 50.6" to read "§ 50.7" in the first sentence.

2. Page 38714, column 3, section 3.1, line 4 correct "2 µg/am<sup>3</sup>" to read "2 µg/m<sup>3</sup>."

3. Page 38720, Table L-1, correct the second footnote in the table by adding the symbol "\*" before the word "Provision".

4. Page 38727, Figure L-5 is corrected as set forth below.

5. Page 38734, Figure L-12 is corrected as set forth below.

6. Page 38748, Figure L-26 is corrected as set forth below.

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**FIGURE L-5. 10-MICRON INLET, TOP**

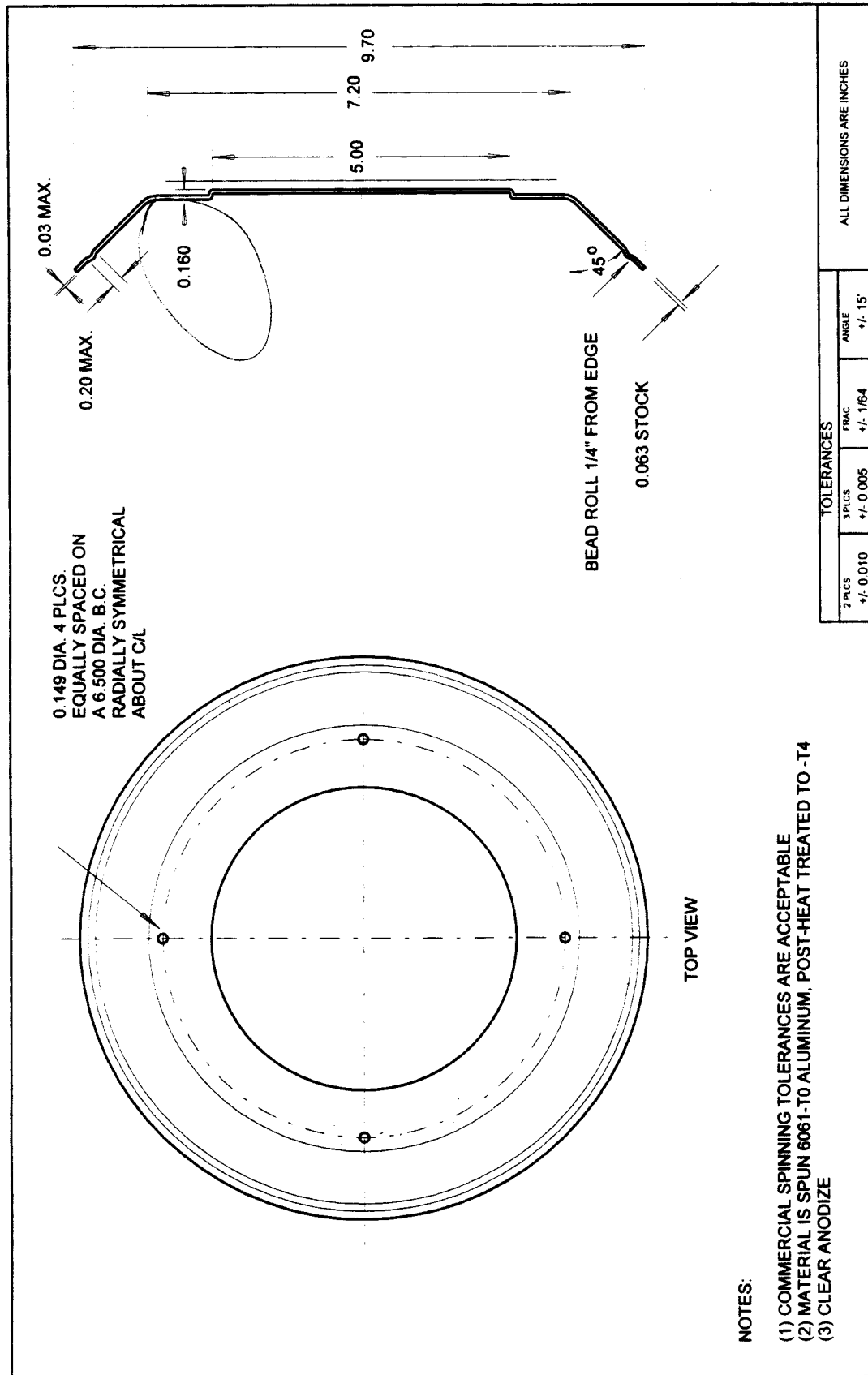
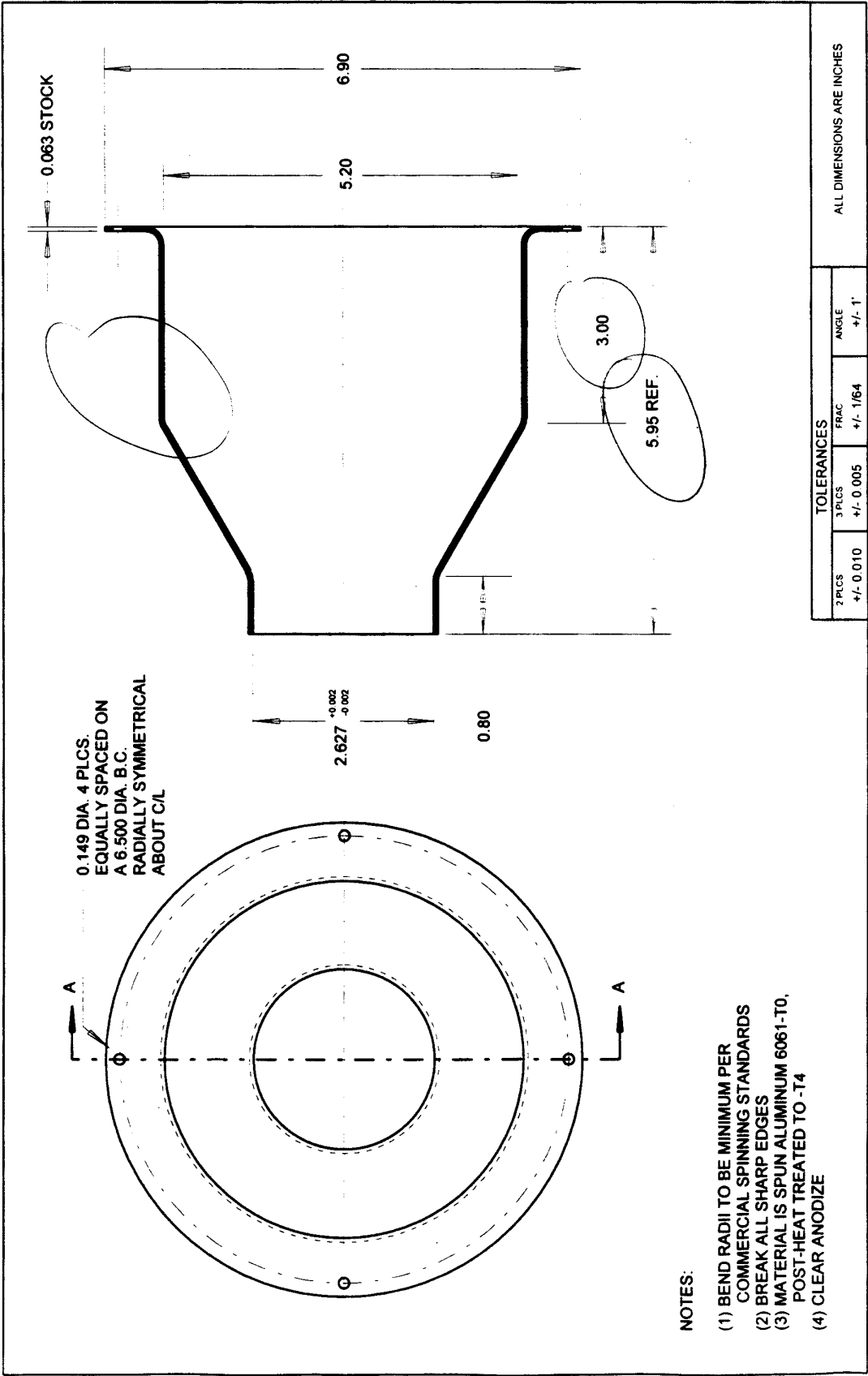


FIGURE L-12. 10-MICRON NOZZLE ENTRY SECTION





The following corrections are made to rule FR Doc. 97-18579, FRL-5726-6, "Revised Requirements for Designation of Reference and Equivalent Methods for PM<sub>2.5</sub> and Ambient Air Quality Surveillance for Particulate Matter; Final Rule" published on July 18, 1997 (62 FR 38764).

#### § 53.3 [Corrected]

1. Page 38785, column 3, § 53.3(b), remove paragraph (b)(5).

#### § 53.34 [Corrected]

2. Page 38795, column 2, paragraph (c)(2)(i), remove the paragraph designations (A) and (B), do not indent the first line below Equation 8, and correct that first line to read "if the corresponding  $\bar{R}_j$  is below:"

3. Page 38795, column 3, paragraph (c)(3), correct the first sentence to read "If  $\bar{R}_j$  falls outside the acceptable concentration range specified in Table C-4 of this subpart for any set, or if  $P_j R_{p_j}$  as applicable, exceeds the value specified in Table C-4 of this subpart for any set, that set of measurements shall be discarded."

4. Page 38795, column 3, paragraph (c)(5), third line; correct "(C<sub>j</sub>)" to read " $(\bar{R}_j)$ ."

5. Page 38795, column 3, paragraph (c)(5), sixth line; correct " $(R_j)$ " to have a bar over the "R" i.e.,  $\bar{R}_j$ .

#### Tables to Subpart C of Part 53 [Corrected]

6. Pages 38796 and 38797, Table C-4, wherever " $R_j$ " appears correct to read " $\bar{R}_j$ ."

#### § 53.51 [Corrected]

7. Page 38800, column 1, paragraph (a)(3) second and last sentences—correct "ISO affiliate audits" and "ISO affiliates" to read "ISO-certified auditors."

#### § 53.54 [Corrected]

8. Page 38804, column 2, paragraph (f)(7), correct the first sentence to read "Calculate the sample volume as  $Q_{ref,ave}$

multiplied by the sample time, excluding periods of power interruption."

#### § 53.56 [Corrected]

9. Page 38807, column 2, paragraph (f)(5), line 5, correctly add the phrase for "the test run" after the word "data".

#### § 53.57 [Corrected]

10. Page 38809, column 2, paragraph (g) Test results—correct the first sentence to read "Chamber radiant flux control."

#### Tables to Subpart E of Part 53 [Corrected]

11. Page 38812, Table E-1, under the column "Test Conditions," for section 53.57 filter temperature control test, add " $\pm 50$ " to the third item, to read "(c) Solar flux of  $1000 \pm 50 \text{ W/m}^2$ ."

12. Page 38812, Table E-1, under the column "Test Conditions" for section 53.58 Field precision test, the inequality symbol in the second item (b) should be reversed, to read "(b) PM<sub>2.5</sub> conc.  $\geq 10 \mu\text{g/m}^3$ ."

13. Page 38812, Table E-2, correct the spelling of the column heading "Characteristic"; under the column "Spectral Region" in the row "Allowed Tolerance" delete the 2's before  $\pm$  in order to read " $\pm 35\%$ ,  $\pm 25\%$ ,  $\pm 10\%$  and  $\pm 10\%$ ," and in the second entry for Band width under ultraviolet, correct the entry to read "0.32 to 0.40."

#### § 53.61 [Corrected]

14. Page 38816, column 2, paragraph (g)(1)(ii), sixth line before and fourth line after equation 2, correct " $1 \text{ g/m}^3$ " to read " $1 \text{ g/cm}^3$ "

#### § 53.64 [Corrected]

15. Page 38822, column 3, paragraph (g)(4)(ii) correct the phrase "With a number counting device such as an aerosol detector" to read "With an aerosol number counting device as a detector:"

#### § 58.1 [Corrected]

16. Page 38831, column 1, correct the definition of Metropolitan Statistical Area (MSA) to read "*Metropolitan Statistical Area (MSA)* as designated by the most recent decennial U.S. Census of Population Report."

#### § 58.13 [Corrected]

17. Page 38831, column 2, § 58.13, paragraph (d) at end, add phrase, "except during periods or seasons exempted by the Regional Administrator."

#### § 58.26 [Corrected]

18. Page 38833, column 1, § 58.26(d)(2), correct the next to last sentence to read, "These include those population-oriented SPMs that are eligible for comparison to the PM<sub>2.5</sub> NAAQS."

19. Page 38833, column 2, § 58.26(e), last sentence, correct the phrase "once a CMZ monitoring area has been determined" to read "once a monitoring area has been determined".

#### § 58.31 [Corrected]

20. Page 38833, column 2, § 58.31(f), next to last line of paragraph, correct the word "zone" to read "zones."

#### Appendix A to Part 58 [Corrected]

21. Page 38837, column 3, paragraph 3.5.2.2, correct the first sentence to read, "The two collocated samples must be within 4 meters of each other, and particulate matter samplers must be at least 2 meters apart (1 meter apart for samplers having flow rates less than 200 liters/min.) to preclude airflow interference." The parenthetical phrase was inadvertently omitted.

22. Page 38838, column 1, paragraph 3.5.3.1(d), correct the word "samples" to read "samplers."

23. Page 38841, column 2, paragraph 5.5.3.2(b) correct the phrase "The standard deviation" to read "The standard error"

24. Page 38841, column 2, correct equation 28 to read as follows:

$$s'_{j,q} = \sqrt{\frac{1}{n_{j,q}-1} \times \left[ \left( \sum_{i=1}^{n_{j,q}} d_i \right)^2 - (n_{j,q} D_{j,q}^2) \right]} \times \frac{1}{n_{j,q}}$$

24. Page 38843, Table A-1, column 3 "Coverage" correct the entry for "Manual and Automated Methods-Accuracy and Bias" to read "Every SLAMS monitor."

25. Page 38843, Table A-1, column 4 "Minimum Frequency" correct the entry "1." to read "1. Automated—once every 2 weeks; Manual—each calendar quarter (4/year).

#### **Appendix D to Part 58 [Corrected]**

26. Page 38846, column 2, paragraph 2.8.1.3.1(a), next to last line correct the phrase "collocated at a PAMS site if the MPA is also a PAMS area<sup>2</sup>." to read "collocated at a PAMS site in each PAMS area.<sup>2</sup>"

27. Page 38847, column 2, section 2.8.1.7.1 delete the third sentence.

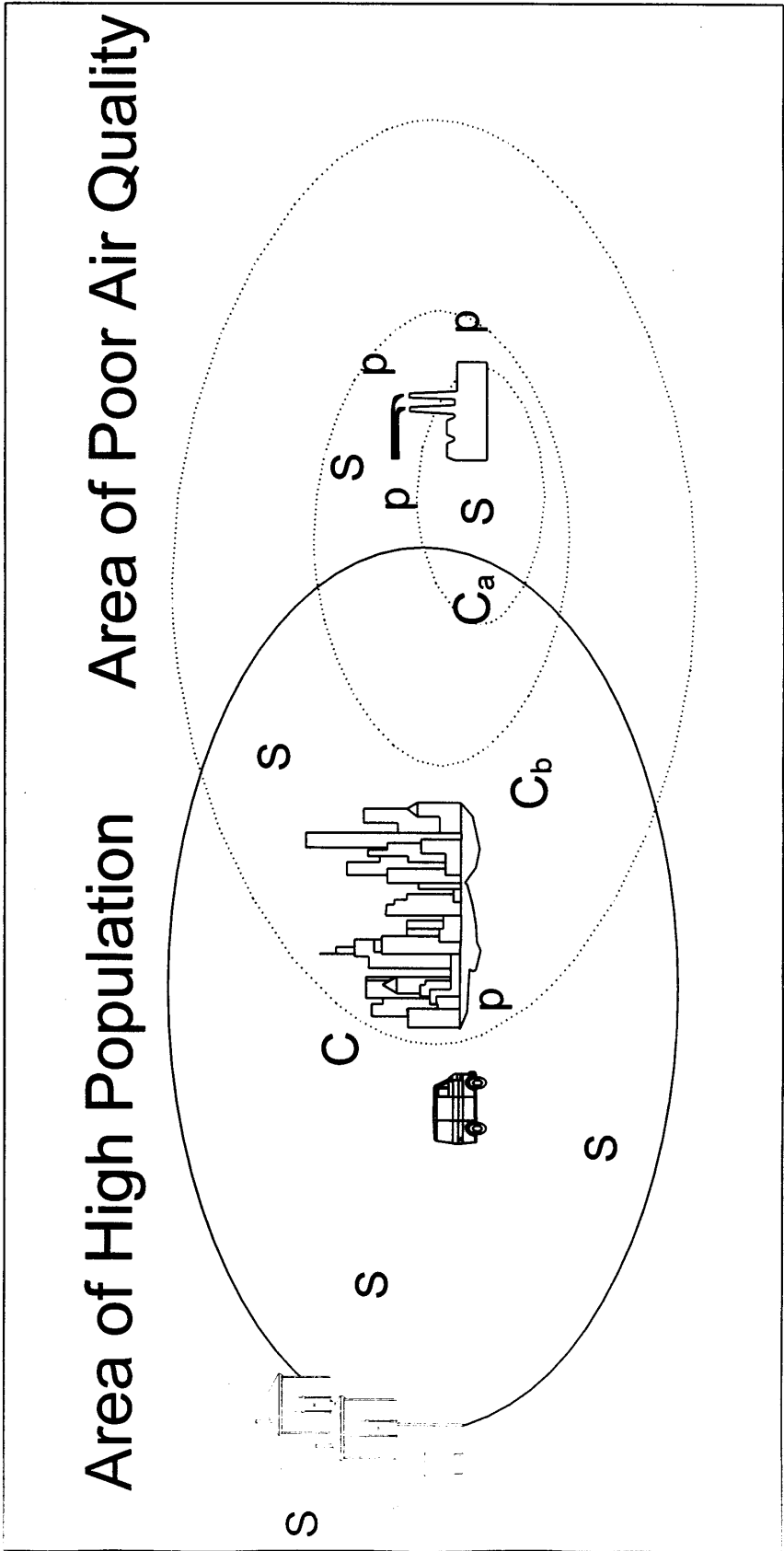
28. Page 38847, column 3, correctly add a new sentence following the sentence which starts "Cb denotes "category b" and before the sentence beginning "S denotes other SLAMS . . ." to read "All other core SLAMS in this MPA are denoted by "C."

29. Page 38848, correct Figures 1 and 2 as set forth below.

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**Figure 1. Hypothetical Monitoring Planning Area**  
Eastern Urban Model - showing location of monitors  
in relation to population and area of poor air quality

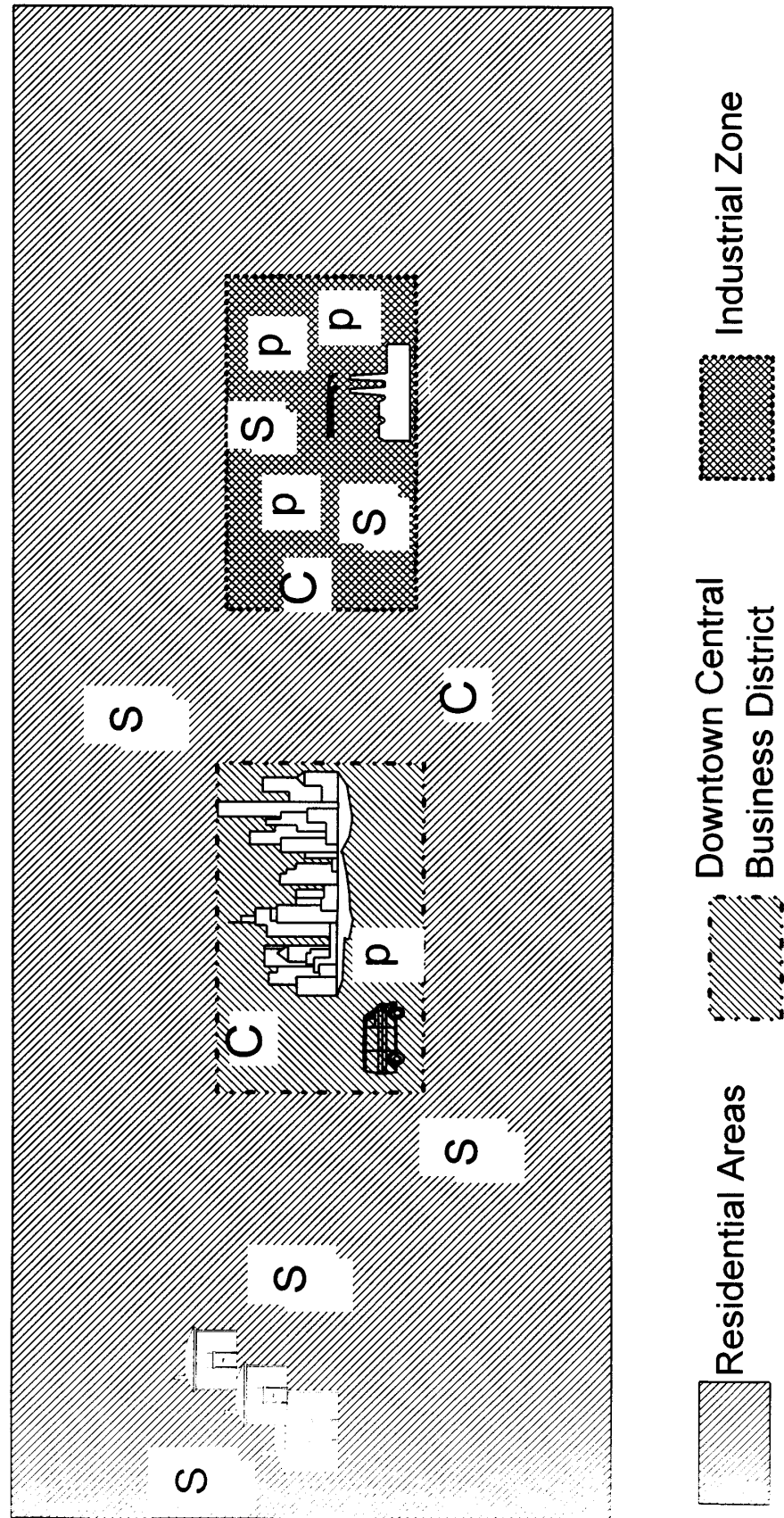
C=Core site    S=other SLAMS site    p=Special Purpose Monitor



## Figure 2. Hypothetical Monitoring Planning Area

### Potential Community Monitoring Zones

C=Core site    S=other SLAMS site    p=Special Purpose Monitor





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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 86

[FRL-5966-6]

#### Control of Air Pollution From Motor Vehicles and New Motor Vehicle Engines; Modification of Federal On-board Diagnostic Regulations for Light-Duty Vehicles and Light-Duty Trucks; Extension of Deficiency Policy

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

**ACTION:** Final rule.

**SUMMARY:** Today's action extends the EPA's allowance of deficiencies for vehicles certified to federal OBD standards through the 1999 model year. **EFFECTIVE DATE:** This action becomes effective February 17, 1998.

**ADDRESSES:** Materials relevant to this rulemaking are contained in Docket No. A-96-32. The docket is located at The Air Docket, 401 M. Street, SW., Washington, DC 20460, and may be viewed in room M1500 between 8:00 a.m. and 5:30 p.m., Monday through Friday. The telephone number is (202) 260-7548 and the facsimile number is (202) 260-4400. A reasonable fee may be charged by EPA for copying docket material.

**FOR FURTHER INFORMATION CONTACT:** Holly Pugliese, Vehicle Programs and Compliance Division, U.S. Environmental Protection Agency, 2565 Plymouth Road, Ann Arbor, Michigan 48105, Telephone 313-668-4288, or Internet e-mail at "pugliese.holly@epamail.epa.gov."

#### SUPPLEMENTARY INFORMATION:

#### Regulated Entities

Entities potentially regulated by this action are those which manufacture new motor vehicles and engines. Regulated categories include:

Category	Examples of regulated entities
Industry .....	New motor vehicle and engine manufacturers.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether

your product is regulated by this action, you should carefully examine the applicability criteria in § 86.099-17 of title 40 of the Code of Federal Regulations. If you have questions regarding the applicability of this action to a particular product, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

- I. Electronic Availability
- II. Introduction and Background
- III. Requirements of the Final Rule
- IV. Effective Date
- V. Cost Effectiveness
- VI. Public Participation
- VII. Administrative Requirements
  - A. Executive Order 12866
  - B. Reporting and Recordkeeping Requirements
  - C. Impact on Small Entities
  - D. Unfunded Mandates Act
  - E. Congressional Review of Agency Rulemaking

#### I. Electronic Availability

Electronic copies of the preamble and regulatory text of this final rulemaking are available via the Internet on the Office of Mobile Sources (OMS) Home Page (<http://www.epa.gov/OMSWWW/>). Users can find OBD related information and documents through the following path once they have accessed the OMS Home Page: "Automobiles," "I/M & OBD," "On-Board Diagnostics Files."

#### II. Introduction and Background

On May 28, 1997, the EPA published a notice of proposed rulemaking (62 FR 28932) that proposed changes to the federal OBD requirements. Those proposed changes would be implemented beginning with the 1999 model year. The proposed revisions included a provision indefinitely extending the allowance of deficiencies for federal OBD vehicles. Today's action finalizes this extension through the 1999 model year.

#### III. Requirements of the Final Rule

Today's action finalizes a provision to extend the current flexibility provisions (i.e., "deficiency provisions") contained in 40 CFR part 86.094-17(i) through the 1999 model year, rather than being eliminated beyond the 1998 model year. EPA is taking this action at this time because EPA is beginning to certify vehicles for the 1999 model year. Though EPA is currently completing its preparation of the final rule associated with the notice of proposed rulemaking published on May 28, 1997, EPA will not be able to complete its review in time for the beginning of the 1999 model year. EPA has become concerned that manufacturers would not be able to use EPA's deficiency regulations for its certifications, and that this may lead to

delays in certifications. Therefore, EPA is finalizing its proposal to extend the deficiency policy on an expedited basis, in order to allow manufacturers to request deficiencies in the 1999 model year. This will allow the Administrator to accept an OBD system as compliant in the 1999 model year even though specific requirements are not fully met. This provision neither constitutes a waiver from federal OBD requirements, nor does it allow compliance without meeting the minimum requirements of the CAA (i.e., oxygen sensor monitor, catalyst monitor, and standardization features).

EPA received no comments opposing extension of the deficiency provision. Any particular comments dealt with specific clarifications made in the notice of proposed rulemaking that EPA is not finalizing at this time. As EPA received no comments adverse to this revision, and as the Agency believes that, despite the best attempts by manufacturers to comply with the complex OBD requirements, there will still be unanticipated instances that cannot be remedied in time to meet production schedules, EPA is finalizing its deficiency provision for the 1999 model year. EPA will take final action regarding the remainder of its proposal, including further action on its deficiency policy, at a later date.

#### IV. Effective Date

This rule shall be effective on the date of publication in the **Federal Register**. This rule grants regulatory relief from full compliance with OBD regulations for vehicle manufacturers for a single model year. In addition, the agency finds good cause for this rule to be effective upon publication, as certifications of vehicles for the 1999 model year are likely to begin prior to thirty days from publication.

#### V. Cost Effectiveness

This final rulemaking alters an existing provision by extending the current allowance of deficiencies for federal OBD systems through the 1999 model year. EPA believes that the regulations being finalized today will provide cost savings by eliminating the need to fully comply with all technical requirements of the OBD regulations in the 1999 model year.

The costs and emission reductions associated with the federal OBD program were developed for the February 19, 1993, final rulemaking. The changes being finalized today do not affect the costs or emission reductions published as part of that rulemaking, with the possible exception