

MISSOURI—1997 ANNUAL PM_{2.5} NAAQS—Continued
[Primary and secondary]

| Designated area | Designation ^a | | Classification | |
|------------------------|--------------------------|------------|-------------------|------|
| | Date ¹ | Type | Date ² | Type |
| St. Louis County | August 3, 2018 | Attainment | | |
| St. Louis City | August 3, 2018 | Attainment | | |
| * | * | * | * | * |

^a Includes Indian Country located in each county or area, except as otherwise specified.
¹ This date is 90 days after January 5, 2005, unless otherwise noted.
² This date is July 2, 2014, unless otherwise noted.

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 [FR Doc. 2018–16003 Filed 8–2–18; 8:45 am]
 BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY
40 CFR Part 63
[EPA–HQ–OAR–2016–0442; FRL–9981–06–OAR]
RIN 2060–AS92

Wednesday, July 25, 2018, make the following correction:
Table 1 to Subpart LLL of Part 63 [Corrected]
 ■ On page 35135, the table should read as set forth below:

National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry Residual Risk and Technology Review

Correction
 In rule document 2018–15718 beginning on page 35122 in the issue of

TABLE 1 TO SUBPART LLL OF PART 63—APPLICABILITY OF GENERAL PROVISIONS

| Citation | Requirement | Applies to subpart LLL | Explanation |
|----------------------|---|------------------------|-------------------------------------|
| * | * | * | * |
| 63.10(e)(3)(v) | Due Dates for Excess Emissions and CMS Performance Reports. | No | § 63.1354(b)(9) specifies due date. |
| * | * | * | * |

[FR Doc. C1–2018–15718 Filed 8–2–18; 8:45 am]
 BILLING CODE 1301–00–D

ENVIRONMENTAL PROTECTION AGENCY
40 CFR Part 300
[EPA–HQ–SFUND–2010–1086; FRL–9979–68–OLEM]
RIN 2050–AG67

Addition of a Subsurface Intrusion Component to the Hazard Ranking System; Corrections

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correcting amendments.

SUMMARY: On January 9, 2017, the Environmental Protection Agency

published a final rule which added subsurface intrusion component to the Superfund Hazard Ranking System. That document inadvertently failed to update the Table of Contents and contained a few other typographical errors. This document corrects the final regulation.

DATES: This correction is effective August 3, 2018.

FOR FURTHER INFORMATION CONTACT: Terry Jeng, phone: (703) 603–8852, email: jeng.terry@epa.gov, Site Assessment and Remedy Decisions Branch, Assessment and Remediation Division, Office of Superfund Remediation and Technology Innovation (Mailcode 5204P), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

SUPPLEMENTARY INFORMATION: This is EPA’s erratum to the final rule titled Addition of a Subsurface Intrusion Component to the Hazard Ranking System, published January 9, 2017 (82 FR 2760). This is the second set of corrections. The first set of corrections was published in the **Federal Register** on January 31, 2018 (83 FR 4430). This document augments those corrections.

Section 553 of the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(3)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. *See Utility Solid Waste Activities Group v. EPA*, 236 F.3d 749, 752 (D.C. Cir. 2001). We have determined that there is good

cause for making these correcting amendments final without prior proposal and opportunity for public comment. Notice and comment is unnecessary because these administrative or clerical corrections govern the methodology of how EPA, rather than the public or industry, evaluates contaminated sites under the Hazard Ranking System. Similarly, notice and comment is impracticable and contrary to the public interest because the correcting amendments will more quickly ensure that EPA is following the proper procedures to evaluate potential threats to public health from releases of hazardous substances, pollutants, or contaminants. Thus, good cause exists to proceed without notice and public comment.

These correcting amendments are effective immediately upon publication. Section 553(d) of the APA, 5 U.S.C. 553(d), provides that final rules shall not become effective until 30 days after publication in the **Federal Register**, “except . . . as otherwise provided by the agency for good cause,” among other exceptions. The purpose of this provision is to “give affected parties a reasonable time to adjust their behavior before the final rule takes effect.” *Omnipoint Corp. v. FCC*, 78 F.3d 620, 630 (D.C. Cir. 1996); see also *United States v. Gavrilovic*, 551 F.2d 1099, 1104 (8th Cir. 1977) (quoting legislative history). Thus, in determining whether good cause exists to waive the 30-day delay, an agency should “balance the necessity for immediate implementation against principles of fundamental fairness which require that all affected persons be afforded a reasonable amount of time to prepare for the effective date of its ruling.” *Gavrilovic*, 551 F.2d at 1105. EPA has determined that there is good cause for making these correcting amendments effective immediately because, as stated above, the corrections govern how EPA, rather than the public or industry, applies the Hazard Ranking System to evaluate potential threats to public health from releases of hazardous substances, pollutants, or contaminants. Accordingly, EPA finds that good cause exists under section 553(d)(3) to make this rule effective immediately upon publication.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Natural resources, Oil pollution, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: June 29, 2018.

Barry N. Breen,

Acting Assistant Administrator, Office of Land and Emergency Management.

40 CFR part 300 is corrected as follows:

PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN

■ 1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(d); 42 U.S.C. 9601–9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p. 306; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p.351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

■ 2. Amend Appendix A to Part 300 by:
 ■ a. In the Table of Contents revising the entries for “5.0” through “5.3”; and
 ■ b. Revising Table 2–5, Table 5–16, and Table 7–1.

The revisions read as follows:

Appendix A to Part 300—The Hazard Ranking System

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TABLE 2–5—HAZARDOUS WASTE QUANTITY EVALUATION EQUATIONS

| Tier | Measure | Units | Equation for assigning value ^a |
|----------------|------------------------------------|-------|---|
| A | Hazardous constituent quantity (C) | lb | C. |
| B ^b | Hazardous wastestream quantity (W) | lb | W/5,000. |

TABLE 2-5—HAZARDOUS WASTE QUANTITY EVALUATION EQUATIONS—Continued

| Tier | Measure | Units | Equation for assigning value ^a |
|----------------|---|-----------------|---|
| C ^b | Volume (V). | | |
| | Landfill | yd ³ | V/2,500. |
| | Surface impoundment | yd ³ | V/2.5. |
| | Surface impoundment (buried/backfilled) | yd ³ | V/2.5. |
| | Drums ^c | gallon | V/500. |
| | Tanks and containers other than drums | yd ³ | V/2.5. |
| | Contaminated soil | yd ³ | V/2,500. |
| D ^b | Pile | yd ³ | V/2.5. |
| | Other | yd ³ | V/2.5. |
| | Area (A). | | |
| | Landfill | ft ² | A/3,400. |
| | Surface impoundment | ft ² | A/13. |
| | Surface impoundment (buried/backfilled) | ft ² | A/13. |
| | Land treatment | ft ² | A/270. |
| | Pile ^d | ft ² | A/13. |
| | Contaminated soil | ft ² | A/34,000. |

^aDo not round to nearest integer.

^bConvert volume to mass when necessary: 1 ton = 2,000 pounds = 1 cubic yard = 4 drums = 200 gallons.

^cIf actual volume of drums is unavailable, assume 1 drum=50 gallons.

^dUse land surface area under pile, not surface area of pile.

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TABLE 5-16—VALUES FOR VAPOR PRESSURE AND HENRY'S CONSTANT

| | Assigned value |
|---|----------------|
| Vapor Pressure (Torr): | |
| Greater than 10 | 3 |
| 1 to 10 | 2 |
| Less than 1 | 0 |
| Henry's Constant (atm·m ³ /mol): | |
| Greater than 10 ⁻³ | 3 |
| Greater than 10 ⁻⁴ to 10 ⁻³ | 2 |
| 10 ⁻⁵ to 10 ⁻⁴ | 1 |
| Less than 10 ⁻⁵ | 0 |

* * * * *

TABLE 7-1—HRS FACTORS EVALUATED DIFFERENTLY FOR RADIONUCLIDES

| Ground water pathway | Status ^a | Surface water pathway | Status ^a | Soil exposure component of SESSI pathway | Status ^a | Subsurface intrusion component of SESSI pathway | Status ^a | Air pathway | Status ^a |
|-----------------------|---------------------|----------------------------|---------------------|---|---------------------|---|---------------------|-----------------------------------|---------------------|
| Likelihood of Release | | Likelihood of Release | | Likelihood of Exposure | | Likelihood of Exposure | | Likelihood of Release | |
| Observed Release | Yes | Observed Release. | Yes | Observed Contamination. | Yes | Observed Exposure. | Yes | Observed Release. | Yes. |
| Potential to Release | No | Potential to Release. | No | Attractiveness/Accessibility to Nearby Residents. | No | Potential for Exposure. | Yes | Gas Potential to Release. | No. |
| Containment | No | Overland Flow Containment. | No | Area of Contamination. | No | Structure Containment. | No | Gas Containment | No. |
| Net Precipitation | No | Runoff | No | | | Depth to Contamination. | Yes | Gas Source Type | No. |
| Depth to Aquifer | No | Distance to Surface water. | No | | | Vertical migration | No | Gas Migration Potential. | No. |
| Travel Time | No | Flood Frequency | No | | | Vapor Migration Potential. | No | Particulate Potential to Release. | No. |
| | | Flood Containment. | No | | | Area of Observed Exposure. | No | Particulate Containment. | No. |
| | | | | | | Area of Subsurface Contamination. | No | Particulate Source Type. | No. |
| | | | | | | | | Particulate Migration Potential. | No. |

TABLE 7-1—HRS FACTORS EVALUATED DIFFERENTLY FOR RADIONUCLIDES—Continued

| Ground water pathway | Status ^a | Surface water pathway | Status ^a | Soil exposure component of SESSI pathway | Status ^a | Subsurface intrusion component of SESSI pathway | Status ^a | Air pathway | Status ^a |
|---------------------------|------------------------|------------------------------|------------------------|--|------------------------|---|------------------------|---------------------------|---------------------|
| Likelihood of Release | | Likelihood of Release | | Likelihood of Exposure | | Likelihood of Exposure | | Likelihood of Release | |
| Waste Characteristics | | Waste Characteristics | | Waste Characteristics | | Waste Characteristics | | Waste Characteristics | |
| Toxicity | Yes | Toxicity/ Ecotoxicity. | Yes/Yes | Toxicity | Yes | Toxicity/Degradation. | Yes/Yes | Toxicity | Yes. |
| Mobility | No | Persistence/Mobility. | Yes/No .. | Hazardous Waste Quantity. | Yes | Hazardous Waste Quantity. | Yes | Mobility | No. |
| Hazardous Waste Quantity. | Yes | Bioaccumulation Potential. | No | | | | | Hazardous Waste Quantity. | Yes. |
| | | Hazardous Waste Quantity. | Yes. | | | | | | |
| Targets | | Targets | | Targets | | Targets | | Targets | |
| Nearest Well | Yes ^b | Nearest Intake | Yes ^b | Resident Individual | Yes ^b | Exposed Individual | Yes ^b | Nearest Individual | Yes. ^b |
| Population | Yes ^b | Drinking Water Population. | Yes ^b | Resident Population. | Yes ^b | Population | Yes ^b | Population | Yes. ^b |
| Resources | No | Resources | No | Workers | No | Resources | No | Resources | No. |
| Wellhead Protection Area. | No | Sensitive Environments. | Yes ^b | Resources | No | | | Sensitive Environments. | No. |
| | | Human Food Chain Individual. | Yes ^b | Terrestrial Sensitive Environments. | No. | | | | |
| | | Human Food Chain Population. | Yes ^b | Nearby Individual .. | No | | | | |
| | | | | Population Within 1 Mile. | No.. | | | | |

a—Factors evaluated differently are denoted by “yes”; factors not evaluated differently are denoted by “no”.
 b—Difference is in the determination of Level I and Level II concentrations.

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[FR Doc. 2018-16605 Filed 8-2-18; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[GEN Docket No. 86-285; FCC 18-90]

Schedule of Application Fees

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) revises the FY 2018 application fee rates based on increases in the Consumer Price Index.

DATES: Effective September 4, 2018.

FOR FURTHER INFORMATION CONTACT: Roland Helvajian, Office of Managing Director at (202) 418-0444.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Order, FCC 18-90, GEN Docket No. 86-285, adopted on July 6, 2018 and released on July 10, 2018. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW, Room CY-A257, Portals II, Washington, DC 20554. This

document is also available in alternative formats (computer diskette, large print, audio record, and Braille). Persons with disabilities who need documents in these formats may contact the FCC by email: *FCC504@fcc.gov* or phone: 202-418-0530 or TTY: 202-418-0432.

Synopsis

I. Introduction

1. By this Order, the Commission makes rule changes to part 1 of the Commission’s rules, and amends its Schedule of Application Fees, 47 CFR 1.1102 through 1.1109, as listed in the Rule Changes section, to adjust its fees for processing applications and other filings. Section 8(a) of the Communications Act of 1934, as amended (“the Act”), requires the Commission to “assess and collect application fees at such rates as the Commission shall establish or at such modified rates as it shall establish pursuant to” Section 8(b).¹ Section 8(g) contains the Schedule of Charges for a broad range of application categories as well as procedures for modifying and collecting these charges.² Section 8(b)(1)

¹ 47 U.S.C. 158(a).

² The RAY BAUM’s Act of 2018 amended Section 8 of the Communications Act and provided an effective date of October 1, 2018 for such changes. Consolidated Appropriations Act, 2018, Division P—RAY BAUM’s Act of 2018, Title I, FCC Reauthorization, Public Law 115-141 (March 23,

requires that the Schedule of Application Fees “be reviewed by the Commission every two years after October 1, 1991, and adjusted by the Commission to reflect changes in the Consumer Price Index.” As required by Section 8(b)(1), this Order increases application fees to reflect the net change in the Consumer Price Index for all Urban Consumers (“CPI-U”) of 3.7 percent, an increase of 8.825 index points calculated from October 2015 (237.838) to October 2017 (246.663).³

2018). Congress envisioned a transition between fees adopted before and after the effective date of the amendments to Section 8. In particular, Congress provided that application fees in effect on the day before the effective date of the RAY BAUM’s Act shall remain in effect until such time as the Commission adjusts or amends such fee. *Id.* Section 8 fees are revised every even year and the Commission expects that this Order will become effective before October 1, 2018. We also note that in a separate proceeding, the Commission proposed to assess a small satellite application fee of \$30,000.00 under the RAY BAUM’s Act. *See Streamlining Licensing Procedures for Small Satellites*, Notice of Proposed Rulemaking, IB Docket No. 18-86, FCC 18-44, para. 76 (2018). In this Order, the Commission does not address this proposal.

³ Application fees are calculated based upon the process set forth in 47 U.S.C. 158(b)(1). The increase in the CPI-U between October 2015 (the month used to calculate the last CPI-U adjustment of the Schedule of Application Fees) and October 2017 is 8.825 index points, a 3.7 percent increase. Section 8(b)(1) prescribes that increases or decreases in application fees are to be “determined by the net change in the Consumer Price Index

Continued