

paragraph (a)(1)(iii) of this section shall be the following:

\* \* \* \* \*

■ **Par. 10.** Section 1.964-1T is amended by revising the first sentence of paragraph (c)(2) and the last sentence of paragraph (c)(5)(i) to read as follows:

**§ 1.964-1T Determination of the earnings and profits of a foreign corporation (temporary).**

\* \* \* \* \*

(c) \* \* \*  
 (2) \* \* \* For the first taxable year of a foreign corporation beginning after April 25, 2006, in which such foreign corporation first qualifies as a controlled foreign corporation (as defined in section 957 or 953) or a noncontrolled section 902 corporation (as defined in section 904(d)(2)(E)), any method of accounting or taxable year allowable under this section may be adopted, and any election allowable under this section may be made, by such foreign corporation or on its behalf notwithstanding that, in previous years, its books or financial statements were prepared on a different basis, and notwithstanding that such election is required by the Internal Revenue Code or regulations to be made in a prior taxable year. \* \* \*

\* \* \* \* \*

(5) \* \* \* (i) \* \* \* In the event that the United States shareholders of the controlled foreign corporation do not, in the aggregate, own (within the meaning of section 958(a)) more than 50 percent of the total combined voting power of all classes of the stock of such foreign corporation entitled to vote, the controlling United States shareholders of the controlled foreign corporation shall be all those United States shareholders who own (within the meaning of section 958(a)) stock of such corporation.

\* \* \* \* \*

**Cynthia Grigsby,**  
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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 80**

**Regulation of Fuels and Fuel Additives**

*CFR Correction*

In Title 40 of the Code of Federal Regulations, parts 72 to 80, revised as of

July 1, 2006, on page 695, § 80.75 is corrected by reinstating paragraphs (a)(2)(ix) and (a)(2)(x) to read as follows:

**§ 80.75 Reporting requirements.**

\* \* \* \* \*

(a) \* \* \*  
 (2) \* \* \*  
 (ix) In the case of butane blended with reformulated gasoline or RBOB under § 80.82:

- (A) Identification of the butane batch as complying with the provisions of § 80.82;
- (B) Identification of the butane batch as commercial or non-commercial grade butane;
- (C) The batch number of the butane;
- (D) The date of production of the gasoline produced using the butane batch;
- (E) The volume of the butane batch;
- (F) The properties of the butane batch specified by the butane supplier, or the properties specified in § 80.82(c) or (d), as appropriate;
- (G) The volume of the gasoline batch subsequent to the butane blending; and
- (x) In the case of any imported GTAB, identification of the gasoline as GTAB.

\* \* \* \* \*

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 112**

[EPA-HQ-OPA-2005-0001; FRL-8258-3]

**RIN 2050-AG23**

**Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Plan Requirements—Amendments**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA or the Agency) is amending the Spill Prevention, Control, and Countermeasure (SPCC) Plan requirements by: first, providing the option for owners and operators of facilities that store 10,000 gallons of oil or less and meet other qualifying criteria to self-certify their SPCC Plans in lieu of review and certification by a Professional Engineer; second, providing an alternative to the general secondary containment requirement without requiring a determination of impracticability for facilities that have particular types of oil-filled equipment; third, defining and exempting particular

vehicle fuel tanks and other on-board bulk oil storage containers used for motive power; and fourth, exempting mobile refuelers from the sized secondary containment requirements for bulk storage containers. The Agency also is removing and reserving the SPCC requirements for animal fats and vegetable oils that are specific to onshore oil production facilities, onshore oil drilling and workover facilities, and offshore oil drilling, production, or workover facilities. Finally, the Agency is extending the SPCC compliance dates for farms. These changes significantly reduce the burden imposed on the regulated community for complying with the SPCC requirements, while maintaining protection of human health and the environment. In a separate document in this **Federal Register**, the Agency is proposing to extend the compliance dates for all facilities.

**DATES:** This final rule is effective February 26, 2007.

**ADDRESSES:** The public docket for this final rule, Docket ID No. EPA-HQ-OPA-2005-0001, contains the information related to this rulemaking, including the response to comment document. All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information may not be publicly available, e.g., Confidential Business Information or other information the disclosure of which is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the EPA Docket, EPA/DC, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number of the Public Reading Room is 202-566-1744, and the telephone number to make an appointment to view the docket is 202-566-0276. The EPA Docket Center suffered damage due to flooding during the last week of June 2006. The Docket Center is continuing to operate. However, during the cleanup, there will be temporary changes to Docket Center telephone numbers, addresses, and hours of operation for people who wish to visit the Public Reading Room to view documents. Consult EPA's **Federal Register** notice at 71 FR 38147 (July 5, 2006) or the EPA Web site at <http://www.epa.gov/epahome/dockets.htm> for