application, an applicant using a credit card must submit a separate cover letter stating the name of the credit card, the credit card number, the expiration date of the credit card, the total amount authorized and a signature authorizing the Office to charge the fees to the account. To protect the security of the credit card number, the applicant must not write the credit card number on the registration application.

(4) *Deposit.*

(i) *General.* The deposit for a work registered as a restored work under the amended section 104A, except for those works listed in paragraphs (c)(4)(ii) through (iv) of this section, should consist of one copy or phonorecord which best represents the copyrightable content of the restored work. In descending order of preference, the deposit should be:

(A) The work as first published;

(B) A reprint or re-release of the work as first published;

(C) A photocopy or identical reproduction of the work as first published; or

(D) A revised version which includes a substantial amount of the copyrightable content of the restored work with an indication in writing of the percentage of the restored work appearing in the revision.

(ii) *Previously registered works.* No deposit is needed for works previously registered in the Copyright Office.

(iii) *Works embodied solely in machine-readable format.* For works embodied only in machine-readable formats, the deposit requirements are as follows:

(A) One machine-readable copy and a descriptive statement of the work; or

(B) Representative excerpts of the work, such as printouts; or, if the claim extends to audiovisual elements in the work, a videotape of what appears on the screen.

(iv) *Pictorial, graphic and sculptural works.* With the exception of 3-dimensional works of art, the general deposit preferences specified under paragraph (c)(4)(i) of this section shall govern. For 3-dimensional works of art, the preferred deposit is one or more photographs of the work, preferably in color.

(v) *Special relief.* An applicant who is unable to submit any of the preferred deposits may seek an alternative deposit under special relief (37 CFR 202.20(d)). In such a case, the applicant should indicate in writing why the deposit preferences cannot be met, and submit alternative identifying materials clearly showing some portion of the copyrightable contents of the restored work which is the subject of registration.

(vi) *Motion pictures.* If the deposit is a film print (16 or 35 mm), the applicant should contact the Performing Arts Section of the Examining Division for delivery instructions. The telephone number is: (202) 707–6040; the telefax number is: (202) 707–1236.

(5) *Group registration.* Copyright claims in more than one restored work may be registered as a group in the following circumstances:

(i) *Single series title.* Works published under a single series title in multiple episodes, installments, or issues during the same calendar year may be registered as a group, provided the owner of U.S. rights is the same for all episodes, installments, or issues. The Form GATT should be used and the number of episodes or installments should be indicated in the title line. The filing fee for registering a group of such works is $20. In general, the deposit requirements applicable to restored works will be applied to the episodes or installments in a similar fashion. In the case of a weekly or daily television series, applicants should first contact the Performing Arts Section of the Examining Division. The telephone number is (202) 707–6040; the telefax number is (202) 707–1236.

(ii) *Group of related works.* A group of related works may be registered on the Form GATT/GRP, provided the following conditions are met: the author(s) is the same for all works in the group; the owner of all United States rights is the same for all works in the group; all works must have been published in the same calendar year; all works fit within the same subject matter category, i.e., literary works, musical works, motion pictures, etc.; and there are at least two and not more than ten individual works in the group submitted. Applicants registering a group of related works must file for registration on the Form GATT/GRP. The filing fee for registering a group of related works is ten dollars per individual work.

(d) *Works excluded.* Works which are not copyrightable subject matter under title 17 of the U.S. Code, other than sound recordings fixed before February 15, 1972, shall not be registered as restored copyrights.

Dated: September 25, 1995.

Marybeth Peters,

Register of Copyrights.

Approved by:

James H. Billington,

The Librarian of Congress.

[FR Doc. 95–24244 Filed 9–28–95; 8:45 am]

BILLING CODE 1410–30–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[OR-A–95–01a; FRL–5302–1]

Approval and Promulgation of Definition of Areas for Air Quality Planning Purposes; Oregon-Washington

AGENCY: Environmental Protection Agency.

ACTION: Direct-Final rule.

SUMMARY: The Environmental Protection Agency (EPA) approves the separation of the Portland, Oregon-Vancouver, Washington interstate carbon monoxide (CO) nonattainment area into two distinct nonattainment areas. The Oregon Department of Environmental Quality (ODEQ) has submitted sufficient technical documentation to adequately assure EPA that Vancouver and Portland are two separate CO airsheds. EPA believes any future problems will be hotspot in nature and therefore, EPA believes the CO national ambient air quality standards (NAAQS) will be protected in each state. This boundary correction will change the boundary description published in the November 6, 1991 Federal Register document.

DATES: This action will be effective on November 28, 1995 unless adverse or critical comments are received by October 30, 1995. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments should be addressed to: Montel Livingston, SIP Manager, Air & Radiation Branch (AT–082), EPA, Docket OR–A–95–01, 1200 Sixth Avenue, Seattle, Washington 98101. Documents which are incorporated by reference are available for public inspection at the Air and Radiation Docket and Information Center, Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460. Copies of material submitted to EPA may be examined during normal business hours at the following locations: EPA, Region 10, Air & Radiation Branch, 1200 Sixth Avenue (AT–082), Seattle, Washington 98101, and Oregon Department of Environmental Quality, 811 S.W. Sixth Avenue, Portland, Oregon 97204–1390.

FOR FURTHER INFORMATION CONTACT: Christi Lee, Air and Radiation Branch (AT–082), EPA, Seattle, Washington 98101, (206) 553–1814.

SUPPLEMENTARY INFORMATION

I. Background

In the November 6, 1991 Federal Register notice, 56 FR 56847, the Portland-Vancouver area was designated as a nonattainment area for CO. The boundary for the Portland portion of the interstate nonattainment area is the Portland Metro Service District Boundary which includes Clackamas County (part), Multnomah County (part) and Washington County (part). The boundary for the Vancouver portion of the interstate nonattainment area is Clark County (part) Air Quality Maintenance Area (AQMA). The Portland-Vancouver interstate CO nonattainment area is classified as moderate less than or equal to 12.7 parts per million (ppm).

Prior to the boundary being set, the 1990 Clean Air Act required the Governor of each state to submit boundary descriptions for those areas which were to be designated nonattainment. The Governor of Oregon and the Governor of Washington each submitted a letter dated March 15, 1991, that listed and described the nonattainment area boundaries for their respective states. For CO, Oregon listed the Portland Metropolitan Area as nonattainment with the boundary being the Metropolitan Service District (METRO) which surrounds the urban growth boundaries of cities within the greater Portland Metropolitan Area [1]. The Washington letter listed Vancouver as nonattainment with the boundary being the Washington portion of the Portland-Vancouver Interstate AQMA.

In the November 6, 1991, notice EPA identified Portland-Vancouver as an interstate nonattainment area with the Portland portion of the nonattainment area boundary being METRO and the Vancouver portion of the nonattainment boundary being the AQMA (Vancouver portion).

The ODEQ contends that the November 6, 1991, Federal Register notice is in error. The ODEQ has written EPA that it never recommended nor acknowledged an interstate CO nonattainment area or a contiguous boundary with Vancouver, Washington.

EPA considered ODEQ's request, and finds that the designations were properly promulagated. However, EPA acknowledges ODEQ's position in that there are two distinct airsheds that should be separately regulated. EPA requested a technical justification be submitted by the state of Oregon to demonstrate that the Portland and Vancouver CO airsheds are distinct and that there is an acceptably minimal CO transport between the two cities.

On August 5, 1994, and January 3, 1995, the State of Oregon, through the ODEQ, submitted technical justification which supports the separation of the Portland-Vancouver CO interstate nonattainment area into two distinct nonattainment areas (Portland, Oregon and Vancouver, Washington).

Of significance in EPA's review is that both areas have been successful in attaining the CO standard. Portland has been in attainment of the CO standard since 1990, and Vancouver has been in attainment since 1991. Both cities are currently in the process of preparing CO maintenance plans for redesignation.

Technical Justification Conclusions

EPA requested ODEQ submit documentation which demonstrates that the Portland and Vancouver airsheds are distinct, and that the CO NAAQS which have been attained will be maintained despite any differences in the prospective maintenance plans. EPA also requested ODEQ discuss the potential CO impacts of the interstate commute.

To address EPAs technical concerns, ODEQ completed a monitoring data analysis which compared Portland and Vancouver CO data, taking into consideration meteorological impacts (wind direction and wind speed) for pollutant transport. The results of this analysis demonstrated that elevated CO concentrations in either city were not influenced by meteorological transport of the pollutant between the two airsheds.

To further support this conclusion, ODEQ also conducted a statistical analysis which compared Portland and Vancouver CO monitored data to investigate whether a correlation existed between measured concentrations at the Portland and Vancouver monitoring sites. The analysis demonstrated no correlation in measured CO concentrations between the two cities.

In addition, special studies were performed in both Portland (September 1991, the 1994 report is in development) and Vancouver (May 1994) that demonstrated that CO impacts in each area are limited to intersections with steep gradients of decreasing CO concentration away from the intersections.

To address EPA's interstate commuting concerns, ODEQ conducted a CO impact analysis of the interstate commute traffic focusing on high volume intersections. Since vehicles registered in both nonattainment areas are subjected to essentially identical control strategies (oxygenated fuel, basic I/M), the impact of either the Portland or Vancouver vehicles on the contiguous CO nonattainment areas concentrations is insignificant.

The ODEQ has written EPA of its commitment to providing long-term maintenance of the CO national ambient air quality standard not only in it's own jurisdiction but in other contiguous areas. Any future change in the CO control strategies for either Portland or Vancouver will be addressed in their future CO redesignation/maintenance plans which have to be evaluated and approved by EPA.

The technical justification submitted to EPA contains an adequate demonstration that Vancouver's and Portland's airsheds are distinct, relative to CO, and that Oregon and Washington are firmly committed to air quality maintenance in both Portland and Vancouver despite potential differences in the prospective maintenance plans.

II. This Action

With this action EPA is approving the technical correction to the CO nonattainment boundary description for Portland-Vancouver under section 110(k)(6). EPA believes that any future problems will be hotspot in nature and therefore EPA believes that the CO NAAQS will be protected in each state. This action will separate the Portland-Vancouver Interstate CO nonattainment area into two separate nonattainment areas; Portland, Oregon and Vancouver, Washington.

In separating the Portland-Vancouver nonattainment area, the METRO boundary will be recognized as the CO nonattainment boundary for Portland, and the Vancouver portion of the AQMA will remain Vancouver's CO nonattainment boundary. Both areas will remain classified as moderate nonattainment (less than or equal to 12.7 ppm) for CO. Vancouver's design value will remain at 10.0 ppm and Portland's design value has been determined to be 9.8 ppm.

The separated Portland, Oregon and Vancouver, Washington CO nonattainment designations are listed under ''Designated Area'' in the table at the end of this rulemaking action. The additional language is highlighted for easy reference.

III. Administrative Review

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603

[1] The Portland portion of the Air Quality Maintenance Area had been designated as a CO nonattainment area prior to the 1990 Clean Air Act Amendments, 43 FR 8962, (March 3, 1978), listed as Portland-Vancouver (Oregon Portion).

and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, Part D of the CAA do not create any new requirements, but simply approve requirements that the state is already imposing. Therefore, because the federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the federal-state relationship under the CAA, preparation of a regulatory flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S.E.P.A.*, 427 U.S. 246, 256–66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

The EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective November 28, 1995 unless, within 30 days of its publication, adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent notice that will withdraw the final action. All public comments received will be addressed in a subsequent final rule based on this action serving as a proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective November 28, 1995.

The EPA has reviewed this request for revision of the federally-approved SIP for conformance with the provisions of the 1990 Clean Air Act Amendments enacted on November 15, 1990. The EPA has determined that this action conforms with those requirements.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic and environmental factors and in relation to relevant statutory and regulatory requirements.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 28, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2), 42 U.S.C. 7607(b)(2).

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: September 22, 1995.

Carol M. Browner,

U.S. EPA Administrator.

Part 81, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. Section 81.338 is amended by removing the entry for ''Portland-Vancouver Area'' and adding the entry for ''Portland Area'' in ''Oregon-Carbon Monoxide'' table to read as follows:

§ 81.338 Oregon.

* * * * *

OREGON—CARBON MONOXIDE

Designated area	Designation		Classification	
	Date [1]	Type	Date [1]	Type
* *	*	*	*	*
Portland Area:				
Portland Metro Service District Boundary				
Clackamas County (part)		Nonattainment		Moderate≤12.7ppm.
Multnomah County (part)		Nonattainment		Moderate≤12.7ppm.
Washington County (part)		Nonattainment		Moderate≤12.7ppm.
* *	*	*	*	*

[1] This date is November 15, 1990, unless otherwise noted.

* * * * *

3. Section 81.348 is amended by removing the entry for ''Portland-Vancouver Area'' and adding an entry for ''Vancouver Area'' in the ''Washington-Carbon Monoxide'' table to read as follows:

§ 81.348 Washington.

* * * * *

WASHINGTON—CARBON MONOXIDE

Designated area	Designation		Classification	
	Date [1]	Type	Date [1]	Type
* *	*	*	*	*
Vancouver Area				

WASHINGTON—CARBON MONOXIDE—Continued

Designated area	Designation		Classification	
	Date [1]	Type	Date [1]	Type
Clark County (part) Air Quality Maintenance Area.	.....	Nonattainment	.....	Moderate ≤12.7ppm.
* *	*	* *	*	*

[1] This date is November 15, 1990, unless otherwise noted.

* * * * *

[FR Doc. 95–24041 Filed 9–28–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Parts 264 and 265

[IL–64–2–5807; FRL–5306–9]

Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; stay.

SUMMARY: The EPA is issuing a stay subject to conditions for air standards applicable to hazardous waste treatment, storage, and disposal facilities (TSDF). This stay is applicable to tanks and containers used for the management of certain hazardous wastes generated by organic peroxide manufacturing processes. Certain organic peroxide manufacturing wastes are inherently unstable and can not safely be confined in closed units or systems. Therefore, the EPA is staying the applicability of the subpart CC technical requirements for units managing these specific organic peroxide compounds.

EFFECTIVE DATE: December 6, 1995.

ADDRESSES: Docket. Docket entries cited in this notice may be found in RCRA docket number F–94–CE2A–FFFFF. Other RCRA docket numbers that pertain to the final rule are F–91–CESP–FFFFF, F–92–CESA–FFFFF, and F–94–CESF–FFFFF. The docket is available for inspection at the EPA RCRA Docket Office (5305), Room 2616, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: For further information about this stay contact the RCRA Hotline at (703) 412–9877 or toll-free at 1–800–424–9346.

SUPPLEMENTARY INFORMATION:

I. Background

On December 6, 1994, the EPA published in the Federal Register (59 FR 62896) under authority of the Resource Conservation and Recovery Act (RCRA), as amended, standards requiring the use of air emission controls on certain tanks, surface impoundments, and containers at hazardous waste treatment, storage, and disposal facilities (TSDF). These standards are codified in 40 CFR parts 264 and 265 under subpart CC (referred to as the ''subpart CC standards'').

A major manufacturer of organic peroxide products has expressed its concern to the EPA regarding the availability of air emission controls which could safely be used on tanks and containers that manage certain types of organic peroxides. Certain organic peroxides are temperature sensitive compounds that are subject to spontaneous, rapid decomposition under certain conditions. The company maintains that use of the air emission controls required under the subpart CC standards on certain tanks and containers at their organic peroxides manufacturing facilities would have the potential to significantly increase the risk of explosion and fire. An inherent risk is created because these units manage a variety of organic peroxide wastes, including intermittent batches or streams containing organic peroxides that potentially undergo spontaneous, rapid thermal decomposition and hydrolysis at or below ambient temperatures.

A variety of organic peroxide products are manufactured in the United States for use by the plastics and allied industries. Typically, these organic peroxide compounds serve as initiators (catalysts) and resin hardeners in the manufacture of widely used polymer plastics (e.g., polystyrene, polyvinyl chloride, polyethylene, acrylic resins). At some organic peroxide manufacturing facilities, the production processes may generate hazardous wastes containing organic peroxides that are placed in waste management units subject to the subpart CC standards.

The manufacture, transport, and use of organic peroxide products may require implementing special safety precautions to avoid the spontaneous, rapid decomposition of certain organic peroxides. The rate at which these organic peroxides decompose is a function of temperature. Individual organic peroxide compounds and mixtures of these compounds have different sensitivities to temperature. Some organic peroxide compounds are relatively stable (i.e., do not decompose) at ambient temperatures (e.g., 30 °C). In general, it is not necessary to handle these types of organic peroxides any differently than other organic compounds during normal process operations. Other organic peroxide compounds can undergo spontaneous, rapid thermal decomposition and hydrolysis at temperatures at, or below, ambient temperatures. Once initiated, the self-accelerating thermal decomposition and hydrolysis reactions very rapidly generate large quantities of gaseous organic compounds and oxygen. Confinement of this gaseous mixture in an enclosed vessel (such as a covered tank or ventilation ducts) creates conditions that could result in explosion, detonation, and/or fire. Consequently, handling these types of organic peroxide compounds requires use of precautionary measures to address the possibility of uncontrolled organic peroxide decomposition.

The organic peroxide manufacturer who has raised this issue with the EPA produces a variety of organic peroxide products which are potentially unstable at or below ambient temperatures. The organic peroxide characteristics of the hazardous waste placed in tanks and containers at the company's facilities are highly variable because of the number of different types of organic peroxide products manufactured, the types of manufacturing processes used, and the nature of the operations used to safely handle organic peroxides at this company's facilities. Consequently, at any given time, the organic peroxide composition and concentration in the hazardous waste placed in these tanks and containers could potentially attain proportions initiating the spontaneous organic peroxide decomposition reactions. Unless provisions are made