initiation of civil penalty proceedings by the Chief Engineer.

5. Section 401.206 is revised by substituting "Chief Engineer" for "Resident Manager" and by making other grammatical corrections so that it reads as follows:

§ 401.206 Procedure for payment of civil penalty for violation of the Seaway Regulations.

(a) The payment must be by money order or certified check payable to the order of the Saint Lawrence Seaway Development Corporation and mailed to the Comptroller. If the payment is made in person at the offices of the Saint Lawrence Seaway Development Corporation, the payment may be in cash or by postal money order or check payable to the order of the Saint Lawrence Seaway Development Corporation.

(b) The payment of any penalty will be acknowledged by written receipt.

(c) If the penalty paid is determined by the Chief Engineer to have been improperly or excessively imposed, the payor will be notified and requested to submit an application for a refund which should be mailed to the Saint Lawrence Seaway Development Corporation, attention of the Chief Engineer. Such application must be made by the payor within one year of the date of notification provided for in this section.

(d) In the event the alleged violator is about to leave the jurisdiction of the United States, he or she will be required, before being allowed to depart, to post a bond in the amount and manner suitable to the Chief Engineer, from which bond any subseqent assessed or mitigated penalty may be satisfied.

(68 Stat. 93–96, 33 U.S.C. 981–990, as amended Sec. 104, Pub. L. 92–340 86 Stat. 424 and Secs. 12 and 13 of Sec. 2 of Pub. L. 95–474, 92 Stat. 1471, and 49 CFR 1.52)

Issued at Washington, D.C. on March 8, 1985.

Saint Lawrence Seaway Development Corporation.

James L. Emery,

Administrator.

[FR Doc. 85–6360 Filed 3–18–85; 8:45 am]

BILLING CODE 4910–61–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A–5–FRL–2791–7]

Approval and Promulgation of Implementation Plans; Ohio

AGENCY: U.S. Environmental Protection Agency (USEPA).

ACTION: Final rulemaking.

SUMMARY: USEPA is disapproving a revision to the Ohio State Implementation Plan (SIP) for Volatile Organic Compounds (VOC). This revision is an alternative emission reduction plan (bubble) for the miscellaneous metal products coating lines at Senco Products, Inc., which is located in Cincinnati, Ohio. As a result of this disapproval, the existing VOC rules applicable to Senco Products and contained in the Ohio SIP remain in effect [Ohio Administrative Code Rules 3745–21–09(U) and 3745–21–04(C)(28)].

EFFECTIVE DATE: This final rulemaking becomes effective on April 18, 1985.

Copies of the SIP revision and other materials relating to this rulemaking are available for inspection at the following addresses: (It is recommended that you telephone Debra Marcantonio, at (312) 886–6088, before visiting the Region V Office.)

Environmental Protection Agency, Region V, Air and Radiation Branch, 230 South Dearborn Street, Chicago, Illinois 60604

Ohio Environmental Protection Agency, Office of Air Pollution Control, 361 East Broad Street, Columbus, Ohio 43216

FOR FURTHER INFORMATION CONTACT: Debra Marcantonio, Air and Radiation Branch (5AR–26), Environmental Protection Agency, Region V, Chicago, Illinois 60604, (312) 886–6088

SUPPLEMENTARY INFORMATION: Senco Products, Inc., proposed a VOC SIP revision which was submitted by the Ohio Environmental Protection Agency (OEPA). This revision request consists of a bubble with monthly averaging for the source's miscellaneous metal products coating lines. On January 20, 1984, USEPA revised its SIP revision policy for "Averaging Times for Compliance with VOC Emission Limits." This policy memorandum contains a discussion of certain air quality considerations that were not previously included in USEPA's April 15, 1983, policy memorandum on long-term averaging. (Long-term averaging refers to determining compliance by averaging emissions over more than a 24-hour period). One aspect of the revised policy states that sources in areas lacking approved SIPs or in areas with approved SIPs but showing measured violations, cannot be considered for longer averaging periods until the SIP has been revised to provide for attainment and maintenance of the national ambient air quality standard for ozone. This is because a change from daily to long-term VOC averaging can result in an increase in daily VOC emissions, which can lead to increased concentrations of ozone. If the SIP is inadequate even before the change to long-term averaging, EPA plainly cannot conclude, as required by section 110(a)(2)(B) of the Clean Air Act, that the SIP with long-term averaging will assure attainment and maintenance of the ozone standard. (These guidance memoranda are available in the rulemaking docket on this notice.) In addition, the State must demonstrate that reasonable further progress (RFP) is being maintained with respect to the maximum daily emissions from the source with long-term averaging.

USEPA cannot approve Senco's monthly proposal because there have been measured violations of the ozone National Ambient Air Quality Standards in Cincinnati, and this area lacks an approved 1982 ozone SIP. In a separate **Federal Register** notice, USEPA proposed to disapprove the Ohio 1982 ozone SIP for the Cincinnati area based on the 1983 air quality data (July 25, 1984, 49 FR 29973). Until an adequate attainment demonstration for Cincinnati is approved, USEPA cannot approve a site-specific SIP revision for a source in that area if it might lead to increased daily VOC emissions.

In addition, USEPA might be unable to approve this bubble even if it used 24-hour compliance averaging, because of concerns the Agency has with the level of baseline emissions used in the bubble. The baseline determination identifies the level of emissions beyond which reductions must occur for a source to receive "bubble" credit. In this case, the pre-trade baseline used is actual emissions, rather than the emissions associated with reasonable available control technology (RACT). On August 31, 1983, USEPA published a **Federal Register** notice soliciting comment on emissions trading in nonattainment areas without approved attainment demonstrations. This notice indicates that expiration of the July 1982 deadline for submitting ozone extension area SIPs, prevents the continued use of actual emissions as the trading baseline in ozone extension areas such as Cincinnati where extension SIPs have not received USEPA approval (48 FR 39584, column, 3, last paragraph through 39585, column 1, second paragraph). USEPA policy requires use of a RACT trading baseline for all sources in these areas. Thus, where the existing SIP does not already specify USEPA approved RACT for sources in these areas, the State must establish a RACT trading baseline for the sources. If the State of Ohio were to specify RACT for the

lubricant, which is providing credit in this bubble, and RACT-level emissions were lower than the actual emissions now used in this trade, only a portion of the reduction resulting from the switch from the original lubricant to the lubricant with exempt solvent would be creditable. This smaller amount of credit might be insufficient to offset the emissions increases that the bubble currently would allow.

Public Comments

On June 29, 1984 (49 FR 26761), USEPA proposed to disapprove the alternative emission reduction plan (bubble) for Senco Products, Inc. USEPA provided 30 days for interested parties to submit comments. During the public comment period, two sets of comments were received. An environmental group commented in favor of the proposed disapproval "both on the principal ground given (increases in daily VOC emissions are not permitted) and because the actual emissions baseline used does not represent reasonably available control technology". The second series of comments were from the Senco Products plant. Each of the Senco comments and USEPA's responses are provided below.

Comment: The company felt it has made a good faith effort to comply with all of the rules of the Ohio EPA (OEPA) and the USEPA's guidelines in effect at the time Senco made its submission to both the OEPA and the USEPA. At the time Senco's plan was resubmitted to the USEPA in mid-1983, it was in a form which very likely would have been approved by Region V under the Policy Memorandum guidelines for longer term averaging then in effect. The Senco bubble plan was an approvable plan several months prior to the Policy Memorandum guidelines dated January 20, 1984.

USEPA Response: USEPA recognizes the company did make an effort to comply with State and USEPA requirements. However, USEPA is generally unable to waive policy requirements which become effective while a pending SIP revision is under review if, as in the case of the January 20, 1984 memorandum, compliance with those requirements is needed to insure compliance with the Clean Air Act. Additionally, after the SIP submittal occurred, several violations of the ozone National Ambient Air Quality Standards (NAAQS) were measured in Cincinnati, which indicate that the existing SIP may not protect the NAAQS.

Comment: If the USEPA is going to evaluate Senco under the guidelines which are now in effect due to the change in circumstances in Ohio and due to the revised USEPA policy with respect to longer term averaging, Senco requests that the USEPA not take action on Senco's plan, as proposed in the **Federal Register** notice, but rather that the USEPA withhold action on Senco's bubble plan until further information is received from the OEPA.

USEPA Response: OEPA stated in a June 27, 1984, letter to USEPA that OEPA does not intend to withdraw the SIP revision. OEPA also requested that USEPA continue to consider the revision as a pending request. In order to consider this revision pending, USEPA must proceed with final action.

Comment: Senco maintains that their previously used lubricant, which had a VOC content of 6.72 pounds per gallon, represents RACT. Therefore, Senco is of the opinion that they should be able to use the difference in emissions between their old and new lubricant (the new lubricant is 1.26 pounds per gallon) as offsets.

USEPA Response: OEPA would need to submit an adequate demonstration in support of Senco's position that their previously used lubricant (at 6.72 lbs VOC/Gallon) constitutes RACT. No such demonstration has been made.

For reasons discussed above, USEPA is disapproving the revision to the Ohio ozone SIP for Senco Products, Inc., in Cincinnati, Ohio. As a result of the disapproval, the existing VOC rules applicable to Senco Products and contained in the Ohio SIP remain in effect. [Ohio Administrative Code Rules 3745-21-09(U) and 3745-21-04(C)(28)].

Under Executive Order 12291, today's action is not "Major". It has been submitted to the Office of Management and Budget (OMB) for review. Any comments from OMB to USEPA, and any USEPA response, are available for public inspection at the USEPA Region V office listed above.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by 60 days from today. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Incorporation by Reference, Ozone, Hydrocarbons.

This notice is issued under authority of sections 110 and 172 of the Clean Air Act, as amended (42 U.S.C. 7410 and 7502).

Dated March 6, 1985.

Dee M. Thomas,

Administrator.

Subpart KK—Ohio

Section 52.1885 is amended by reserving paragraphs (e) and (f) and by adding paragraph (g) as follows:

§ 52.1885 Control strategy: Ozone.

* * * * *

(g) *Disapproval.* On June 28, 1983, the Ohio Environmental Protection Agency submitted a revision to the Ozone State Implementation Plan (SIP) for Volatile Organic Compounds (VOC). This revision is an alternative emission reduction plan (bubble) for the miscellaneous metal products coating lines at Senco Products, Inc., which is located in Cincinnati, Ohio. Supplemental information was submitted on October 18, 1983. As a result of USEPA's disapproval of this revision, the existing VOC rules applicable to Senco Products and contained in the Ohio SIP remain in effect (Ohio Administrative Code Rules 3745-21-09(U) and 3745-21-04(c)(28)).

* * * * *

[FR Doc. 85-6297 Filed 3-18-85; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 6591

[N-35951]

Nevada; Withdrawal of Land for Air Force Communication Site

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order withdraws 600.32 acres of public land for use by the Air Force as a communication site and support facilities. This action will close the land to surface entry and mining for 20 years. The land has been and remains open to mineral leasing.

EFFECTIVE DATE: April 12, 1985.

FOR FURTHER INFORMATION CONTACT: Vienna Wolder, BLM, Nevada State Office, P.O. 12000, Reno, Nevada 89520, 702-784-5481.

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Subject to valid existing rights, the following described public land is hereby withdrawn from appropriation under the public land laws, including the

mining laws but not the mineral leasing laws, and reserved for use by the Air Force:

Mount Diablo Meridian

Parcel "A"

T. 5 N., R. 50 E.,
Sec. 12, S½NE¼SE¼NE¼NE¼, E½SW¼SE¼NE¼NE¼,SE¼S E¼NE¼NE¼, NE¼SE¼NE¼.
From the northwest corner of section 6, T. 5 N., R. 51 E.,
Proceed northeast 5,198.6 feet on a bearing of 54°01'31" to starting point;
Thence southeast 549.4 feet on a bearing of 119°53'52";
Thence southwest 8,850.12 feet on a bearing of 209°12'23";
Thence southeast 274.5 feet on a bearing of 119°21'15";
Thence southwest 599.2 feet on a bearing of 209°12'48";
Thence northwest 274.5 feet on a bearing of 299°12'41";
Thence southwest 2,553.3 feet on a bearing of 209°14'46";
Thence northwest 549.4 feet on a bearing 299°53'52;
Thence northeast 12,003.3 feet on a bearing of 29°12'27" to point of beginning, excepting Tybo Road.
T. 5 N., R. 51 E.,
Sec. 6, E½SW¼SW¼, SE¼SW¼, W½SW¼SE¼ (that portion west of Hwy 6);
Sec. 7, lots 1, 2, E½NW¼ (that portion west of Hwy 6), excepting Tybo Road.

Parcel "B"

Commencing at the northeast corner of section 36, T. 8 N., R. 51 E.,
Thence east 8,580 feet;
Thence south 2,640 feet to the point of beginning;
Thence west 660 feet;
Thence south 660 feet;
Thence west 660 feet;
Thence south 2,640 feet;
Thence west 660 feet;
Thence south 3,300 feet;
Thence east 1,980 feet;
Thence north 6,600 feet to the point of beginning.

From a point beginning 1.5 miles from junction with Highway 6, 5,254 lineal feet of northerly access road to include 100 foot width on both sides of centerline of said road which extends to the south boundary of Parcel B. (Passes through T. 7 N., R. 52 E., Sections 5, 8, and 17.)

The areas described above aggregate approximately 600.32 acres in Nye County.

2. This withdrawal will not be utilized for storage or use of radioactive material or waste storage.

3. The portion of the county road to Tybo which passes through Parcel A shall remain open to public use without restrictions.

4. Grazing will be allowed except for those areas which are fenced or barricaded.

5. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date, pursuant to section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f), the Secretary determines that the withdrawal shall be extended.

Robert N. Broadbent,

Assistant Secretary of the Interior.

March 7, 1985.

[FR Doc. 85-6479 Filed 3-18-85; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 6592

[NM 52372 and NM 54358]

New Mexico; Withdrawal of Public Lands for Preservation of Chacoan Prehistoric Communities

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order withdraws 188.55 acres of public land to protect and preserve significant Chacoan Prehistoric cultural resources known as Casamero Community and Guadalupe Ruin. This action will close the public land to surface entry and mining, but not mineral leasing, for 20 years.

EFFECTIVE DATE: April 12, 1985.

FOR FURTHER INFORMATION CONTACT: Pauline T. Brown, BLM New Mexico State Office, P.O. Box 1449, Santa Fe, New Mexico 87501, 505-988-6326.

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714, it is ordered as follows:

1. Subject to valid existing rights, the following described public lands which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws including the United States mining laws (30 U.S.C. Ch. 2), but not from leasing under the mineral leasing laws, for protection of significant Chacoan Prehistoric Cultural Communities.

New Mexico Principal Meridian

T. 15 N., R. 3 W.,
Sec. 14, lots 3 and 4;
T. 14 N., R. 12 W.,
Sec. 24, SE¼NE¼, E½SW¼.

The areas described aggregates 188.55 acres in McKinley and Sandoval Counties.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f), the Secretary determines that the withdrawal shall be extended.

Robert N. Broadbent,

Assistant Secretary of the Interior.

March 7, 1985.

[FR Doc. 85-6481 Filed 3-18-85; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL MARITIME COMMISSION

46 CFR Parts 550 and 580

[Docket No. 84-35]

Electronic Filing of Tariffs by Common Carriers in the Foreign and Domestic Offshore Commerce of the United States

AGENCY: Federal Maritime Commission.

ACTION: Final rules.

SUMMARY: The Commission amends its domestic offshore and foreign commerce tariff filing rules by permitting the electronic receipt of filings outside of the Commission's offices subject to certain stated conditions.

EFFECTIVE DATE: April 18, 1985.

FOR FURTHER INFORMATION CONTACT:

Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573, (202) 523-5796.

John Robert Ewers, Director, Office of Regulatory Overview, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573, (202) 523-5866

SUPPLEMENTARY INFORMATION: On October 18, 1984, the Federal Maritime Commission (Commission) issued a notice of proposed rulemaking in Docket No. 84-35—*Electronic Filing of Tariffs By Common Carriers in the Foreign and Domestic Offshore Commerce of the United States*, to amend certain domestic offshore and foreign commerce tariff filing rules (46 CFR Parts 550 and 580) in order to allow electronic tariff filings to be received on terminals located in the same building as the Commission's offices subject to certain stated conditions (49 FR 40940, Oct. 18,