

Aviation Administration, Airspace Branch, 1500 Aviation Boulevard, Lawndale, California 90261. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedures.

### The Proposal

The FAA is considering an amendment to 14 CFR part 71 to modify the Class E airspace area at Porterville, CA. The establishment of a GPS RWY 12 SIAP and GPS RWY 30 SIAP at Porterville Municipal Airport has made this proposal necessary. Additional controlled airspace extending upward from 700 feet above the surface is needed to contain aircraft executing the approach and departure procedures at Porterville Municipal Airport. The intended effect of this proposal is to provide adequate controlled airspace for aircraft executing the GPS RWY 12 SIAP and GPS RWY 30 SIAP at Porterville Municipal Airport, Porterville, CA. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the Earth are published in paragraph 6005 of FAA Order 7400.9E dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in this Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., P. 389.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AWP CA E5 Porterville, CA [Revised]

Porterville Municipal Airport, CA  
(Lat. 36°01'48" N., long. 119°03'46" W.)

That airspace extending upward from 700 feet above the surface with a 6.5-mile radius of the Porterville Municipal Airport and within an area bounded by a line beginning at lat. 35°58'00" N., long. 118°57'30" W.; to lat. 35°48'30" N. long. 118°51'00" W.; to lat. 35°47'30" N., long. 119°01'00" W.; to lat. 35°55'30" W., long. 119°02'00" W., thence counterclockwise along the 6.5-mile radius of the Porterville Municipal Airport to the point of beginning.

\* \* \* \* \*

Issued in Los Angeles, California, on January 22, 1998.

**John G. Clancy,**

*Assistant Manager, Air Traffic Division,  
Western-Pacific Region.*

[FR Doc. 98-3958 Filed 2-17-98; 8:45 am]

BILLING CODE 4910-13-M

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-209476-82]

RIN 1545-AE41

#### Loans to Plan Participants; Correction

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Correction to a notice of proposed rulemaking.

**SUMMARY:** This document contains corrections to the notice of proposed rulemaking (REG-209476-82), which was published in the **Federal Register** Friday, January 2, 1998 (63 FR 42), relating to loans made from a qualified employer plan to plan participants or beneficiaries.

**FOR FURTHER INFORMATION CONTACT:** Vernon Carter (202) 622-6070 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

#### Background

The notice of proposed rulemaking that is the subject of these corrections is under sections 72(p) of the Internal Revenue Code.

#### Need for Correction

As published, REG-209476-82 contains errors which may prove to be misleading and are in need of clarification.

#### Correction of Publication

Accordingly, the publication of the notice of proposed rulemaking (REG-209476-82), which was the subject of FR Doc. 97-33983, is corrected as follows:

1. On page 43, column 2, in the preamble under the paragraph heading "*Explanation of Provisions*", the first full paragraph in the column, line 18, the language "However, a special rule applies if a plan" is corrected to read "In addition, a special rule applies if a plan".

2. On page 43, column 2, in the preamble under the paragraph heading "*Explanation of Provisions*", the first full paragraph in the column, line 26, the language "increase in basis thereafter is less than" is corrected to read "increase in basis thereafter (e.g., from after-tax contribution) is less than".

**Cynthia E. Grigsby,**

*Chief, Regulations Unit, Assistant Chief Counsel (Corporate).*

[FR Doc. 98-3927 Filed 2-17-98; 8:45 am]

BILLING CODE 4830-01-U

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## POSTAL SERVICE

### 39 CFR Part 111

#### Elimination of Mixed BMC/ADC Pallets of Packages of Flats

**AGENCY:** Postal Service.

**ACTION:** Proposed rule.

**SUMMARY:** This notice presents proposed revisions to Domestic Mail Manual (DMM) sections M041 and M045 to eliminate the options for mailers to

place packages and bundles of Periodicals Mail on mixed ADC pallets and to place packages and bundles of Standard Mail (A) and Standard Mail (B) on mixed BMC pallets. Mailers will continue to have the options to place sacks, trays, or parcels on mixed ADC or mixed BMC pallets, as appropriate for the class of mail.

**DATES:** Comments must be received on or before April 6, 1998.

**ADDRESSES:** Written comments should be mailed or delivered to the Manager, Business Mail Acceptance, 475 L'Enfant Plaza SW, Room 6801, Washington, DC 20260-6808. Copies of all written comments will be available at the above address for inspection and photocopying between 9 a.m. and 4 p.m. Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Cheryl Beller, (202) 268-5166.

**SUPPLEMENTARY INFORMATION:** Since the implementation of Classification Reform in July 1996, mailers have had the options to prepare mixed ADC pallets of Periodicals and mixed BMC pallets of Standard Mail. Although these options offer some benefits in the manufacturing and distribution handling processes of mailers by reducing sack usage, they have had a negative impact on service and mailpiece integrity for packages and bundles of flats placed on mixed ADC/BMC pallets.

Mixed pallets of packages and bundles are labeled to the origin BMC or ADC serving the 3-digit prefix of the entry office for processing. These pallets may consist of carrier route, 5-digit, 3-digit, ADC, or mixed ADC packages. Studies indicate that more than 90 percent of the packages on mixed pallets are prepared to the carrier route, 5-digit, and 3-digit levels. When the mixed pallets are worked at origin, each package that is for delivery outside the service area of that facility must be handled and sorted individually to the appropriate downstream ADC or BMC facility for further processing and distribution. In many cases, the packages on these pallets could have been placed, by the mailer, in sacks containing multiple packages sorted to the carrier route(s), 5-digit, or 3-digit level. The sacks could have been processed at the origin facility, generally on a sack sorter, to the appropriate downstream facility avoiding the individual package handlings at origin, thus providing greater opportunities to improve service and maintain piece integrity for the mail contained in those packages. Pieces in mixed ADC packages are distributed at an origin ADC or concentration center.

Packages of Standard Mail that are placed on mixed BMC pallets are required to meet BMC machinability standards to facilitate processing on BMC parcel sorters. However, in many instances, packages of flat-size mail on these pallets are being handled manually at origin and downstream BMCs and ADCs because they do not maintain their integrity on the parcel sorting equipment. This manual sortation drives more costs and processing time into the system.

For the past year, the Postal Service has been advising the mailing industry that the delays in delivery, damage to mailpieces, and additional processing costs to the Postal Service that may result from preparation of these optional mixed pallet levels outweigh the mail production benefits to mailers. The Postal Service was planning to eliminate this option in the future once it expected that a sufficient quantity of sacks would be available on a regular basis to handle any volume that would shift from mixed pallets to sacks. Through the purchase of additional plastic sacks, we are confident that we will have a sufficient quantity of sacks available to handle all volume shifts that are likely to result from this change. Moreover, the implementation of the Mail Transport Equipment Service Centers (MTESSC) over the next 24 months will ensure the continued availability of sacks.

It should be noted that there are several other efforts under way, including the work being conducted by the Mailers' Technical Advisory Committee (MTAC) Presort Optimization Workgroup, to explore opportunities for reducing the need for mixed pallets without necessarily moving all the mail on these pallets back into sacks. However, for the reasons described above, the Postal Service has decided to go forward at this time with its proposal to eliminate the mixed pallets for packages and bundles.

Discussions with many mailers have revealed that concerns about delivery times have caused them to voluntarily eliminate the preparation of optional mixed BMC and mixed ADC pallets. They were able to do so because most software used by mailers to palletize mail already allows them to turn off the optional mixed BMC/ADC sorts and to sack the packages that would have been placed on these pallets. Accordingly, in most instances, software will not require modification to accommodate the proposed changes.

The Postal Service proposes that the revised standards become effective 45 days from the date that the final rule is published.

Although exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. 553 (b), (c)), regarding proposed rulemaking by 39 U.S.C. 401(a), the Postal Service invites comments on the following proposed revisions of the Domestic Mail Manual, incorporated by reference in the Code of Federal Regulations. See 39 CFR part 111.

#### List of Subjects in 39 CFR Part 111

Postal Service.

#### PART 111—[AMENDED]

1. The authority citation for 39 CFR part 111 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001-3011, 3201-3219, 3403-3406, 3621, 5001.

2. Amend the Domestic Mail Manual as set forth below:

#### M Mail Preparation and Sortation

##### M000 General Preparation Standards

\* \* \* \* \*

##### M020 Packages and Bundles

\* \* \* \* \*

#### 1.0 BASIC STANDARDS

[Amend the third sentence in 1.4 by removing the reference to mixed BMC pallets to read as follows:]

##### 1.4 Palletization

\* \* \* Packages and bundles on BMC pallets must be shrinkwrapped and machinable on BMC parcel sorters; machinability is determined by the USPS \* \* \*.

##### M040 Pallets

##### M041 General Standards

\* \* \* \* \*

#### 5.0 PREPARATION

##### 5.1 Presort

[Amend 5.1 by revising the last sentence and adding new sentences to read as follows:]

For sacks, trays, or machinable parcels on pallets, the mailer must prepare all required pallet levels before any mixed ADC or mixed BMC pallets are prepared for a mailing or job. Packages and bundles prepared under M045 must not be placed on mixed ADC or mixed BMC pallets. Packages and bundles that cannot be placed on pallets must be prepared in sacks under the standards for the rate claimed.

##### 5.2 Required Preparation

[Amend 5.2 by removing the second and third sentences and revising the fourth sentence to read as follows:]

Mixed pallets of sacks, trays, or machinable parcels must be labeled to the BMC or ADC (as appropriate) serving the post office where mailings are entered into the mailstream. The processing and distribution manager

\* \* \*  
\* \* \* \* \*

**5.6 Sacked Mail**

[Amend 5.6 by revising the first sentence to read as follows:]

Mail that is not palletized (e.g., the mailer chooses not to prepare BMC pallets, or the packages do not meet the machinability standards in M020) must be prepared under the standards for the rate claimed.

\* \* \* \* \*

**M045 Palletized Mailings**

\* \* \* \* \*

**2.0 PACKAGES OF FLATS**

**2.1 Standards**

[Amend 2.1 by revising the second sentence to read as follows:]

The palletized portion of a mailing may not include packages sorted to mixed ADC or to foreign destinations.

\* \* \* \* \*

**2.4 Size—Standard Mail (B)**

\* \* \* \* \*

[Amend 2.4c by revising the second sentence to read as follows:]

Packages at other rates must be sorted to 5-digit, 3-digit, optional SCF, and ADC destinations, as appropriate.

\* \* \* \* \*

**3.0 OPTIONAL BUNDLES— PERIODICALS AND STANDARD MAIL (A)**

**3.1 Standards**

[Amend 3.1 by revising the second sentence to read as follows:]

The palletized portion of a mailing may not include bundles sorted to mixed ADC or to foreign destinations.

\* \* \* \* \*

**4.0 PALLET PRESORT AND LABELING**

**4.1 Packages, Bundles, Sacks, or Trays**

\* \* \* \* \*

e. As appropriate:

[Amend the beginning of (1) by adding "(sacks and trays only)" to read as follows:]

(1) Periodicals (sacks and trays only): mixed ADC: optional; \* \* \*

[Amend the beginning of (2) by adding "(sacks and trays only)" to read as follows:]

(2) Standard Mail (sacks and trays only): mixed BMC: optional; \* \* \*

\* \* \* \* \*

**5.0 PALLET OF PACKAGES, BUNDLES, AND TRAYS**

\* \* \* \* \*

[Amend 5.3 to eliminate references to mixed BMC pallets to read as follows:]

**5.3 BMC and Mixed BMC Pallets**

Packages and bundles placed on BMC pallets must be machinable on BMC parcel sorting equipment. Line 2 on pallet labels must reflect the processing category of the pieces. A BMC or mixed BMC (trays only) pallet may include pieces that are eligible for the DBMC rate and others that are ineligible if the mailer provides documentation showing the pieces that qualify for the DBMC rate.

\* \* \* \* \*

**Stanley F. Mires,**  
*Chief Counsel, Legislative.*

[FR Doc. 98-3952 Filed 2-17-98; 8:45 am]

BILLING CODE 7710-12-P

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[MA-35-1-6659b; A-1-FRL-5968-4]

**Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Reasonably Available Control Technology for Major Stationary Sources of Nitrogen Oxides**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing a limited approval/limited disapproval of a State Implementation Plan (SIP) revision and full approval of two other SIP revisions submitted by Massachusetts. This revision establishes and requires the implementation of reasonably available control technology (RACT) for major stationary sources of nitrogen oxides (NOx). The intended effect of this action is to propose a limited approval/limited disapproval of a regulation and the full approval of two source-specific NOx RACT determinations. This action is being taken under the Clean Air Act (CAA). Public comments on this document are requested and will be considered before taking final action on this SIP revision.

**DATES:** Comments must be received on or before March 20, 1998.

**ADDRESSES:** Comments may be mailed to Susan Studlien, Deputy Director, Office

of Ecosystem Protection (mail code CAA), U.S. Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203. Copies of the State submittal and EPA's technical support document are available for public inspection during normal business hours, by appointment, at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA and the Division of Air Quality Control, Massachusetts Department of Environmental Protection, One Winter Street, 8th Floor, Boston, MA 02108.

**FOR FURTHER INFORMATION CONTACT:** Steven A. Rapp, at (617) 565-2773, or by e-mail at: Rapp.Steve@EPAMAIL.EPA.GOV.

**SUPPLEMENTARY INFORMATION:** On July 15, 1994, October 4, 1996, and December 2, 1996, the Massachusetts Department of Environmental Protection (Massachusetts or MA DEP) submitted revisions to its SIP. The revisions added 310 CMR 7.19, "Reasonably Available Control Technology (RACT) for Oxides of Nitrogen (NOx)," as well as source-specific NOx RACT determinations for Specialty Minerals, Incorporated in Adams and Monsanto Company's Indian Orchard facility in Springfield on the above dates, respectively.

**I. Background**

The CAA requires States to develop RACT regulations for all major stationary sources of NOx in areas which have been classified as "moderate," "serious," "severe," and "extreme" ozone nonattainment areas, and in all areas of the Ozone Transport Region (OTR). EPA has defined RACT as the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility (44 FR 53762; September 17, 1979). This requirement is established by sections 182(b)(2), 182(f), and 184(b) of the CAA. These sections, taken together, establish the requirements for Massachusetts to submit a NOx RACT regulation for all major stationary sources of NOx statewide.

These CAA NOx RACT requirements are further described by EPA in a document entitled, "State Implementation Plans; Nitrogen Oxides Supplement to the General Preamble; Clean Air Act Amendments of 1990 Implementation of Title I; Proposed Rule," published November 25, 1992 (57 FR 55620). The November 25, 1992 document, also known as the NOx Supplement, should be referred to for