

environment that is not subject to the requirements of part 280, subpart F of this chapter and which has occurred after the effective date of the recycled used oil management program in effect in the State in which the release is located, an owner/operator must perform the following cleanup steps:

- (1) Stop the release;
- (2) Contain the released used oil;
- (3) Clean up and manage properly the released used oil and other materials;

and
(4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

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9. Section 279.64 is amended by revising paragraph (g) to read as follows:

§ 279.64 Used oil storage.

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(g) *Response to releases.* Upon detection of a release of used oil to the environment that is not subject to the requirements of part 280, subpart F of this chapter and which has occurred after the effective date of the recycled used oil management program in effect in the State in which the release is located, a burner must perform the following cleanup steps:

- (1) Stop the release;
- (2) Contain the released used oil;
- (3) Clean up and manage properly the released used oil and other materials;

and
(4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

10. Section 279.74 is amended by revising paragraph (b) to read as follows:

§ 279.74 Tracking.

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(b) *On-specification used oil delivery.* A generator, transporter, processor/refiner, or burner who first claims that used oil that is to be burned for energy recovery meets the fuel specifications under § 279.11 must keep a record of each shipment of used oil to the facility to which it delivers the used oil. Records for each shipment must include the following information:

- (1) The name and address of the facility receiving the shipment;
 - (2) The quantity of used oil fuel delivered;
 - (3) The date of shipment or delivery;
- and
(4) A cross-reference to the record of used oil analysis or other information used to make the determination that the oil meets the specification as required under § 279.72(a).

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 206

RIN 3067-AC82

Extensions of the Application Period for Temporary Housing Assistance

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Proposed rule.

SUMMARY: This proposed rule would authorize the Associate Director/ Executive Associate Director for Response and Recovery to extend beyond the standard 60-day limit the application period for assistance provided under the Disaster Housing Program.

DATES: Comments will be accepted until July 6, 1998.

ADDRESSES: Please send comments to the Rules Docket Clerk, Office of the General Counsel, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (facsimile) 202-646-4536, or e:mail rules@fema.gov.

FOR FURTHER INFORMATION CONTACT: Laurence W. Zensinger, Response and Recovery Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3642, (facsimile) 202-646-2730.

SUPPLEMENTARY INFORMATION: 44 CFR 206.101(e) currently provides that the Regional Director may grant additional time to submit applications for temporary housing "in order to achieve uniformity of application periods in contiguous States" (44 CFR 206.101 (e)(1)). There are, however, other disaster-specific circumstances under which an extension of the application period would be appropriate, including when the volume of anticipated applicants in a catastrophic disaster cannot be registered within 60 days or when disaster-related damage may not be ascertained sooner than 60 days from the declaration date. This proposed rule would provide the Associate Director/ Executive Associate Director with the authority to extend the application period for disaster housing assistance when circumstances warrant this measure and, thereby, would better serve the disaster-affected public. For consistency of implementation, this ad hoc authority will be given to the Associate Director/Executive Associate Director, Response and Recovery Directorate at FEMA Headquarters.

National Environmental Policy Act.

This proposed rule would be categorically excluded from the

requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Executive Order 12866, Regulatory Planning and Review.

This proposed rule would not be a significant regulatory action within the meaning of § 2(f) of E.O. 12866 of September 30, 1993, 58 FR 51735. To the extent possible, this proposed rule adheres to the regulatory principles set forth in E.O. 12866 and the Office of Management and Budget has not reviewed it under the provisions of E.O. 12866.

Paperwork Reduction Act.

This proposed rule would not contain a collection of information requirement as described in section 3504(h) of the Paperwork Reduction Act.

Executive Order 12612, Federalism

This proposed rule would not involve any policies that have federalism implications under E.O. 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This proposed rule would meet the applicable standards of § 2(b)(2) of E.O. 12778.

List of Subjects in 44 CFR Part 206

Administrative practice and procedure, Disaster assistance, Housing.

Accordingly, FEMA proposes to amend 44 CFR part 206 as follows:

PART 206—FEDERAL DISASTER ASSISTANCE FOR DISASTERS DECLARED ON OR AFTER NOVEMBER 23, 1988

Subpart D—Temporary Housing Assistance

1. The authority citation for part 206 continues to read as follows:

Authority: The Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376; E.O. 12148, 44 FR 43239, 3 CFR, 1979 Comp., p. 412; and E.O. 12673, 54 FR 12571, 3 CFR, 1989 Comp., p. 214.

Section 206.101(e)(1) is revised to read as follows:

§ 206.101 Temporary housing assistance.

* * * * *

(e) *Applications*—(1) *Application period.* In general, applications for disaster housing assistance will be the 60 days following the date an incident is declared a major disaster or an

emergency by the President. The Mortgage and Rental Assistance application period will be a 6-month period following the declaration. When warranted by disaster-specific circumstances, the Associate Director/ Executive Associate Director may extend the application periods as appropriate. Applications filed after the established period will not be processed unless the applicant can provide justification for the delay in applying.

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Dated: April 30, 1998.

Lacy E. Suiter,

Executive Associate Director, Response and Recovery.

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