Shelf) and Indian (tribal and allotted) oil and gas leases (except leases on the Osage Indian Reservation, Osage County, Oklahoma).

The training seminars will include discussions on the following topics:

• Specific issues contained in the transportation and processing allowance regulations.

• The reporting problems encountered.

• Systems development and billing procedures.

• Information collection requirements and reporting forms (MMS-4109, "Gas Processing Allowance Summary Report;" MMS-4110, "Oil Transportation Allowance Report;" and MMS-4295 "Gas Transportation Allowance Report") required to support oil and gas transportation and processing allowance deductions from royalties due. Assistance will be provided on how to properly complete the forms.

Location and Dates

The seminars will be held from 8:30 a.m. to 4 p.m. each day on the dates and at the locations shown below:

Dates	Locations
January 23, 1991	Embassy Suites, 7525 East Hampden Avenue, Denver, Colorado 80231, (303) 696-6644.
January 30, 1991	Holiday Inn Crown Plaza, 333 Poydras, New Orleans, Louisiana 70130, (504) 525-9444.
February 5, 1991	Richardson Hilton Tower, 81 North Central Expressway, Dallas, Texas 75080, (214) 644-4000.

Registration and Reservations

Persons interested in attending one of these seminars should contact Ms. LuCinda Rood of our office at (303) 231-3396 or (FTS) 326-3396 on or before January 16, 1991. Due to space limitations, the number of attendees may be limited at each seminar location and will be provided on a first-come-first-served basis. Persons interested in hotel reservations should contact the hotel directly at the telephone number(s) identified above.

If insufficient interest is shown in attending any of the individual training sessions, such sessions may be cancelled and alternate arrangements will be made for those who expressed interest.

Dated: December 10, 1990.

Jerry D. Hill,

Associate Director for Royalty Management.

[FR Doc. 90-29356 Filed 12-13-90; 8:45 am]

BILLING CODE 4310-MR-M

30 CFR Part 250

RIN 1010-AB51

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Minerals Management Service, Interior.

ACTION: Final rule.

SUMMARY: This notice of final rulemaking modifies 30 CFR part 250, subpart A—General, to reference later editions of two documents previously incorporated by reference into the regulatory program of the Minerals Management Service (MMS). In addition, a correction to MMS regulations is made to reflect a reorganization within one of these documents. This action serves as a notice to the public of the changes MMS is making to its regulatory program. Comments from the public based on the proposed rule and the agency's responses are also contained within the notice.

EFFECTIVE DATES: January 14, 1991. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 14, 1991.

FOR FURTHER INFORMATION CONTACT: Gerald D. Rhodes; Chief, Branch of Rules, Orders, and Standards; Minerals Management Service; Mail Stop 4700; 381 Elden Street; Herndon, Virginia 22070-4817, telephone (703) 787-1600 or (FTS) 393-1600.

SUPPLEMENTARY INFORMATION: The MMS regulatory program incorporates by reference at 30 CFR 250.1 a number of documents published by various industry standard setting institutes. New editions of two of these documents have been published. The MMS, in accordance with 1 CFR part 51, is issuing this rulemaking to incorporate both of these later editions.

The MMS published a notice of proposed rulemaking (NPR) on August 2, 1990 (55 FR 31405). That notice proposed updating references within the MMS regulatory program to American Petroleum Institute (API) Recommended Practices (RP) 2A—Recommended Practice for Planning, Designing and Constructing Fixed Offshore Platforms (18th Edition), and 500B—Recommended Practice for Classification of Locations for Electrical Installations at Drilling Rigs and Production Facilities on Land and on Marine Fixed and Mobile Platforms (3rd Edition).

The MMS received one response to the NPR. The response expressed no concerns with the updating of the two documents that were the subjects of the rulemaking.

The response did, however, raise one specific and several general concerns. These concerns and MMS's responses to them are discussed in detail in the following sections.

General Concerns

Comment—One comment received in response to the proposed rule expressed concern that the two documents proposed for incorporation by reference were merely recommended practices and that incorporation, in effect, converts them to requirements. Further, the comment suggested the procedure of incorporation by reference would not comply with the Administrative Procedure Act because the documents themselves could not be modified in response to comments received under the proposed rule.

Response—The MMS does not agree with this argument. Procedures have been developed by the Office of the Federal Register (1 CFR part 51) that clearly identify the process to be used by Federal agencies to incorporate documents by reference into their regulatory programs. This rulemaking fully complies with those procedures. It is true that the proposed rulemaking is unlikely to directly result in modification to the documents proposed for incorporation. However, if substantive comments received in response to the proposed rulemaking warranted it, MMS retains the right to: (1) Not incorporate the subject documents, (2) incorporate only portions of the subject documents, or (3) excerpt portions of the documents directly into its regulatory program. Lastly, MMS has membership on many of the committees that develop these industry standards, and concerns with standards can be addressed in those forums by MMS, as well as by those affected by them.

Comment—One comment notes that there are many small entities that can be indirectly affected economically by any rules governing Outer Continental Shelf (OCS) operations. The comment indirectly appears to disagree with the assertion by MMS that this rulemaking does not qualify as a "major rule" as defined by Executive Order (E.O.) 12291.

Response—The MMS asserts that this rulemaking does not exceed the three criteria identified in E.O. 12291 that define a major rule: (1) It will not have an annual effect on the economy of $100 million or more; (2) it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and (3) it will not result in significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The MMS also asserts that the majority of its rulemakings, including this particular one, do not directly affect small business entities because offshore activities by their nature are so complex and expensive as to exclude them. We recognize that a major rule potentially could indirectly affect small business entities and would therefore have to be carefully scrutinized. This rulemaking, however, merely updates existing requirements and does not qualify as a major rule.

Section-Specific Comments

Section 250.142 Periodic Inspection and Maintenance

Comment—Paragraph (a) establishes a minimum requirement of 5 years for the interval between inspections conducted in accordance with API RP 2A. The comment asserts that this minimum interval is arbitrary.

Response—The minimum inspection requirement of § 250.142(a) is not the subject of this rulemaking. This rule merely corrects the citation within API RP 2A under which inspections are conducted because of a reorganization of that document. Section 250.142(a) does allow for variance from the minimum inspection interval where an operator or lessee can show the Regional Supervisor that there is good cause.

Author

The principal author of this final rule is Jeff Wiese, Offshore Rules and Operations Division, MMS.

E.O. 12291

The Department of the Interior (DOI) has determined that this document does not constitute a major rule under E.O. 12291 because: (1) It will not have an annual effect on the economy of $100 million or more; (2) it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and (3) it will not result in significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. The decision to incorporate selected industry standards was part of the decision to restructure and consolidate all OCS oil and gas and sulphur operating rules into 30 CFR part 250 and was analyzed fully at that point. Most of the provisions of this rulemaking were contained in previous editions and do not represent new or added requirements. Those new or added requirements are generally considered to be incremental improvements.

Regulatory Flexibility Act

The DOI has determined that this final rule will not have a significant economic effect on a substantial number of small entities. Any direct effects of this rulemaking will primarily affect OCS lessees and operators; entities that are not considered small due to the technical complexities and financial resources necessary to conduct OCS activities. The indirect effects of this rulemaking on small entities that provide support for offshore activities have also been determined to be small.

Paperwork Reduction Act

The information collection requirements contained in this rule have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

(OMB approval No. 1010–0030).

Takings Implication Assessment

The DOI certifies that this final rule does not represent a governmental action capable of interference with constitutionality protected property rights. A Takings Implication Assessment prepared pursuant to E.O. 12630, Government Action and Interference with Constitutionality Protected Property Rights, is not required.

National Environmental Policy Act

The MMS has determined that this action does not constitute a major Federal action significantly affecting the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

List of Subjects in 30 CFR Part 250

Continental shelf, Environmental impact statements, Environmental protection, Government contracts, Incorporation by reference, Investigations, Mineral royalties, Oil and gas development and production, Oil and gas exploration, Oil and gas reserves, Penalties, Pipelines, Public lands-mineral resources, Public lands-rights-of-way, Reporting and recordkeeping requirements, Sulphur development and production, Sulphur exploration, Surety bonds.

Dated: November 1, 1990.

Barry Williamson,

Director, Minerals Management Service.

For the reasons set forth in the preamble, 30 CFR part 250 is amended as follows:

PART 250—OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF

1. The authority citation for part 250 continues to read as follows:

Authority: Sec. 204, Pub. L. 95–372, 92 Stat. 629 (43 U.S.C. 1334).

2. Section 250.1 is amended by revising paragraphs (d)(2) and (d)(15) to read as follows:

§ 250.1 Documents incorporated by reference.

* * * * *

(d) * * *

(2) API RP 2A, Recommended Practice for Planning, Designing and Constructing Fixed Offshore Platforms, 18th Edition, September 1, 1989, API Stock No. 811-00200, Incorporated by Reference at: §§ 250.130(g) and 250.142(a).

* * * * *

(15) API RP 500B, Recommended Practice for Classification of Locations for Electrical Installations at Drilling Rigs and Production Facilities on Land and on Marine Fixed and Mobile Platforms, Third Edition, October 1, 1987, API Stock No. 811–06000, Incorporated by Reference at: §§ 250.53(b), 250.122(e)(4)(i), and 250.123(b)(9)(i).

* * * * *

3. Section 250.142 is amended by revising paragraph (a) to read as follows:

§ 250.142 Periodic inspection and maintenance.

(a) All platforms installed in the OCS shall be inspected periodically in accordance with the provisions of API RP 2A, section 14, Surveys. However, use of an inspection interval which exceeds 5 years shall require prior approval by the Regional Supervisor. Proper maintenance shall be performed to assure the structural integrity of the platform as a workbase for oil and gas operations.

* * * * *

[FR Doc. 90-29016 Filed 12-13-90; 8:45 am]
BILLING CODE 4310-MR-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL-3869-3]

State of Florida; Final Authorization of Revisions to State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: Florida has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed Florida's application and has made a decision, subject to public review and comment, that Florida's hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Florida's hazardous waste program revision. Florida's application for program revision is available for public review and comment.

DATES: Final authorization for Florida's program revision shall be effective February 12, 1991, unless EPA publishes a prior **Federal Register** action withdrawing this immediate final rule. All comments on Florida's program revision application must be received by the close of business January 14, 1991.

ADDRESSES: Copies of Florida's program revision application are available during normal business hours at the following addresses for inspection and copying: Florida Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399–2400, Phone 904/488–0300; U.S. EPA Headquarters Library, PM 211A, 401 M Street SW., Washington, DC 20460, Phone: 202/382–5926; U.S. EPA Region IV, Library, 345 Courtland Street NE., Atlanta, Georgia 30365, Phone 404/347–4216, Pricilla Pride, Librarian. Written comments should be sent to Narindar Kumar at the address listed below.

FOR FURTHER INFORMATION CONTACT: Narindar Kumar, Chief, State Programs Section, Waste Programs Branch, Waste Management Division, U.S. EPA, 345 Courtland Street NE., Atlanta, Georgia 30365, Phone (404) 347–2234.

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under section 3006(b) of the Resource Conservation and Recovery Act ("RCRA" or "the Act"), 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Pub. L. 98–616, November 8, 1984, hereinafter –"HSWA") allows States to revise their programs to become substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority. States exercising the latter option receive "interim authorization" for the HSWA requirements under section 3006(g) of RCRA, 42 U.S.C. 6926(g), and later apply for final authorization for the HSWA requirements.

Revisions to State hazardous waste programs are necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, State program revisions are necessitated by changes to EPA's regulations in 40 CFR parts 260–268 and 124 and 270.

B. Florida

Florida initially received final authorization for its base RCRA program on February 12, 1985 (50 FR 3908, January 29, 1985). On July 31, 1990, Florida submitted a program revision application for additional program approval. Today, Florida is seeking approval of its program revision in accordance with 40 CFR 271.21(b)(3).

EPA has reviewed Florida's application and has made an immediate final decision that Florida's hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Consequently, EPA intends to grant final authorization for the additional program modification to Florida. The public may submit written comments on EPA's immediate final decision until January 14, 1991. Florida's application for program revision is available for inspection and copying at the locations indicated in the "Addresses" section of this notice.

Approval of Florida's program revision shall become effective in 60 days unless an adverse comment pertaining to the State's revision discussed in this notice is received by the end of the comment period. If an adverse comment is received EPA will publish either (1) a withdrawal of the immediate final decision or (2) a notice containing a response to comments which either affirms that the immediate final decision takes effect or reverses the decision.

In order to obtain final authorization for radioactive mixed waste, the State of Florida has demonstrated and certified that its authority to regulate the hazardous components of radioactive mixed wastes, as specified at §§ 403.703(13), 403.703(23), 403.7045(1)(a) and 404.031(13), F.S. (1989) and at FAC Rule 17–730.030 as amended through January 25, 1989, is equivalent to the federal requirements of the RCRA at 40 CFR 261.4(a)(4) and section 1004(27) of RCRA.

On the effective date of final authorization, Florida will be authorized to carry out, in lieu of the Federal program, those provisions of the State's program which are analogous to the Federal program.

EPA shall administer any RCRA hazardous waste permits, or portions of permits, that contain conditions based upon the Federal program provisions for which the State is applying for authorization and which were issued by EPA prior to the effective date of this authorization. EPA will suspend issuance of any further permits under the provisions for which the State is being authorized on the effective date of this authorization.

Florida is not authorized to operate the Federal program on Indian lands. This authority remains with EPA unless provided otherwise in a future statute or regulation.

c. Decision

I conclude that Florida's application for program revision meets all of the statutory and regulatory requirements established by RCRA. Accordingly, Florida is granted final authorization to operate its hazardous waste program as revised.

Florida now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out other aspects of the RCRA-program, subject to the limitations of its program revision application and previously approved authorities. Florida also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under section 3008, 3013 and 7003 of RCRA.

Compliance With Executive Order 12291

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 604(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of Florida's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended (42 U.S.C. 6912(a), 6926, 6974(b)).

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 90-29211 Filed 12-13-90; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6897]

List of Communities Eligible for the Sale of Flood Insurance

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the fourth column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: Post Office Box 457, Lanham, Maryland 20706, Phone: (800) 638-7418.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 646-2717, Federal Center Plaza, 500 C Street SW., room 417, Washington, DC 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fifth column of the table. In the communities listed where a flood map has been published, section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

The Director finds that the delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance."

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 64

Flood insurance and floodplains.

PART 64—[AMENDED]

1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et. seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

2. Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

§ 64.6 List of Eligible Communities.

State	Location	Community no.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date
New Eligibles—Emergency Program:				
New Mexico	Rio Rancho, City of, Sandoval County	350146	Nov. 14, 1990	—
Iowa	Warren County, Unincorporated Areas	190912	Nov. 19, 1990	2-7-78
South Carolina	[1] Lee County, Unincorporated Areas	450126	Nov. 19, 1990, Emerg.	3-3-78
Iowa	Sheffield, City of, Franklin County	190132	Nov. 21, 1990	6-28-74
Do.	Fayette County, Unincorporated Areas	190866	Nov. 27, 1990	8-16-77
Reinstatements—Regular Program:				
Pennsylvania	Woodcock, Township of, Crawford County	421578	July 9, 1975 Emerg. June 18, 1990 Reg. June 18, 1990 Susp. Nov. 14, 1990 Rein.	6-18-90
Do.	Croyle, Township of, Cambria County	421439	Dec. 22, 1975 Emerg. Aug. 15, 1990 Reg. Aug. 15, 1990 Susp. Nov. 14, 1990 Rein.	8-15-90
Alaska	Juneau, City and Borough of, Juneau Division	020009	May 22, 1970 Emerg. Feb. 4, 1981 Reg. Sept. 28, 1990 Susp. Nov. 16, 1990 Rein.	9-28-90