(3) The Provider will scan the indicia to ensure that they are valid. Part IV of the Form 3533 must be annotated to show corrections for nonqualifying pieces.

(4) An individual authorized by the Provider must certify the amount of the refund by signing Part IV below where the details of the mailpieces are shown.

(5) The Provider will send the Form 3533 to the MATS coordinator at the appropriate Postal Service District office for further refund processing.

(6) The District MATS coordinator will arrange for the amount of refunded postage to be credited to the licensee's CMRS account.

(7) The unused envelopes must be retained by the Provider for 45 days after the Form 3533 has been sent to the District. During this period the Postal Service reserves the right to audit the pieces and the Providers processing of the refund request.

(b) PSD or Other Logical Security Element Balance

(1) The Provider must verify the remaining balance in a returned PSD or other logical security element. This balance must be reconciled with the descending balance as noted by the Provider when the licensee notified the Provider that the PSD or other logical security element was to be taken out of service.

(2) The validated refund amount must be noted in section F of the completed Form 3601–C and the Providers representative must sign Section G.

(3) The completed Form 3601–C will be sent to the appropriate District MATS coordinator.

(4) The District MATS coordinator will arrange for the amount of refunded postage to be credited to the licensee's CMRS account.

(c) CMRS Account

(1) The licensee must notify the Provider in writing that the licensee's CMRS account is to be closed.

(2) The Provider will notify the Minneapolis Accounting Service Center of the closing of the account, according to CMRS procedures as administered by USPS Treasury Management.

(3) The Minneapolis Accounting Service Center will notify the lockbox bank to issue a refund check to the licensee.

§ 502.28 Key management requirements.

These requirements are contained in Part D, Key Management Plan, of the PCIBISAIBIPMS. Contact the Manager, MTM, USPS, 475 L'Enfant Plaza SW, Room 8430, Washington, DC 20260–2444 for these requirements.

§ 502.29 Provider infrastructure.

The Provider must establish and maintain an interface to USPS systems as specified in CMRS and CMLS documentation. CMRS documentation may be obtained from Corporate Treasury, USPS HQ, 475 L'Enfant Plaza SW, Room 8118, Washington, DC 20260–5130. CMLS documentation may be obtain from the Manager, MTM, USPS, 475 L'Enfant Plaza SW, Room 8430, Washington, DC 20260–2444.

Neva R. Watson,

Acting Chief Counsel, Legislative.

[FR Doc. 98–23559 Filed 8–28–98; 3:59 pm]

BILLING CODE 7710–12–P

POSTAL SERVICE

39 CFR Parts 501 and 502

Metering Product Submission Procedures

AGENCY: Postal Service.

ACTION: Proposed Procedure.

SUMMARY: The **Federal Register** dated January 7, 1997, reflected proposed interim product submission procedures for the Information-Based Indicia Program (IBIP). This revises, clarifies, and expands those proposed submission procedures to include all postage metering products, applications, and systems. The terms ''manufacturer'' and ''vendor'' are no longer referenced in these procedures and have been replaced by the more appropriate term ''Provider.'' Also, since the meter program administration office title has changed, all references to ''Retail Systems and Equipment'' have been deleted and replaced by ''Metering Technology Management.''

DATES: Comments must be received on or before November 2, 1998.

ADDRESSES: Written comments should be mailed or delivered to the Manager, Metering Technology Management, Room 8430, 475 L'Enfant Plaza SW, Washington, DC 20260–2444. 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: Nicholas S. Stankosky, (202) 268–5311.

SUPPLEMENTARY INFORMATION: With the increase of potential postage application methods and technologies it is essential that submission procedures be clearly stated and defined. The Postal Service evaluation process can be effective and efficient if these procedures are followed explicitly by all suppliers. In this way secure and convenient technology will be made available to the mailing public with minimal delay and with the complete assurance that all Postal Service technical, quality, and security requirements have been met. These procedures apply to all proposed products and systems, whether the Provider is new or is currently authorized by the USPS.

39 Code of Federal Regulations Section 501.9, Security Testing, currently states that ''The Postal Service reserves the right to require or conduct additional examination and testing at any time, without cause, of any meter submitted to the Postal Service for approval or approved by the Postal Service for manufacture and distribution.'' When the Postal Service elects to retest a previously approved product, the Provider will be required to resubmit the product for evaluation according to part or all of the proposed procedures. Full or partial compliance will be determined by the Postal Service prior to resubmission by the Provider.

The proposed submission procedures will be referenced in 39 CFR Parts 501 and 502 but will be published as a separate document as follows:

Metering Technology Management

Metering Product Submission Procedures

In submitting a metering product for Postal Service evaluation, the proposed Provider must provide detailed documentation in the following areas:

- Letter of Intent.
- Nondisclosure Agreements.
- Concept of Operations (CONOPS).
- Software and Documentation Requirements.
- Provider Infrastructure Plan.
- USPS Address Matching System (AMS) CD–ROM Integration.
- Product Submission/Testing.
- Provider Infrastructure Testing.
- Field Test (Beta) Approval (Limited Distribution).
- Provider/Product Approval (Full Distribution).

These sections must be completed in sequential order as detailed below:

1. Letter of Intent

A. The Provider must submit a Letter of Intent to the Manager, Metering Technology Management (MTM), United States Postal Service, 475 L'Enfant Plaza SW, Room 8430, Washington DC 20260–2444.

The Letter of Intent must include:

(1) Date of correspondence.

(2) Name and address of all parties involved in the proposal: In addition to the Provider, those responsible for

assembly, distribution, management of the product/device, hardware/software development, testing, and other organizations involved (or expected to be involved) with the product.

(3) Name and phone number of official point of contact for each company identified.

(4) Proposed Provider's business qualifications (i.e., proof of financial viability, certifications and representations, proof of ability to be responsive and responsible).

(5) Product/device concept narrative

(6) Provider infrastructure concept narrative.

(7) Narrative that identifies the internal resources knowledgeable of current USPS policies, procedures, performance criteria, and technical specifications, to be used to develop security, audit, and control features of the proposed product, and

(8) The target Postal Service market segment the proposed product is envisioned to serve.

B. The Provider must submit with the Letter of Intent a proposed product development plan of actions and milestones (POA&M) with a start date coinciding with the date of the Letter of Intent. Reasonable progress must be shown against these stated milestones.

C. The Manager, Metering Technology Management, will acknowledge in writing the receipt of the Provider's Letter of Intent and will designate a Postal Service point-of-contact. Upon receipt of this acknowledgment, the Provider may continue with the sequential requirements of the product submission process.

2. Nondisclosure Agreements

These agreements are intended to ensure confidentiality and fairness in business. The Postal Service is not obligated to provide product submission status to any parties not identified in the Letter of Intent. After obtaining signed nondisclosure agreements, the Provider may continue with the sequential requirements of the product submission process.

3. Concept of Operations (CONOPS)

A. The Provider must submit a Concept of Operations (CONOPS) that discusses at a moderate level of detail the features and usage conditions for the proposed product. The Provider should submit 10 serialized hard copies and one electronic copy of a PC-formatted 3.5″ floppy disk. Additionally, the Provider must also submit a detailed process model, supporting each CONOPS section. Note: The Postal Service will not be obligated to provide consulting guidance on any current Postal Service policy, procedure, performance criteria, or specification beyond publicly available publications.

B. The CONOPS should cover the following areas at a minimum:

(1) System Overview.

(a) Concept overview/business model.

(b) Concept of production/maintenance administration.

(c) For Information-Based Indicia (IBI) products, a PC Postage system design.

(i) Postal Security Device (PSD) implementation (stand-alone, LAN, WAN, Hybrid).

(ii) Features.

(iii) Components including the digital signature algorithm.

(d) Product lifecycle overview.

(e) Adherence to industry standards such as FIPS 140–1, as determined by the USPS.

(2) For Proposed IBI PC Postage Product-Details.

(a) PSD features and functions.

(b) Host system features and functions.

(c) Other components required for normal use conditions.

(3) Product Lifecycle.

(a) Manufacture.

(b) USPS certification of product/device.

(c) Production.

(d) Distribution.

(e) Product/device licensing and registration.

(f) Initialization.

(g) Product authorization and installation.

(h) Postage Value Download (PVD) process.

(i) Product and support system audits.

(j) Inspections.

(k) Product withdrawal/replacement.

(i) Overall process.

(ii) Product failure/malfunction procedures.

(l) Scrapped product process.

(4) Finance Overview.

(a) Customer account management.

(i) Payment methods.

(ii) Statement of account.

(iii) Refund.

(b) Individual product finance account management.

(i) PVD.

(ii) Refund.

(c) Daily account reconciliation.

(i) Provider reconciliation.

(ii) USPS-detailed transaction reporting.

(d) Periodic summaries.

(i) Monthly reconciliation.

(ii) Other reporting as required by the Postal Service.

(5) Interfaces.

(a) Communications and message interfaces with postal infrastructure.

(i) PVDs.

(ii) Refunds.

(iii) Inspections.

(iv) Product audits.

v) Lost or stolen product procedures.

(b) Communications and message interfaces with applicable USPS financial functions.

(i) Postage settings including those done remotely.

(ii) Daily account reconciliation.

(iii) Refunds.

(c) Communication and message interfaces with Customer Infrastructure.

(i) Key management.

(ii) Product audits (device and host system).

(iii) Inspections.

(d) Message error detection and handling.

(6) Technical Support and Customer Service.

(a) User training and support.

(b) Software Configuration Management (CM) and update procedures.

(c) Hardware CM and update procedures.

(7) Other.

(a) Postal rate change procedures.

(b) Address Management System ZIP+4 CD-ROM updates.

(c) Physical security.

(d) Personnel/site security.

C. Supplementary requirements, Concept of Operations:

(1) The CONOPS must be accompanied by substantiated market analysis supporting the target Postal Service market segment the proposed product is envisioned to serve as identified in the Letter of Intent.

(2) The CONOPS must include a list and a detailed explanation of any proposed deviations from USPS performance criteria or specifications. Any proposed deviation to audit and control functions required by current USPS policy, procedure, performance criteria, or specification must be accompanied by an independent assessment by a nationally recognized accounting firm attesting to the proposed auditing method. The report of this information is to be signed by an officer of the accounting firm.

D. USPS Response:

(1) The USPS will acknowledge, in writing, receipt of the CONOPS and perform an initial review. The USPS will provide the Provider with a written summary of the CONOPS review. Authorization to continue with the product submission process, or a listing of CONOPS requirements that are not met will be provided by the USPS in the written review.

(2) If, in the opinion of the USPS, it is determined that extensive CONOPS deficiencies do exist, the USPS, at the

discretion of the Manager, Metering Technology Management, may return the CONOPS to the Provider without further review. It will then be incumbent on the Provider to resubmit a corrected CONOPS.

(3) Upon receipt of authorization from the USPS to continue the product submission process, the Provider may continue with the sequential requirements of the product submission process.

(4) For submissions, the USPS will appoint an IBIP Product Review Control Officer. All communications between the Provider and the USPS are to be coordinated through the IBIP Product Review Control Officer.

4. Software and Documentation Requirements

A. The Provider must submit to the Postal Service five copies of executable code and one copy of full source code for all software.

B. The Provider must submit a detailed design document of the product. This must include the proposed IBIP indicia design, which must be approved by the Manager, Metering Technology Management. FIPS 140–1 Appendix A provides a checklist summary of documentation requirements for the FIPS 140–1 standard. Additionally, the Postal Service requires design documentation that includes, but is not limited to, the following:

(1) Operations manuals for product usage.

(2) Interface description documents for all proposed communications interfaces.

(3) Maintenance manuals.

(4) Schematics.

(5) Product initialization procedures.

(6) Finite state machine models/diagrams.

(7) Block diagrams.

(8) Security features descriptions.

(9) Cryptographic operations descriptions.

Detailed references for much of this documentation is listed in the FIPS 140–1 Appendix A. The Postal Service will determine the number of copies needed of the aforementioned documentation based on the CONOPS review. The USPS will notify the Provider of the required number of copies. The required number of copies are to be uniquely numbered for control purposes.

C. The Provider must submit a comprehensive test plan that validates that the product meets all Postal Service requirements and FIPS 140–1. The test plan must list the parameters to be tested, test equipment, procedures, test sample sizes, and test data formats. Also, the plan must include detailed descriptions, specifications, design drawings, schematic diagrams, and explanations of the purposes for all special test equipment and nonstandard or noncommercial instrumentation. Finally, this test plan must include a proposed schedule of major test milestones.

D. USPS Response:

(1) The Provider must submit a benchmark assessment plan. USPS Engineering will provide reference standards, performance criteria, specifications, etc., to be used as a basis for the Provider to produce this plan.

(2) The USPS will acknowledge in writing receipt of the Provider's design and test plans and perform an initial review. The USPS will provide the Provider with a written summary of the design plan and test plan reviews. Authorization to continue with the product submission process, or a listing of design plan requirements or test plan requirements that are not met, and perhaps other deficiencies, will be provided by the USPS in the written review.

(3) If, in the sole opinion of the USPS, it is determined that extensive design plan or test plan deficiencies do exist, the USPS at the discretion of the Manager, Metering Technology Management, may return the plans to the Provider without further review. It will then be incumbent on the Provider to resubmit corrected plans.

(4) Upon receipt of authorization from the USPS to continue the product submission process, the Provider may continue with the sequential requirements of the product submission process.

5. Provider Infrastructure Plan

A. The Provider Infrastructure Plan may be submitted concurrently with the design and test plans, or after written acknowledgment from the USPS indicating the plans successfully met the requirements of the product submission process.

B. The Provider must submit a Provider Infrastructure Plan that describes how the processes and procedures described in the CONOPS will be met or enforced. This includes, but is not limited to, a detailed description of all Provider and Postal Service related operations, computer systems, and interfaces with both customers and the Postal Service that the Provider shall use in manufacturing, producing, distribution, customer support, product/device lifecycle, inventory control, print readability quality assurance, and reporting.

C. USPS Response:

(1) The USPS will acknowledge in writing receipt of the Provider's Infrastructure Plan and perform an initial review. The USPS will provide the Provider with a written summary of the Infrastructure Plan review. Authorization to continue with the product submission process, or a listing of the Infrastructure Plan requirements that are not met, and perhaps other deficiencies, will be provided by the USPS in the written review.

(2) If, in the opinion of the USPS, it is determined that extensive Provider Infrastructure Plan deficiencies do exist, the USPS at the discretion of the Manager, Metering Technology Management, may return the Infrastructure Plan to the Provider without further review. It will then be incumbent on the Provider to resubmit a corrected Infrastructure Plan.

(3) Upon receipt of authorization from the USPS to continue the product submission process, the Provider may continue with the sequential requirements of the product submission process.

6. USPS Address Matching System (AMS) CD-ROM Integration

A. The USPS AMS CD-ROM is a required component of IBIP systems. The Provider shall initiate an agreement with the USPS National Customer Support Center (NCSC). This signed agreement shall describe responsibilities of the AMS CD-ROM supply chain processes, including roles of the Provider. The only functionality of the AMS CD-ROM available through an IBIP system is address matching and ZIP+4 coding of input addresses.

B. Any CONOPS or products proposed where the Provider requests a variance to the AMS CD–ROM requirements must be approved by the Manager, Metering Technology Management, prior to proceeding with the next step in the submission process.

C. A detailed description of the process in which an address is ZIP+4 coded including all possible optional and required parameters.

7. Product Submission/Testing

A. The Provider must be prepared to submit up to five complete systems of each product/device requested for approval, to the Postal Service for evaluation and review. The required number of submitted systems will be determined by the Postal Service. The Provider must provide directly, or through lease or rental, any equipment required for use in conjunction with the proposed product/device needed to

represent usage conditions as proposed in the CONOPS.

B. The Provider must submit the proposed product to a laboratory accredited under the National Voluntary Laboratory Accreditation Program (NVLAP) for FIPS 140–1 certification, or equivalent, as authorized by the Postal Service. Upon completion of the FIPS 140–1 certification, or equivalent, the Postal Service requires the following be forwarded directly from the accredited laboratory to the Manager, Metering Technology Management for review:

(1) A copy of letter of recommendation to the National Institute of Standards and Technology (NIST) of the United States of America.

(2) Copies of proprietary and nonproprietary reports and recommendations generated.

(3) A copy of NIST-issued certificate.

(4) Written full disclosure identifying any role of the NVLAP which contributed to the design, development, or ongoing maintenance of the product/device.

C. The Provider may submit the product to the USPS for initial evaluation without the completion of the FIPS 140–1 testing providing a letter is submitted from the NVLAP lab to the USPS indicating:

(1) The product is being tested under FIPS 140–1 for the required security levels.

(2) The product has a reasonable chance of meeting the FIPS 140–1/USPS security levels.

(3) The timeline for FIPS 140–1 test completion.

D. Upon satisfactory completion of FIPS 140–1 testing, or equivalent, as authorized by the Postal Service, the USPS will authorize the Provider, in writing, to submit the product to the USPS for testing and evaluation.

E. The Postal Service reserves the right to require or conduct additional examination and testing at any time, without cause, of any product submitted to the Postal Service for approval or approved by the Postal Service for manufacture and distribution.

F. Upon receipt of authorization from the USPS to continue the product submission process, the Provider may continue with the sequential requirements of the product submission process.

8. Product Infrastructure Testing

A. Testing of all reporting requirements, including, and not limited to, Postal Service/customer licensing support, product status activity reporting, total product population inventory, irregularity reporting, lost and stolen reporting, financial transaction reporting, account reconciliation, digital certificate acquisition, product initialization, cryptographic key changes, rate table changes, print quality assurance, device authorization, device audit, product audit, and remote inspections must be achieved by Providers prior to any product/device approval for distribution.

B. Testing of these activities and functions includes computer-based testing of all interfaces with the Postal Service including but not limited to the following:

(1) Product manufacture and life cycle (including leased, unleased, new meter stock, installation, withdrawal, replacement, key management, lost, stolen, and irregularity reporting).

(2) Product distribution and initialization (including product authorization, product initialization, customer authorization, and product maintenance).

(3) Licensing (including license application, license update and license revocation).

(4) Finance (including lockbox account management, individual product financial accounting, refunds, daily summary reports, daily transaction reporting, and monthly summary reports).

(5) Audits and inspections.

C. The Provider must complete a ''Product—Provider Infrastructure—Financial Institution—USPS Infrastructure'' (Alpha) test involving all entities in the proposed architecture; at a minimum this includes the proposed product, Provider Infrastructure, financial institution and USPS Infrastructure systems and interfaces. Alpha testing is intended to demonstrate the proposed product utility, functionality and compatibility with other systems, and may be conducted in a laboratory environment.

D. Provider Infrastructure Testing—(Alpha) test note: The Postal Service reserves the right to require or conduct additional examination and testing at any time, without cause, of any Provider Infrastructure system supporting an IBIP product/device approved by the Postal Service for manufacture and distribution. Initial Provider Infrastructure testing and (Alpha) testing schedules will be supported at the convenience of the Postal Service.

E. Demonstrable evidence of successful completion for each test is required prior to proceeding.

F. Upon receipt of authorization from the USPS to continue the product submission process, the Provider may continue with the sequential requirements of the product submission process.

9. Field Test (Beta) Approval (Limited Distribution)

A. The Provider will submit a proposed Field Test (Beta) Test Plan identifying test parameters, product quantities, geographic location, test participants, test duration, test milestones, and product recall plan. The purpose of the Beta test is to demonstrate the proposed product's utility, security, audit and control, functionality, and compatibility with other systems in a real-world environment. The Beta test will employ available communications and interface with current operational systems to conduct all product functions. The Manager, Metering Technology Management will determine acceptance of Provider-proposed Beta Test Plans based on, but not limited to, assessed risk of the product, product impact on Postal Service operations, and requirements for Postal Service resources. Proposed candidates for Beta test participation must be approved by the Postal Service. Beta test approval consideration will be based in whole or in part on the location, mail volume, mail characteristics, and mail origination and destination patterns.

B. The Provider has a duty to report security weaknesses to the Postal Service to ensure that each product/device model and every product/device in service protects the Postal Service against loss of revenue at all times. Beta participants must agree to a nondisclosure confidentiality agreement when reporting product security, audit, and control issues, deficiencies, or failures to the Provider and the Postal Service. A grant of Field Test Approval (FTA) does not constitute an irrevocable determination that the Postal Service is satisfied with the revenue-protection capabilities of the product/device. After approval is granted to manufacture and distribute a product/device, no change affecting the basic features or safeguards of a product/device may be made except as authorized or ordered by the Postal Service in writing from the Manager, Metering Technology Management.

C. Upon receipt of authorization from the USPS to continue the product submission process, the Provider may continue with the sequential requirements of the product submission process.

10. Provider/Product Approval (Full Distribution)

A. Upon receipt of the final certificate of evaluation from the national laboratory, and after obtaining positive

results of internal testing of the product/device, successful completion of Provider infrastructure testing, Alpha testing, and demonstration of limited distribution activities (Beta testing); the submitted product, Provider infrastructure and Provider/manufacturer qualification requirements will be administratively reviewed for final approval. Note: Copies of Draft 39 Code of Federal Regulation Part 502 containing IBIP Provider/Manufacturer qualification requirements are available by contacting USPS Metering Technology Management, 475 L'Enfant Plaza SW, Room 8430, Washington, DC 20260–2444. Copies of CFR Part 501 pertaining to postage meters are also available at the above address.

B. The Postal Service may require at any time, that models/versions of approved products, and the design and user manuals and specifications applicable to such product, and any revisions thereof be deposited with the Postal Service.

It is emphasized that this proposed procedure is being published for comments and is subject to final definition.

Although exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. 553 (b),(c)) regarding proposed rule making by 39 U.S.C. 410(a) , the Postal Service invites public comments on the proposed procedures.

Neva R. Watson,

Chief Counsel, Legislative.

[FR Doc. 98–23560 Filed 8–28–98; 3:59 pm]

BILLING CODE 7710–12–P

POSTAL RATE COMMISSION

39 CFR 3001

[Docket No. RM98–3; Order No. 1218]

Revisions to Rules of Practice

AGENCY: Postal Rate Commission.

ACTION: Proposed rule.

SUMMARY: The Commission seeks suggestions, especially from those who have taken part in recent rate, classification, and complaint dockets, on ways to improve the efficiency of proceedings conducted pursuant to 39 U.S.C. sec. 3624. Commenters are encouraged to address topics covered in 39 CFR 3001.1–92, with the exception of library references and confidential information. These two matters will be addressed in separate rulemakings. Commenters' suggestions will be considered in developing amendments that will improve the efficiency of Commission proceedings.

DATES: Comments should be filed on or before October 28, 1998.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, 202–789–6820.

SUPPLEMENTAL INFORMATION: Following each major proceeding, the Commission reviews the effectiveness of its rules of practice and invites participants to offer suggestions for changes or improvements. The Commission's initial assessment of the operation of its rules in the recently-completed omnibus rate and classification case (Docket No. R97–1) leads to several preliminary conclusions. First, it appears that two recently-adopted revisions—addressing the use of surveys and the Service's filing of ''pro forma'' financial data and information—worked reasonably well. Second, it appears that consideration should be given to incorporating all (or most) of the special rules of practice into the general, or standing, rules. Third, an assessment of ways to reduce the costs inherent in service of documents, including consideration of the extent to which electronic filing requirements (or options) can be added should be undertaken.

A serious evidentiary dispute over library references indicates that clarification of this longstanding practice is essential. However, the Commission intends to address this matter, and the potential need for changes in its rules on confidential information, in separate rulemakings. Thus, commenters are requested not to include suggestions on these topics in response to this rulemaking.

Dated: August 27, 1998.

Margaret P. Crenshaw,

Secretary.

[FR Doc. 98–23636 Filed 9–1–98; 8:45 am]

BILLING CODE 7710–FW–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 212–0092b; FRL–6142–6]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of particulate matter (PM) emissions from stationary sources, including process industries and cement plants, within the South Coast Air Quality Management District (SCAQMD).

The intended effect of proposing approval of these rules is to regulate emissions of PM in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this rule, no further activity is contemplated in relation to this rule. If EPA receives relevant adverse comments, the direct final rule will not take effect and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this rule. Any parties interested in commenting should do so at this time.

DATES: Comments must be received in writing by October 2, 1998.

ADDRESSES: Written comments on this action should be addressed to: Andrew Steckel, Rulemaking Office (AIR–4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Copies of the rules and EPA's evaluation report for the rules are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rules are also available for inspection at the following locations:

South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, CA 91765

California Air Resources Board, Stationary Source Divison, Rule Evaluation Section, 2020 ''L'' Street, Sacramento, CA 95812.

FOR FURTHER INFORMATION CONTACT: Patricia Bowlin, Rulemaking Office (AIR–4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901, Telephone: (415) 744–1188.

SUPPLEMENTARY INFORMATION: This document concerns SCAQMD Rule 404, Particulate Matter—Concentration; Rule 405, Solid Particulate Matter—Weight; and Rule 1112.1, Emissions of Particulate Matter from Cement Kilns, submitted to EPA on June 4, 1986 by the California Air Resources Board. For further information, please see the information provided in the Direct Final