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Briefings on How To Use the Federal Register
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payment of interest. Therefore, the Department certifies that the rule does not represent a governmental action capable of interference with constitutionally protected property rights. Thus, a Takings Implication Assessment need not be prepared pursuant to Executive Order 12630, "Government Action and Interference with Constitutionally Protected Property Rights."

Paper Reduction Act of 1980

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

National Environmental Policy Act of 1969

It is hereby determined that this rulemaking does not constitute a major Federal action significantly affecting the quality of the human environment; therefore, a detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is not required.

List of Subjects in 30 CFR Part 218

Coal, Continental shelf, Electronic funds transfer, Geothermal energy, Government contracts, Indian lands, Mineral royalties, Natural gas, Penalties, Petroleum, Public lands-mineral resources, Reporting and recordkeeping requirements.

Dated: July 26, 1990.

James M. Hughes,

Acting Assistant Secretary—Land and Minerals Management.

For the reasons set out in the preamble, 30 CFR part 218 is amended as set forth below:

PART 218—COLLECTION OF ROYALTIES, RENTALS, BONUSES AND OTHER MONIES DUE THE FEDERAL GOVERNMENT

1. The authority citation for part 218 is revised to read as follows:

Authority: 5 U.S.C. 301 *et seq.*; 25 U.S.C. 396 *et seq.*; 25 U.S.C. 396a *et seq.*; 25 U.S.C. 2101 *et seq.*; 30 U.S.C. 181 *et seq.*; 30 U.S.C. 351 *et seq.*; 30 U.S.C. 1001 *et seq.*; 30 U.S.C. 1701 *et seq.*; 31 U.S.C. 9701; 43 U.S.C. 1301 *et seq.*; 43 U.S.C. 1331 *et seq.*; and 43 U.S.C. 1801 *et seq.*

Subpart B—[Amended]

2. Subpart B—Oil and Gas, General is amended by removing the authority citation following the subpart heading.

3. Section 218.54 under Subpart B—Oil and Gas, General is amended by revising the section heading and paragraph (b) to read as follows:

§ 218.54 Late payments.

(b) The interest charge on late payments shall be at the underpayment rate established by the Internal Revenue Code, 26 U.S.C. 6621(a)(2) (Supp. 1987).

4. Paragraph (c) of § 218.55 under subpart B—Oil and Gas, General is revised to read as follows:

§ 218.55 Interest payments to Indians.

(c) Interest shall be computed at the underpayment rate established by the Internal Revenue Code, 26 U.S.C. 6621(a)(2) (Supp. 1987).

5. Paragraph (b) of § 218.103 under subpart C (Oil and Gas, Onshore) is revised to read as follows:

§ 218.103 Payments to States.

(b) Interest shall be computed at the underpayment rate established by the Internal Revenue Code, 26 U.S.C. 6621(a)(2) (Supp. 1987).

[FR Doc. 90-21076 Filed 9-7-90; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 61

[AD-FRL-3827-9]

RIN 2060-AC68

National Emission Standards for Hazardous Air Pollutants; Benzene Emissions From Chemical Manufacturing Process Vents, Industrial Solvent Use, Benzene Waste Operations; Benzene Transfer Operations; and Gasoline Marketing System; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: This document corrects errors and makes clarifications in the regulatory text of the final rule on National Emission Standard for Benzene Waste Operations which appeared in the Federal Register on March 7, 1990 (55 FR 8292).

EFFECTIVE DATE: March 7, 1990.

FOR FURTHER INFORMATION CONTACT: Dr. Janet Meyer at (919) 541-5254, Standards Development Branch, Emission Standards Division (MD-13), U.S. Environmental Protection Agency,

Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION: On March 7, 1990 (55 FR 8292), EPA promulgated regulations limiting benzene emissions from benzene waste operations and benzene transfer operations. A few editorial corrections to clarify the intent of the National Emission Standard for Benzene Waste Operations are being made by this document.

Inquiries have been received requesting clarification of the applicability of the benzene waste operations standard to facilities that treat, store, or dispose of benzene wastes generated by chemical plants, coke by-product recovery plants, or petroleum refineries. The applicability section of the rule, as written, inadvertently applies more broadly than the intent expressed in the preamble to the rule (March 7, 1990, 55 FR 8292) or in the December 15, 1989, Federal Register notice of clarification of the proposed rule (54 FR 51423). Therefore, paragraph (b) of § 61.340 is being revised: (1) To clarify that the subpart applies to offsite hazardous waste treatment, storage, and disposal facilities (TSDF) which are facilities that must obtain a hazardous waste management permit under subtitle C of the Solid Waste Disposal Act and (2) to clarify that the rule only applies to benzene-containing wastes. It should be noted that recent revisions to 40 CFR part 261, the toxicity characteristic (March 29, 1990, 55 FR 11798), will require most facilities receiving wastes with greater than 0.5 parts per million (ppm) benzene to be permitted as hazardous waste TSDF. The primary effects of the correction are to clarify that the rule does not apply to hazardous wastes from other industries and the rule generally does not apply to publicly owned treatment works and municipal solid waste landfills.

An editorial correction is being made to paragraph (b)(2)(ii)(A) of § 61.346 to clarify that the example location for water seal control is on the junction box rather than on the junction box vent pipe. This clarification is being made to prevent possible misinterpretations of the alternative standard for individual drain systems. This alternative standard is applicable only in those cases where there are no routine changes in liquid level in the junction box and no flow from the junction box vent pipe. Paragraph (b)(2)(ii)(B) of § 61.348 is being modified to clarify the meaning of enhanced biodegradation and to make the rule consistent with the information used as a basis for the final rule.

Also paragraph (a) of § 61.357 is being modified to clarify the objectives and to clarify what information is required in the initial report. Many inquiries have been received regarding the required accuracy of the waste quantity and concentration estimates, the possibility of amending the initial report, and the need for inclusion of a description of the controls to be installed and a compliance schedule. Because EPA specifically provided up to 2 years for compliance with the control requirements of the standard, the purpose of the initial report is to identify facilities subject to the control requirements, to identify which streams must be controlled, and to provide the basis for exemption of streams. The initial report should represent the owner's or operator's best estimate of the waste stream characteristics based on existing information and current configuration and operating conditions. This report may then be updated as new information becomes available or as conditions change. Consequently, a new paragraph (4) is being added to § 61.357 (a) to clarify what information is required in the initial report. This change does not alter the control requirements or the reporting requirements. Paragraph (b) of § 61.357 is being corrected to require that facilities with less than 1 megagram/year benzene waste file updated reports when the waste quantity increases to 1 megagram/year or more. This correction is consistent with the intent to require annual reporting for all facilities with 1 to 10 megagrams/year of benzene waste.

Finally, EPA would like to note that owners and operators of facilities subject to NESHAP should consult the general provisions (subpart A) of part 61 whenever there are questions regarding the applicability or the implementation of a standard. In this section, general requirements regarding source reporting, waivers, and emission testing are presented. Section 61.04 requires that all communications, including all requests, reports, and applications, be submitted in duplicate to the appropriate Regional Office of EPA and to the State agency, if the authority to implement the standard has been delegated. Section 61.04 provides a list of addresses for the Regional Offices and for State agencies that have been delegated authority to enforce NESHAP.

Dated: August 27, 1990.

Michael Shapiro,
Acting Assistant Administrator for Air and Radiation.

The following corrections are being made in FRL 3706-1: National Emission Standards for Hazardous Air Pollutants;

Benzene Emissions from Chemical Manufacturing Process Vents, Industrial Solvent Use, Benzene Waste Operations, Benzene Transfer Operations, and Gasoline Marketing System published in the *Federal Register* on March 7, 1990 (55 FR 8292).

1. Paragraph (b) of § 61.340 on page 8346, column 3, is revised to read as follows:

§ 61.340 Applicability.

(b) The provisions of this subpart apply to owners and operators of hazardous waste treatment, storage, and disposal facilities that treat, store, or dispose of hazardous waste generated by any facility listed in paragraph (a) of this section. The waste streams at hazardous waste treatment, storage, and disposal facilities subject to the provisions of this subpart are the benzene-containing hazardous waste from any facility listed in paragraph (a) of this section. A hazardous waste treatment, storage, and disposal facility is a facility that must obtain a hazardous waste management permit under Subtitle C of the Solid Waste Disposal Act.

§ 61.346 [Corrected]

2. In paragraph (b)(2)(ii)(A) of § 61.346 on page 8350, column 2, line 6, remove "includes use of water seal controls." and add "includes use of water seal controls on the junction box."

§ 61.348 [Corrected]

3. In paragraph (b)(2)(ii)(B) of § 61.348 on page 8351, Column 2, revise the last sentence to read "A unit shall be considered enhanced biodegradation if it is a suspended-growth process that generates biomass, uses recycled biomass, and periodically removes biomass from the process. An enhanced biodegradation unit typically operates at a food-to-microorganism ratio in the range of 0.05 to 1.0 kg of biological oxygen demand per kg of biomass per day, a mixed liquor suspended solids ratio in the range of 1 to 8 grams per liter, and a residence time in the range of 3 to 36 hours."

§ 61.349 [Corrected]

4. In paragraph (a)(2)(i)(B) of § 61.349 on page 8352, column 1, in line 2, remove "concentration of 20 ppmv" and add "concentration of 20 ppmv (as compound by Method 18)".

§ 61.351 [Corrected]

5. In paragraph (a)(2) of § 61.351 on page 8352, column 3, line 2, remove "40

CFR 60.112(a)(2)" and add "40 CFR 60.112b(a)(2)."

§ 61.355 [Corrected]

6. In paragraph (a)(1) of § 61.355 on page 8353, column 3, in line 4 remove "than 10 percent water," and add "than 10 percent water, on a volume basis as total water."

7. In § 61.357 on page 8360, column 1, is amended by adding paragraph (a)(4) as follows:

§ 61.357 Reporting requirements.

(a) * * *

(4) This information should present the owner's or operator's best estimate of the waste stream characteristics based on existing information and current configuration and operating conditions. An owner or operator only needs to list in the report those waste streams that contact materials containing benzene. The report does not need to include a description of the controls to be installed to comply with the standard or other information required in § 61.10(b) of this part. The owner or operator should update and resubmit the report to the Administrator when new information becomes available. Instances where resubmittal of the report would be appropriate include cases where results from surveys of waste stream characteristics become available after June 5, 1990, and cases where the process is redesigned such that the facility waste characteristics could be changed before the March 7, 1992, compliance date.

§ 61.357 [Corrected]

8. In paragraph (b) of § 61.357, on page 8360, column 1, line 26, remove "10 Mg/yr" and add "1 Mg/yr."

[FR Doc. 90-20978 Filed 9-7-90; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 228

[FRL-3828-8]

Ocean Dumping; Designation of a Site Located Offshore of Port Mansfield, TX

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA today designates a dredged material disposal site located in the Gulf of Mexico offshore of Port Mansfield, Texas for the continued disposal of dredged material removed from the Port Mansfield Entrance Channel. This action is necessary to