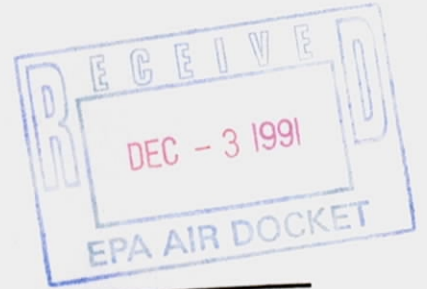


A-89-06
VII-F-3



Office of Air Quality Planning and Standards
Emission Standards Division
Chemicals and Petroleum Branch
Research Triangle Park, NC 27711

Fax Cover Sheet



To: TROY HILLIARD

Office Phone #: 395-3984 Fax Machine #: 395-7285

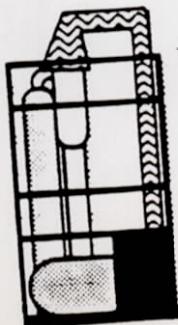
Location: OMB

From: KC Hustvedt Office Phone #: 629-5395

Date: 12/2/91 Number of Pages: 3
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Comments: Change pages from Stay Notice

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environmentally beneficial long-term solutions. One such strategy might include the replacement of below-ground gravity wastewater collection sewers with an above-ground pressurized wastewater collection system. This strategy would accomplish multiple objectives. A pressurized wastewater collection system would comply with the Subpart FF requirements for systems used to collect benzene-containing waste streams prior to treatment. It would also isolate stormwater from process wastewater, thus preventing pollution of the stormwater that would occur in a combined process wastewater and stormwater collection system. Finally, by making the collection system above-ground, any leakage in the system could be detected before groundwater became contaminated, thus avoiding the possible need for a large-scale remediation action. By staying Subpart FF while clarifying amendments are proposed and promulgated, the Agency would be indirectly allowing additional time for comprehensive multimedia compliance programs ~~such as this~~ to be completed without the penalties that would be associated with missing the current March 7, 1992 compliance deadline for Subpart FF.

Finally, it should be emphasized that the proposed stay would not be open-ended. Rather, it is proposed to extend until clarifying amendments to the rule are promulgated. The Agency intends to expedite development and internal review of the regulatory notices that will propose and

promulgate clarifying amendments to the rule, and is committed by the aforementioned settlements to issue final amendments on or before December 1, 1992. This approach will limit the potential for loss of benzene emission reduction and risk protection.

F. Miscellaneous

1. Paperwork Reduction Act

There are no information collection requirements in this proposed rule for a stay of effectiveness.

2. Executive Order 12291

Under Executive Order 12291, EPA is required to judge whether this regulation is a "major rule" and therefore subject to certain requirements of the Order. The EPA has determined that issuing a stay for Subpart FF will result in none of the adverse economic effects set forth in Section I of the Order as grounds for finding a regulation to be a "major rule." This regulation ^{should not be considered} is not major because ^{its annual} the ~~effect on the economy is not expected to exceed~~ nationwide compliance costs do not meet the \$100 million, ~~threshold; the regulation~~ ^{the regulation} does not significantly increase process or production costs, and the regulation does not cause significant adverse effects on domestic competition, employment, investment, productivity, innovation, or competition in foreign markets.

The Agency has not conducted a Regulatory Impact Analysis (RIA) of this proposed regulation because this action does not constitute a major rule.