Approved: July 16, 1998.

Michael P. Dolan,

Deputy Commissioner of Internal Revenue.

Donald C. Lubick,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 98–20801 Filed 8–3–98; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 917

[SPATS No. KY–191–FOR]

Kentucky Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of amendment.

SUMMARY: OSM is announcing approval, with an exception, of an amendment to the Kentucky permanent regulatory program approved pursuant to the Surface Mining Control and Reclamation Act of 1977 (SMCRA). This amendment provides that areas reclaimed following the removal of temporary structures such as sedimentation ponds, roads, and small diversions are not subject to a revegetation responsibility period and bond liability period separate from that of the permit area or increment thereof served by such facilities. The amendment is intended to clarify ambiguities in the State regulations and to improve operational efficiency.

EFFECTIVE DATE: August 4, 1998.

FOR FURTHER INFORMATION CONTACT: William J. Kovacic, Director, Lexington Field Office, Telephone (606) 233–2894.

SUPPLEMENTARY INFORMATION:

I. Background on the Kentucky Program
II. Submission of the Proposed Amendment
III. Director's Findings
IV. Summary and Disposition of Comments
V. Director's Decision
VI. Procedural Determinations

I. Background on the Kentucky Program

The Secretary of the Interior conditionally approved the Kentucky regulatory program effective May 18, 1982. Background information on the permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval can be found in the May 18, 1982, **Federal Register** (47 FR 21404). Subsequent actions concerning the conditions of approval and program amendments are identified at 30 CFR 917.11, 917.13, 917.15, 917.16 and 917.17.

II. Submission of the Proposed Amendment

By letter dated June 28, 1991 (Administrative Record No. KY–1059, Kentucky submitted revisions to section 1(7) of the Kentucky Administrative Regulations (KAR) at 405 KAR 16:200 and 18:200 as part of a larger rulemaking. OSM announced receipt of the proposed amendment in the July 22, 1991, **Federal Register** (56 FR 33398), and, in the same notice, opened the public comment period and provided opportunity for a public hearing on the adequacy of the proposed amendment. The public comment period ended on August 21, 1991. Since no one requested an opportunity to testify at a public hearing, no hearing was held.

By letter dated January 22, 1992 (Administrative Record No. KY–1107), Kentucky revised the proposed amendment in response to changes made during its promulgation process. OSM announced receipt of the revised amendment in the April 13, 1992, **Federal Register** (57 FR 12775), and, in the same notice, reopened the public comment period and again provided an opportunity for a public hearing. The public comment period closed on May 13, 1992. As with the previous submittal, no one requested an opportunity to testify at a public hearing; therefore, no hearing was held.

OSM subsequently announced its decision on most provisions of the proposed amendment in the June 9, 1993 **Federal Register** (58 FR 32283). Like the corresponding Federal regulations at 30 CFR 816/817.116(c)(1) and (c)(2), proposed sections 1(7) of 405 KAR 16:200 and 18:200 require that the revegetation responsibility period begin after the last augmented seeding, fertilizing, irrigating or other work and continue for a minimum of 5 years. However, proposed subsections 1(7)(b) would exempt haul roads, areas from which sedimentation ponds and associated diversion have been removed, and disposal areas for accumulated sediment and sedimentation pond embarkment material from the full revegetation responsibility period, provided vegetation established on all these areas has been in place at least 2 years before final bond release. In its final decision, OSM stated at 58 FR 32285 that it was deferring a decision on section 1(7)(b) of 405 KAR 16:200 and 18:200 until additional opportunity for public comment was provided in a separate **Federal Register** notice. That commitment was fulfilled by the notice published on September 15, 1993 (58 FR 48333), which opened the public comment period until October 15, 1993. Since no one requested an opportunity to testify at a public hearing, no hearing was held. This notice also included similar proposed revisions to the Illinois and Ohio regulations as well as a discussion of OSM's proposed policy concerning restart of the revegetation responsibility period every time a small portion of the permit area requires reseeding or replanting. Subsequent to this notice, on May 29, 1996, OSM approved similar proposed revisions to the Colorado regulations (61 FR 26792) and on October 22, 1997, the Illinois regulations (62 FR 54765).

III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17, are the Director's findings concerning the deferred revisions at sections 1(7)(b) of 405 KAR 16:200 and 18:200.

A. OSM's policy concerning the term of liability for reclamation of roads and Temporary Sediment Control Structures

The following discussion of the rules in 30 CFR Part 816, which applies to surface mining activitities, also pertains to similarly or identically constructed sections in 30 CFR Part 817, which applies to underground mining activities.

Section 515(b)(20) of SMCRA provides that the revegetation responsibility period shall commence ''after the last year of augmented seeding, fertilizing, irrigation, or other work'' needed to assure revegetation success. In the absence of any indication of Congressional intent in the legislative history, OSM interprets this requirement as applying to the increment or permit area as a whole, not individually to those lands within the permit area upon which revegetation is delayed solely because of their use in support of the reclamation effort on the planted area. As implied in the preamble discussion in 30 CFR 816.46(b)(5), which prohibits the removal of ponds or other siltation structures until two years after the last augmented seeding, planting of the sites from which such structures are removed need not itself be considered an augmented seeding necessitating an extended or separate liability period (48 FR 44038–44039, September 26, 1983). Such areas would include sediment control structures and associated structures and facilities such as diversion ditches, disposal and storage

areas for accumulated sediments and sediment pond embankment material, and ancillary roads used to access such areas.

The purose of the revegetation responsibility period is to ensure that the mined area has been reclaimed to a condition capable of supporting the desired permanent vegetation. Achievement of this purpose will not be adversely affected by this interpretation of section 515(b)(20) of SMCRA since (1) the lands involved are relatively small in size and either widely dispersed or narrowly linear in distribution and (2) the delay in establishing revegetation on these sites is due not to reclamation deficiencies or the facilitation of mining, but rather to the regulatory requirement that ponds and diversions be retained and maintained to control runoff from the planted area until the revegetation is sufficiently established to render such structures unnecessary for the protection of water quality.

In addition, the areas affected likely would be no larger than those which could be reseeded (without restarting the revegetation period) in the course of performing normal husbandry practices, as that term is defined in 30 CFR 816.116(c)(4) and explained in the preamble to that rule (53 FR 34636, 34641; September 7, 1988; 52 FR 28012, 28016; July 27, 1987). Areas this small would have a negligible impact on any evaluation of the permit area as a whole. Most importantly, this interpretation is unlikely to adversely affect the regulatory authority's ability to make a statistically valid determination as to whether a diverse, effective permanent vegetative cover has been successfully established in accordance with the appropriate revegetation success standards.

However, nothing in this interpretation of section 515(b)(20) of SMCRA should be construed as exempting such lands from meeting the revegetation requirements of section 515(b)(19) of SMCRA prior to final bond release. As required by 30 CFR 816.46(b)(6) and 816.150(f)(6), when siltation structures and roads are removed, the land on which they were located must be regraded and revegetated in accordance with the reclamation plan and the requirements of 30 CFR 816.111 through 816.116, with the exception of 30 CFR 816.116(c), which requires a period of extended responsibility for successful revegetation on reclaimed areas (September 15, 1993, 58 FR 48335).

B. Comparison of Kentucky's Proposed Regulations at 405 KAR 16:200 and 18:200 Sections 1(7)(b) With OSM's Policy Clarification

Kentucky's proposed provisions would exempt haul roads, areas from which sedimentation ponds and associated diversions have been removed, and disposal areas for accumulated sediment and sedimentation pond embankment material from the full revegetation responsibility period, provided vegetation established on all these areas has been in place at least two years before final bond release.

Except for the reference to haul roads, the Kentucky provision is consistent with the OSM policy stated above. As interpreted in the policy statement above, the removal of sediment ponds and related structures such as diversion ditches, disposal and storage areas for accumulated sediments and sediment pond embankment material, and ancillary roads used to access such areas, is a nonaugmentative practice that does not restart the five-year responsibility period. However, Kentucky's reference to haul roads renders the proposed provisions less effective than the Federal regulations as interpreted in the OSM policy statement above. As stated above, the purposes of SMCRA at section 515(b)(20) concerning the five-year revegetation responsibility period would not be adversely affected by this interpretation of SMCRA if: (1) The lands involved are relatively small in size and either widely dispersed or narrowly linear in distribution and (2) the delay in establishing revegetation on these sites is due not to reclamation deficiencies or the facilitation of mining, but rather to the regulatory requirement that ponds and diversions be retained and maintained to control runoff from the planted area until the revegetation is sufficiently established to render such structures unnecessary for the protection of water quality. Haul roads do not meet these requirements. Haul roads facilitate mining and can encompass a significant amount of the permit area. And, haul roads are not retained and maintained for their use in support of the reclamation effort of a planted area. Haul roads are ''used for transporting coal or spoil'' and are considered primary roads. 48 FR 22110, 22113 (May 16, 1983). Primary roads have a greater potential for environmental harm than ancillary roads. 53 FR 45190–45198 (November 8, 1988). In addition to meeting the performance requirements of 30 CFR 816/817.150, primary roads must meet the requirements of 816/817.151. In Illinois, OSM only approved those roads necessary for the maintenance of sediment ponds, diversions and reclamation areas. 62 FR 54765 (October 22, 1997). OSM and Illinois agreed that the amendment did not include haul roads or other primary roads.

Kentucky's proposal to require that vegetation be established on areas where sediment control structures and associated structures and facilities have been removed for two years before bond release does not render the Kentucky program less effective. As discussed above, the Federal regulations and Kentucky's regulations (405 KAR 16:070 Section 1(1)(b) and 16:090 Section 5(17) provide that sediment ponds be retained and maintained to control runoff from the planted area until the revegetation is sufficiently established to render such structures unnecessary for the protection of water quality. Therefore, when the sediment control structures are removed, the surrounding drainage area has already been effectively revegetated. Following this, the entire revegetated area (or increment thereof), including the reclaimed area where the sediment control structure was located, is subject to the full Kentucky program requirements concerning final inspection for bond release. Any inadequate revegetation on the reclaimed sediment control structure and related facilities will be detected during the inspection for bond release. That is, the proposed two-year criterion in no way reduces or eliminates any of Kentucky's standards for reclamation success for bond release. The Director finds that the two-year criterion is sufficient to establish a permanent and diverse vegetative cover as is required by SMCRA section 515(b)(19), especially since the lands typically involved will be small in size, widely dispersed, and surrounded by revegetated lands.

Therefore, and except for the proposed reference to haul roads, the Director finds that Kentucky's proposed provision is consistent with and no less effective than the Federal regulations at 30 CFR 816/817.46(b) (5) and (6), 30 CFR 816/817.116(c) and sections 515(b) (19) and (20) of SMCRA, as clarified by OSM in the September 15, 1993, **Federal Register** (58 FR 48333). In addition, the Director is requiring that Kentucky further amend the Kentucky program to delete the term ''haul roads'' at sections 1(7)(b) of 405 KAR 16:200 and 18:200.

IV. Summary and Disposition of Comments

Public Comments

The Director solicited public comments and provided an opportunity for a public hearing on Kentucky's proposed regulations and OSM's proposed policy. Because no one requested an opportunity to speak at a public hearing, no hearing was held.

Comments were received from the Illinois Department of Mines and Minerals (now the Illinois Department of Natural Resources—Office of Mines and Minerals), the Western Kentucky Coal Association, the Kentucky Coal Association, the Lignite Energy Council, the National Coal Association, the Ohio Mining and Reclamation Association, the North Dakota Public Service Commission, and the Kentucky Resources Council. Except for the Kentucky Resources Council, all of the commenters were in favor of the policy.

In its comments, the Illinois Department of Natural Resources supported the inclusion of the reclamation of roads along with the reclamation of sediment control structures that would not restart the revegetation responsibility period. On October 22, 1997 (62 FR 54765), OSM approved Illinois regulations concerning reseeding that is considered to be nonaugmentative of areas from which temporary features such as sedimentation ponds, roads, and diversions have been removed after vegetation has been established on the surrounding area. In its review of those regulations, OSM reviewed and commented on an accompanying policy document that explains how the State intends to implement these regulations. Illinois' reference to roads in its policy document was interpreted by OSM to mean those roads necessary for maintenance of sediment ponds, diversions, and reclamation areas. Ancillary roads used for maintenance do not include haul roads or other primary roads which should either have been removed upon completion of mining or approved to be retained for an approved postmining land use. On April 11, 1997 (Administrative Record Number IL–1243) OSM discussed the above interpretation of roads with Illinois. Illinois agreed with OSM's interpretation of the meaning of the term ''roads'' as used in its policy document.

In response to the Directors' proposed clarification of OSM policy, the Kentucky Resources Council initiates its comments with the premise that OSM has proposed to treat the initial seeding and restoration of areas disturbed by diversions, roads and sedimentation ponds as ''normal husbandry practices.'' It then argues that the initial seeding of such areas is not normal husbandry practice, and any revegetation other than ''husbandry practices'' as defined by 30 CFR 816.116(c)(4) constitutes ''augmented seeding'' and would therefore require extension of the full liability period for the establishment of permanent vegetation. First, the Director did not base not restarting the liability period on the contention that revegetation of such areas is a normal husbandry practice. Second, the Director does not agree that any revegetation other than ''normal husbandry practices'' constitutes ''augmented seeding.'' The legislative history of the Act reveals no specific Congressional intent in the use of the term ''augmented seeding.'' Accordingly, OSM's interpretation of augmented seeding is given deference so long as it has a rational basis. OSM would not consider the seeding of small areas, such as ponds and their associated diversions and roads, as augmented seeding. However, only the reclamation and reseeding of ancillary roads and not haul roads would be considered nonaugmentative. For further discussion of such rationale, see the Director's Finding above. Areas reclaimed following removal of temporary sediment control, and associated structures such as diversions, disposal and storage areas for accumulated sediments and sediment pond embankment material, and ancillary roads used to access such areas would not be subject to a separate or extended bond liability period apart from the applicable permit area served by such structures. The seeding of sedimentation ponds and their associated diversions and roads is not the result of reclamation failure, but because 30 CFR 816.46(b)(5) prohibits the removal of temporary sedimentation ponds until two years after the last augmented seeding.

The Kentucky Resources Council overlooks the fact that for the vast majority of the reclaimed area the revegetation responsibility period will be at least five years. Neither Congressional history nor the language of the statute distinguishes between initial overall reclamation of a mined area and the subsequent restoration of temporary structures like sedimentation ponds and their associated areas. In the absence of such distinction, the Secretary is delegated discretion to determine whether a proposed state amendment is no less effective than the Act and consistent with the counterpart Federal regulation. The Director's stated interpretation of Section 515(b)(20) is that the period of revegetation responsibility applies ''to the increment or permit area as a whole, not individually to those lands within that area upon which revegetation is delayed solely because of their use in support of the reclamation effort of the planted area.'' See 58 FR 48333–48335, September 15, 1993.

OSM has taken a consistent position in approving an amendment to the Colorado (61 FR 26792, May 29, 1996) and Illinois (62 FR 54765, October 22, 1997) surface mining programs which provided that reclaimed temporary drainage control facilities shall not be subject to the extended liability period for revegetative success or the related bond release criteria. The Director, therefore, does not agree with the commenter's interpretation of Section 515(b)(20) of SMCRA.

The Kentucky Resources Council also asserts that OSM's position violates 30 CFR 816.133. Section 816.133 requires that disturbed areas be restored in a timely manner to the premining uses of land or higher or better uses. In response, the Director notes that the Kentucky amendment does not eliminate this requirement.

Federal Agency Comments

Pursuant to 30 CFR 732.17(h)(11)(i), the Director solicited comments on the proposed amendment from various Federal agencies with an actual or potential interest in the Ohio program. Comments were received from the U.S. Forest Service, the U.S. Bureau of Mines, and the U.S. Fish and Wildlife Service (USFWS). The U.S. Forest Service commented that it had reviewed OSM's proposed rule to clarify its policy towards revegetation success and agreed with the proposed rule.

The U.S. Bureau of Mines suggested that OSM consider the significant differences in the reclamation of sediment structures and roads, since sediment structures generally possess characteristics necessary for successful reclamation, while roads generally require significant initial work to develop a necessary growth environment. The Director agrees with the commenter. OSM's policy and regulations require that when haul roads are removed, the land on which they were located must be regraded and revegetated in accordance with approved plans and the requirements of 30 CFR 816.111 through 816.116, or State counterparts. Although the proposed Kentucky regulation would have included haul roads in the proposed exclusion to restarting the

five-year revegetation period, OSM has not approved the provision to the extent that it includes haul roads (see Findings above). OSM's policy as stated above, limits the proposed exemption to small, lightly traveled roads used to access the sediment control structures. OSM's policy excludes roads posing significant potential for reclamation problems (such as haul roads).

The USFWS commented and recommended that the proposed provisions remain unamended. The USFWS stated that requiring only a two-year revegetation responsibility period following the removal of sedimentary structures and associated facilities will not be sufficient to guarantee adequate revegetation and prevent erosion. The Director disagrees. As stated above in the findings, Kentucky is proposing that the five-year revegetation responsibility period not be restarted when small areas containing the required sedimentary control structures are reclaimed when no longer needed. The five-year revegetation responsibility period will still be required for the overall permit area or increment thereof. In addition, the approved Kentucky program requirements concerning bond release, including the revegetation standards, remain in place. Therefore, Kentucky will continue to assess whether or not there has been established within the permit area (or increment), including the areas where sediment control structures were removed, a diverse, effective permanent vegetative cover in accordance with the appropriate revegetation success standards. That is, not restarting the revegetation responsibility upon removal of sediment control structures will not diminish the requirements to meet the revegetation standards.

The USFWS also stated that sedimentary control structures are often constructed on steep slopes, involve loose and erosive materials, and are located within or upslope of environmentally sensitive areas associated with streams and wetlands. Reduction of the vegetation monitoring from five to two years would unjustifiably increase the potential to impair the quality of Kentucky's waters. In response, the Director disagrees with the commenter. The areas from which the sedimentary structures are removed, including any in steep slope areas, and any with nearby environmentally sensitive areas, are required by Kentucky regulations to be surrounded by revegetated lands with vegetation already sufficiently established as to render such structures unnecessary for the protection of water quality and effluent limitations. Following this, the entire revegetated area (or increment thereof), including the reclaimed area where the sediment control structure was located, is subject to the full Kentucky program requirements concerning final inspection for bond release. In addition, the Director finds that the two-year criterion proposed by Kentucky is sufficient to establish (as is required by SMCRA section 515(b)(19)) a permanent and diverse vegetative cover on the reclaimed sediment control structure areas, especially since the lands typically involved will be small in size, widely dispersed, and surrounded by revegetated lands.

Environmental Protection Agency (EPA)

Pursuant to 30 CFR 732.17(h)(11)(ii), OSM is required to obtain the written concurrence of the EPA with respect to those provisions of the proposed program amendment that relate to air or water quality standards promulgated under the authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or the Clean Air Act (42 U.S.C. 7401 *et seq.*). The proposed Kentucky amendment does not pertain to air or water quality standards and, therefore, EPA's concurrence is not required.

Pursuant to 732.17(h)(11)(i), OSM solicited comments on the proposed amendment from the EPA. The EPA responded and concurred without comment on October 18, 1993 (Administrative Record No. KY–1246).

V. Director's Decision

Based on the above finding, the Director approves, except for the reference to haul roads, Kentucky's regulations at sections 1(7)(b) of 405 KAR 16:200 and 18:200. In addition, the Director is requiring that Kentucky further amend the Kentucky program to detele the term ''haul roads'' at sections 1(7)(b) of 405 KAR 16:200 and 18:200.

The Federal regulations at 30 CFR Part 917, codifying decisions concerning the Kentucky program, are being amended to implement this decision. This final rule is being made effective immediately to expedite the State program amendment process and to encourage States to bring their programs into conformity with the Federal standards without undue delay. Consistency of State and Federal standards is required by SMCRA.

VI. Procedural Determinations

Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12988

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (Civil Justice Reform) and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR Parts 730, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon corresponding Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the corresponding Federal regulations.

Unfunded Mandates

This rule will not impose a cost of $100 million or more in any given year on any governmental entity or the private sector.

List of Subjects in 30 CFR Part 913

Intergovernmental relations, Surface mining, Underground mining.

Dated: July 20, 1998.

Allen D. Klein,

Regional Director, Appalachian Regional Coordinating Center.

For the reasons set out in the preamble, 30 CFR Part 917 is amended as set forth below:

PART 917—KENTUCKY

1. The authority citation for Part 917 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. Section 917.15 is amended in the table by adding a new entry in chronological order by ''Date of final publication'' to read as follows:

§ 917.15 Approval of Kentucky regulatory program amendments.

* * * * *

Original amendment submission date	Date of final publication	Citation/description
*	*	*	*	*
June 28, 1991.	August 4, 1998.	405 KAR 16:200 § 1(7)(b) and 18:200 § 1(7)(b).

3. Section 917.16 is amended by adding a new paragraph (n) to read as follows:

§ 917.16 Required regulatory program amendments.

* * * * *

(n) By October 5, 1998, Kentucky shall amend the Kentucky program, or provide a written description of an amendment together with a timetable for enactment which is consistent with established administrative or legislative procedures in the State, to delete the term ''haul roads'' at sections 1(7)(b) of 405 KAR 16:200 and 18:200.

[FR Doc. 98–20715 Filed 8–3–98; 8:45 am]

BILLING CODE 4310–05–M

POSTAL SERVICE

39 CFR Part 20

End of Stay of Interim Rule for Global Package Link to Germany and France

AGENCY: Postal Service.

ACTION: End of stay of interim rule.

SUMMARY: The Postal Service is ending its stay of its recently published interim rule on Global Package Link which added a merchandise return service for customers utilizing the GPL service to Germany and France.

DATES: The amendment to the International Mail Manual published in the **Federal Register** on July 10, 1998 (63 FR 37251–37254), will become effective as of 12:01 a.m. on August 4, 1998.

ADDRESSES: Any written comments should be mailed or delivered to the International Business Unit, U.S. Postal Service, 475 L'Enfant Plaza SW, room 370–IBU, Washington, DC 20260–6500. Copies of all written comments will be available for public inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday, at the above address.

FOR FURTHER INFORMATION CONTACT: Bill Brandt (202) 314–7165.

SUPPLEMENTARY INFORMATION: By a notice in the **Federal Register** on July 17, 1998 (63 FR 38478), the Postal Service stayed an interim rule it had previously published in the **Federal Register** on July 10, 1998 (63 FR 37251–37254), concerning the establishment of a GPL return service to Germany and France. The Postal Service has completed its further internal review of the interim rule, and has determined to make the contemplated service available immediately.

List of Subjects in 39 CFR Part 20

International postal service, Foreign relations.

The Postal Service hereby makes effective its amendment of July 10, 1998, to the International Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 20.1.

PART 20—[AMENDED]

1. The authority citation for 39 CFR part 20 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408.

1. Subchapter 620 of the International Mail Manual, Issue 20, sections 626.24 and 626.25, are effective August 4, 1998.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 98–20738 Filed 8–3–98; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[Region 2 Docket No. NY28–2–180b, FRL–6134–7]

Approval and Promulgation of State Plans for Designated Facilities; New York

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the State Plan submitted by New York to fulfill the requirements of sections 111(d)/129 of the Clean Air Act for Municipal Waste Combustors (MWC). The State Plan addresses the implementation and enforcement of the Emissions Guidelines (EG) applicable to existing large MWC units with individual capacity to combust more than 250 tons per day of municipal solid waste. The State Plan imposes emission limits and control requirements for the existing MWC's in New York which will reduce the designated pollutants.

DATES: This direct final rule is effective on October 5, 1998 without further notice, unless EPA receives adverse comment by September 3, 1998. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: All comments should be addressed to: Ronald J. Borsellino, Chief, Air Programs Branch, Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10007–1866.

Copies of the state submittal are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region 2 Office, Air Programs Branch, 290 Broadway, 25th Floor, New York, New York 10007–1866.

New York State Department of Environmental Conservation, Division of Air Resources, 50 Wolf Road, Albany, New York 12233.