DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD11–97–009]

Drawbridge Operation Regulations; Oakland Inner Harbor Tidal Canal, CA

AGENCY: Coast Guard, DOT.

ACTION: Notice of deviation from regulations.

SUMMARY: Notice is hereby given that the Coast Guard has issued a temporary deviation to the regulations governing the opening of the Fruitvale Railroad Vertical Lift Bridge over the Oakland Inner Harbor Tidal Canal. The deviation allows Alameda County, on behalf of the U.S. Army Corps of Engineers, to provide an opening on 30 minutes advance notice between sunrise and sunset from December 1 through December 20, 1997. At all other times, the bridge will continue to operate under its published regulations. The purpose of this deviation is to allow the Corps of Engineers to perform an electromagnetic test for adequacy of the bridge's 32 haul ropes.

DATES: The effective period of the deviation begins on Monday, December 1, 1997 and continues through Saturday, December 20, 1997.

FOR FURTHER INFORMATION CONTACT: Mr. Jerry P. Olmes, Bridge Administrator, Eleventh Coast Guard District, Building 50–6 Coast Guard Island, Alameda, CA, at (510) 437–3514.

SUPPLEMENTARY INFORMATION: The Coast Guard anticipates that the economic consequences of this deviation will be minimal. Mariners can avoid experiencing any adverse consequences throughout the effective period by either providing the bridge operator 30 minutes advance notice between sunrise and sunset or transiting at other times. Moreover, the Coast Guard expects the bridge to resume its normal operating schedule before the end of the effective period if the Corps of Engineers completes its tests in less than 20 days.

This deviation from the normal operating regulations in 33 CFR 117.181 is authorized in accordance with the provisions of 33 CFR 117.35.

Dated: November 6, 1997.

J.C. Card,

Vice Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.

[FR Doc. 97–30687 Filed 11–20–97; 8:45 am]

BILLING CODE 4910–14–M

LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 258

[Docket No. 96–3 CARP SRA]

Rate Adjustment for the Satellite Carrier Compulsory License

AGENCY: Copyright Office, Library of Congress.

ACTION: Final rule and order; correction.

SUMMARY: This document corrects the preamble to the final rule and order published in the **Federal Register** of October 28, 1997, (62 FR 55742), announcing the adjustment of the royalty rates for superstation and network signals under the satellite carrier compulsory license, 17 U.S.C. 119.

EFFECTIVE DATE: Effective on November 21, 1997.

FOR FURTHER INFORMATION CONTACT: David O. Carson, General Counsel, William J. Roberts, Jr., Senior Attorney for Compulsory Licenses, or Tanya Sandros, Attorney Advisor, P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707–8380. Telefax: (202) 707–8366.

SUPPLEMENTARY INFORMATION: The final rule published by the Librarian of Congress on October 28, 1997 (62 FR 55742), contained two errors which need to be corrected. On page 55753 of October 28, 1997, FR Doc. 97–28543, add ''not'' before the phrase ''served households as well'' in the third column, first paragraph, third sentence. On page 55758, FR Doc. 97–28543, add ''not'' before the phrase ''asked to do so.'' in the first column, first paragraph, sixth sentence.

Dated: November 18, 1997.

Marilyn J. Kretsinger,

Assistant General Counsel.

[FR Doc. 97–30631 Filed 11–20–97; 8:45 am]

BILLING CODE 1410–33–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL–5925–8]

Alabama: Final Authorization of Revisions to State's Hazardous Waste Management Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Immediate final rule.

SUMMARY: Alabama has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). Alabama's revisions consist of the ''Used Oil Management Standards'' provision in RCRA Cluster III, and provisions in RCRA Clusters IV and V. These requirements are listed in section B of this document. The Environmental Protection Agency (EPA) has reviewed Alabama's applications and has made a decision, subject to public review and comments, that Alabama's hazardous waste management program revisions satisfy all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Alabama's hazardous waste management program revisions. Alabama's applications for program revisions are available for public review and comment.

DATES: Final authorization for Alabama shall be effective January 20, 1998 unless EPA publishes a prior **Federal Register** action withdrawing this immediate final rule. All comments on Alabama's program revision application must be received by the close of business December 22, 1997.

ADDRESSES: Copies of Alabama's program revision applications are available during 8 am to 4:30 pm at the following addresses for inspection and copying: Alabama Department of Environmental Management, 1751 Congressman W. L. Dickinson Drive, Montgomery, Alabama 36109–2608, (334) 271–7700; U.S. EPA, Region IV, Library, Atlanta Federal Center, 61 Forsyth Street, S.W. Atlanta, Georgia 30303–3104. Written comments should be sent to Narindar Kumar at the address listed below.

FOR FURTHER INFORMATION CONTACT: Narindar Kumar, Chief, RCRA Programs Branch, Waste Management Division, U.S. Environmental Protection Agency, Atlanta Federal Center, 10th Floor, 61 Forsyth Street, Atlanta, Georgia 30303–3104; (404) 562–8448.

SUPPLEMENTARY INFORMATION:

I. Background

States with final authorization under section 3006(b) of the Resource Conservation and Recovery Act (''RCRA'' or ''the Act''), 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Public Law 98–616, November 8, 1984, hereinafter ''HSWA'') allows States to

revise their program to become substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority. States exercising the latter option receive ''interim authorization'' for the HSWA requirements under section 3006(g) of RCRA, 42 U.S.C. 6926(g), and later apply for final authorization for the HSWA requirements. Revisions to state hazardous waste programs are necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, state program revisions are necessitated by changes to EPA's regulations in 40 CFR parts 124, 260–268, and 270.

A. Alabama

Alabama initially received final authorization for its base RCRA program effective on December 22, 1987. Alabama received authorization for revisions to its program on January 28, 1992, July 2, 1992, December 21, 1992, May 17, 1993, November 23, 1993, April 4, 1994, January 1, 1995, October 13, 1995, April 15, 1996, and June 24, 1996. Today, Alabama is seeking approval of its program revisions in accordance with 40 CFR 271.21(b)(3).

EPA has reviewed Alabama's applications and has made an immediate final decision that Alabama's hazardous waste program revisions satisfy all of the requirements necessary to qualify for final authorization. Consequently, EPA intends to grant final authorization for the additional program modifications to Alabama. The public may submit written comments on EPA's immediate final decision until December 22, 1997.

Copies of Alabama's applications for these program revisions are available for inspection and copying at the locations indicated in the **ADDRESSES** section of this document. Approval of Alabama's program revisions will become effective January 20, 1998, unless an adverse comment pertaining to the State's revisions discussed in this document is received by the end of the comment period.

If an adverse comment is received EPA will publish either (1) a withdrawal of the immediate final decision or (2) a document containing a response to comments which affirms that either the immediate final decision takes effect or reverses the decision.

EPA shall administer any RCRA hazardous waste permits, or portions of permits that contain conditions based upon the Federal program provisions for which the State is applying for authorization and which were issued by EPA prior to the effective date of this authorization. EPA will suspend issuance of any further permits under the provisions for which the State is being authorized on the effective date of this authorization.

Alabama is today seeking authority to administer the following Federal requirements promulgated on September 10, 1992 for the ''Recycled Used Oil Management Standards'', on July 1, 1993–June 30, 1994 for RCRA Cluser IV and on July 1, 1994–June 30, 1995 for RCRA Cluster V.

Federal requirement	FR reference	FR promulgation date	State authority
Checklist 112, Recycled Used Oil Management Standards.	57 FR 41566	9/10/92	335–14–1–.02(1), 335–14–2–.01(3)(a), 335–14–2–.01(3)(a) 2(v)(1), 335–14–2–.01(3)(a) 2.(v)(11), 335–14–2–.01(5)(j), 335–14–2–.01(6)(a), 2.(iii).(viii), 335–14–2–.1(6)(a)4, 335–14–7–.08(1), 335–14–17–.1(1), 335–14–17–.02(1), 335–14–17–.02(1)(a), (b), (b)1.(i), (b)1.(ii), 335–14–17–.02(1)(b), 1.(ii)(1)(b)1.(ii)(11), 335–14–17–.02(1)(b)2, 335–14–17–.02(1)(b)2(ii), 335–14–17–.02(1)(b)2(iii), 335–14–17–.02(1)(b)3, 335–14–17–.02(1)(c)(d), (d)1(d)2, 335–14–17–.02(1)(e), 335–14–17–.02(1)(e)2–4, 335–14–17–02(1)(f)–(i), 335–14–17–.02(2), 335–14–17.02(2)Table 1, 335–14–17–.02(3)(a)–(c), 335–14–17–.03(1)(a), 335–14–17–.03(1)(b), 334–14–16–.03(3)(4)(5), 335–14–17–.4(1)(2)(3), 335–14–17–.05(1)–(8), 335–14–17–.06(1)–(10), 335–14–17–.07(1)–(8), 335–14–17–.08(1)–(6), 335–14–17–.09(1)(2)(3).
Checklist 122, Recycled used Oil Management Standards; Technical Amendments and Corrections I.	58 FR 26420	5/3/93	335–14–2–.01(4)b13–15, 335–14–2–.01(5)(j), 335–14–5–.01(1)g2, 335–14–6–.01(1)(c)6, 335–14–17–.01–(1), 335–14–17–.02(1)(b)2, 335–14–17–.02(c)–9e), 335–14–17–.02(1)(i), 335–14–17–.02(2), Table 1, 335–14—17–.02(3)(c)3, 335–14–17–.03(2)a 335–14–17–.03(4)(a), (b)(c), 335–14–17–.05(1)(a)4, 335–14–17–.05(1)(d)4, 335–14–17–.05(3)(a)(b), 335–14–17–.06(2)(a), 335–14–17–.06(3)(b)6, (3)(b)6.(viii)(lll), 335–14–17–.06(5), 335–14–17–.07(a)(b)1, 335–14–17–.0793)(a), 335–14–18–.07(5), 335–14–17–.08(1)–(5)a.
Checklist 125, Boilers and Industrial Furnaces; Changes for Consistency with New Air Regulations.	FR 38816	7/20/93	335–14–1–.02(2), 335–14–7–.08(5), 335–14–7–.08(7), 335–14–7 Appendix.
Checklist 126, Testing and Monitoring Activities.	58 FR 46040	8/31/93	335–14–1–.2(2), 335–14–1–.0392)(d)1(i), 335–14–2–.03(3)(a)1, 335–14–2–.03(3)(a)2, 335–14–2–.03(5)(a), 335–14–2–Appendix, 335–14–5–.10(1)(a), 335–14–5–.14(a5)(c), 335–14–6–.10(1)(a), 335–14–6–.14)(15)(d), 335–14–9–.01(7), 335–14–9–.04(1)(2), 335–14–9–Appendix I&IX, 335–14–8–.02(1)(c)1.(iii), 335–14—8–.02(10)(c), 1.(iv), 335–14–8–.06(2)(b)2, .(I)(lll)(IV), 335–14–8–.06(5)(c)2.(iii).

Federal requirement	FR reference	FR promulgation date	State authority
Checklist 127, Boilers & Industrial Furnaces; Administrative Stay & Interim Standards for Bevill Residues.	58 FR 59598	11/9/93	335–14–7–.08(13), Incorporated by Ref., 335–14–7–Appendix VII, Incorporated by Ref.
Checklist 128, Wastes From the Use of Chlorophenolic Formulations in Wood Surface Protection.	59 FR 458–469	1/4/94	335–14–1–.02(2), Incorporated by Ref. 335–14–2–Appendix VIII.
Checklist 129, Revision of Conditional Exemption for Small Scale Treatability Studies.	59 FR 8362	2/18/94	335–15–2–.01(4)(e)2.(i), 335–14–2–.01(4)(e)2.(ii), 335–14–2–.01(4)(e)3 (f)3–5.
Checklist 130, Recycled Used Oil Management Standards; Technical Amendments & Corrections II.	59 FR 10550	3/4/94	335–14–17–.01(1), 335–14–17–.01 (1)'' used oil transfer ''facility'', 335–14–17–.02(1)(b)1.(ii)(b)2.(iii), 335–100000004–17–.02(1)(g), 335–14–17–.02(1)(g)1–6, 335–14–17–.03(1)(b)2(i), 335–14–17–.03(1)(b)2(ii), 335–14–17–.03(1)(b)2 (ii)(I–V), 335–14–17–.05(2)(c), 335–14–17–.05(5)(c), 335–14–17–.05(7)(a), 5.(i)(ii)(b)5.(i)(ii), 335–14–17–.06(4)(c), 335–14–17–.07(4)(c).
Checklist 131, Recordkeeping Instructions; Technical Amendment.	59 FR 13891	3/24/94	335–14–5–Appendix I, Table 1 Table 2, 335–14–6–Appendix I, Table 1, Table 2.
Checklist 132, Wood Surface Protection; Correction.	59 FR 28484	6/2/94	335–14–1–.02(2), Incorportarted by Ref.
Checklist 133, Letter of Credit Revision.	59 FR 29958	6/10/94	335–14–5–.08(12)(d), 335–14–5–.08(12)(k).
Checklist 134, Correction of Beryllium Powder (PO15) Listing.	59 FR 31551	6/20/94	335–14–1–.0494)(e), 335–14–2–Appendix VIII, 335–14–9–.05(3), Incorporated by Ref.
Checklist 135, Identification and Listing of Hazardous Waste; Amendments to Definition of Solid Waste.	59 FR 38536	7/28/94	335–14–2–.01(3)(c)2.(ii) (II), 335–14–2–/01(4)(a)12, 335–14–2–.01(6)(a)3. (iv)–(vi), 335–14–7–.08(1).
Checklist 136, Standards for the Management of Specific Hazardous Wastes; Amendment to Subpart C-Recyclable Materials Used in a Manner Constituting Disposal; Final Rule.	59 FR 43496	8/24/94	335–14–7–.03(1)(c), 335–14–9–.04(4).
Checklist 137, Land Disposal Restrictions Phase II—Universal Treatment Standards, and Treatment Standards for Organic Toxicity Characteristic Wastes and Newly Listed Wastes.	59 FR 47982, 60 FR 242.	9/19/94, 1/3/95	335–14–1–.03(10)(10)(b), 335–14–1–.03(11)(a), (11)(a)(b), 335–14–1.03(12)(13), 335–14–1–.03(13)(a)(b), 335–14–1–.01(2)(e)1.iii, 335–14–5–.01(1)(g)6, 335–14–6–.01(1)(c)10, 335–14–7–.03(4)(a), 335–14–7–.08(1), 335–14–7–Appendix 335–14–9–.01(1)(2)(3), 335–14–9–.01(7)(9), 335–14–9–.04(1–4)(6–8), 335–14–9–Appendix IV V & X.
Checklist 139, Hazardous Waste Management SystemTesting & Monitoring Activities.	60 FR 3089	1/13/95	335–14–1–.02(2).
Checklist 140, Hazardous Waste Management System; Carbarmate Production Identification & Listing of Hazardous Waste; and CERCLA Hazardous Substance Designation and Reportable Quantities.	60 FR 7824, 60 FR 19165, 60 FR 2619.	2/9/95, 4/17/95, 5/12/95, 8/9/95.	335–14–2.01(3)(a), 2.(iv)(V)(VI)(VII), 335–14–2–.01(3)(c)2, 2.(ii)(IV), 335–14–2–.04(3), 335–14–2.04(4)(e), 335–14–2–.04(4)(f), 335–14–2–Appendix VII, VIII.
Checklist 141, Hazardous Waste Management System; Testing & Monitoring Activities.	60 FR 17001	4/4/95	335–14–1–.02(2).
Checklist 142 A, Universal Waste Rule; General Provisions.	60 FR 25492	5/11/95	335–14–1–.02(1), 335–14–2–.01(5)(c), 335–14–2–.01(5)(c)1–6, 335–14–2–.01(5)(f)3, (I)–(v), 335–14–2–.01(5), 335–14–2–.01(5)(g)3(i–v), 335–14–2–.01(9), 335–14–3–.01(1)9b)–(g), 335–14–3–.01(2)(d), 335–14–5–.01(1)(g)12, 335–14–6–.01(1)(c)14, 335–14–9–.01(1), 335–14–8–.01(1)(c02.(ix), 335–14–11–.01(1)(a)(b), 335–14–11–.01(5)(a), (A)1(a)2(b), 335–14–11–.01(6), 335–14–11–.02(1), 335–14–11–.02(2), (2)(a)(2)(b)(3)(5)(6), (6)(a–c), 335–14–11–.02(8)(a)(b), 335–14–11–.02(9)(a)–(h), 335–14–11–.02(10)(11), (11)(a)(b)(c), 335–14–11–.03(1)–(11), 335–14–11–.04(1)–(7), 335–14–.05(1)(a)(b), 335–14–11–.05(2)(a)–(d), 335–14–11–.05(3)(a)(b), 335–14–11–.06, (2)(a)(b), 335–14–11–.03(3)(a)1(a), 2(b), 335–14–11–.03(5)–(11), 335–14–11–.04(1)–(7), 335–14–11–.05(1)–(3), 335–14–11–.06(1).

Federal requirement	FR reference	FR promulgation date	State authority
Checklist 142 B, Universal Waste Rule; Specific Provisions for Batteries.	60 FR 25492	5/11/95	335–14–2–.01(1), 335–14–2–.01(6)(a)3.(ii), 335–14–2–.01(6)(a), 3.(iii)–(v), 335–14–2–.01(9)(a), 335–14–.01(1)9g)12.(i), 335–14–6–.01(1)(c)14.(i), 335–14–7–.07(1), 335–14–9–.01(1), 335–14–.01(1)(c)2.(ix)(I), 335–14–11–.01(2)(a)1,2, (b), 335–14–11–.01(3)(c)1,2, 335–14–11–.01(6), 335–14–11.02(4)(a), (5)(a), 335–14–11–.03(4)(a)1–3, 335–14–11–.03(5)(a).
Checklst 142 C, Universal Waste Rule; Specific Provisions for Pesticides.	60 FR 25492	5/11/95	335–14–.01(1), 335–14–2–.01(9)(b), 335–14–5–.01(1)(g), 12.(ii), 335–14–6–.01(1)(c), 14.(ii), 3335–14–9–.01(1), 335–14–8–.01(1)(c), 2.(ix)(II), 335–14–11–.01(1)(a)2, 335–14–11–.01(3)a–d, 335–14–11.01(6), 335–14–11–.02(4)(b), (b) 1–4, 335–14–11–.02(5)(b), (5)(b) 1,2, 335–14–11–.02(5)(c), (5)(c)1.(i),(ii),(iii) 2, 335–14–11–.03(3)(a)1,3, (4)(b), (4)(b)1–5, 335–14–11–.03(5)(c), (5)(c)1.(i)(ii)(iii)(5)(c)2.
Checklist 142 D, Universal Waste Rule: Specific Provisions for Thermostats.	60 FR 25492	May 11, 1995	335–14–2–.01(1), 335–14–2–.01(9)(a), 335–14–5–.01(1)(g), 12.(iii), 335–14–6–.01(1)(c), 14(iii), 335–14–9–.01(1), 335–14–8–.01(1)(c)2., (ix)(I), 335–14–11–.01(1)(a)1), 335–14–11–.01(4)(a), 335–11–.01(4)(b)(c), 335–14–11–.01(6), 335–14–11–.02(4)(c), 335–14–11–.02(4)(c)1–3, 335–14–11–.02(5)(d), 335–14–11–.03(4)(c), (4), (c)1–3, 335–14–11–.03(5)(d).
Checklist 142 E, Universal Waste Rule: Petition Provisions to Add a New Universal Waste.	60 FR 25492	May 11, 1995	335–14–1–.03(3)(a)–(d), 335–14–11–.07(1)(a)(b), (c)(2)(a)–(h).

Alabama is not authorized to operate the Federal program on Indian lands. This authority remains with EPA unless provided otherwise in a future statute or regulation.

B. Decision

I conclude that Alabama's applications for these program revisions meet all of the statutory and regulatory requirements established by RCRA. Accordingly, Alabama is granted final authorization to operate its hazardous waste program as revised.

Alabama now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out other aspects of the RCRA program, subject to the limitations of its program revision applications and previously approved authorities. Alabama also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under sections 3008, 3013, and 7003 of RCRA.

II. Compliance With Executive Order 12866

The Office of Management and Budget has exempted this rule from the requirements of section 6 of Executive Order 12866.

III. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), P.L. 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local and tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan.

The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

Today's rule contains no Federal mandates for State, local, or tribal governments or the private sector. The Act excludes from the definition of a ''Federal mandate'' duties that arise from participation in a voluntary Federal program, except in certain cases where a ''Federal intergovernmental mandate'' affects an annual Federal entitlement program of $500 million or more that are not applicable here. Alabama's request for approval of revisions to its authorized hazardous waste program is voluntary and imposes no Federal mandate within the meaning of the Act. Rather, by having its hazardous waste program approved, Alabama will gain the authority to implement the program within its jurisdiction, in lieu of EPA thereby eliminating duplicative State and Federal requirements. If a State chooses not to seek authorization for administration of a hazardous waste program under RCRA Subtitle C, RCRA regulations are left to EPA.

In any event, EPA has determined that this rule does not contain a Federal mandate that may result in expenditures of $100 million or more for State, local, and tribal governments in the aggregate, or the private sector in any one year. EPA does not anticipate that the

approval of Alabama's hazardous waste program referenced in today's document will result in annual costs of $100 million or more. EPA's approval of state programs generally may reduce, not increase, compliance costs for the private sector since the State, by virtue of the approval, may now administer the program in lieu of EPA and exercise primary enforcement. Hence, owners and operators of treatment, storage, or disposal facilities (TSDFs) generally no longer face dual Federal and State compliance requirements, thereby reducing overall compliance costs. Thus, today's rule is not subject to the requirements of sections 202 and 205 of the UMRA.

EPA has determined that this rule contains no regulatory requirements that might significantly or uniquely affect small governments. The Agency recognizes that small governments may own and/or operate TSDFs that will become subject to the requirements of an approved State Hazardous Waste Program. However, such small governments which own and/or operate TSDFs are already subject to the requirements in 40 CFR parts 264, 265, and 270 and are not subject to any additional significant or unique requirements by virtue of this program approval. Once EPA authorizes a State to administer its own hazardous waste program and any revisions to the program, these same small governments will be able to own and operate their TSDFs under the approved State program, in lieu of the Federal program.

IV. Certification Under the Regulatory Flexibility Act

EPA has determined that this authorization will not have significant economic impact on a substantial number of small entities. Such small entities which are hazardous waste generators, transporters, or which own and/or operate TSDFs are already subject to the State requirements authorized by EPA under 40 CFR part 271. EPA's authorization does not impose any additional burdens on these small entities. This is because EPA's authorization would simply result in an administrative change, rather than a change in the substantive requirements imposed on small entities.

Therefore, EPA provides the following certification under the Regulatory Flexibility Act, as amended by the small Business Regulatory Enforcement Fairness Act. Pursuant to the provision at 5 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This authorization approves regulatory requirements under existing State law to which small entities are already subject. It does not impose any new burdens on small entities. This, rule, therefore, does not require a regulatory flexibility analysis.

V. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801 (a) (1) (A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register.** This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This document is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended (42 U.S.C. 6912(a), 6926, 6974(b)).

Phyllis P. Hall,

Acting Regional Administrator.

[FR Doc. 97–30656 Filed 11–20–97; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2760

RIN 1004–AC91

Reclamation Projects, Grant of Lands in Reclamation Townsites for School Purposes

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule.

SUMMARY: This rule removes the regulations on sales and grants of land in reclamation townsites for reclamation projects and school purposes. The Bureau of Land Management (BLM) is removing these regulations because they consist of outdated material and restatements of statutory language. Consequently, the regulations are unnecessary and can be removed without any significant effect.

EFFECTIVE DATE: December 22, 1997.

ADDRESSES: You may send inquiries or suggestions to: Director (630), Bureau of Land Management, 1849 C Street, N.W., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Jeff Holdren, Bureau of Land Management, Lands and Realty Group, (202) 452–7779.

SUPPLEMENTARY INFORMATION:

I. Background
II. Final Rule as Adopted
III. Responses to Comments
IV. Procedural Matters

I. Background

The existing regulations at 43 CFR part 2760 were written for BLM to assist the Bureau of Reclamation in disposing of lands through public sale or grants to townsites for school purposes. BLM is removing these regulations because they are rarely used and contain no applicable, substantive provisions beyond what is already in the statutes.

The final rule published today is a stage of a rulemaking process that will conclude in the removal of the regulations in 43 CFR part 2760. This rule finalizes a proposed rule that was published on October 3, 1996, in the **Federal Register** at 61 FR 51666. The rule provided for a comment period of 60 days, and BLM received no comments from the public.

II. Final Rule as Adopted

This rule will remove the regulations at 43 CFR part 2760 in their entirety. Subpart 2764 consists entirely of unnecessary material. Sections 2764.1 and 2764.3 concern procedures the Commissioner of Reclamation must follow when appraising and selling the lots at issue. These provisions are derived from 43 U.S.C. 561–573, and merely inform the public of the role assumed by the Bureau of Reclamation in this program. The regulations are redundant because they repeat language in 43 U.S.C. 564, and for this reason, these two sections have no substantive effect. The remaining sections of subpart 2764 are direct restatements of statutory language: section 2764.2 repeats 43 U.S.C. 564–565, and section 2764.4 largely repeats 43 U.S.C. 566. Finally, the last sentence of section 2764.4, the part which does not merely repeat the statute, is outdated because it directs municipal corporations to comply with a CFR section that no longer exists.

Subpart 2765 consists of the filing procedures school districts must follow when applying for a land grant for school purposes. These regulations elaborate on the statutory provisions at 43 U.S.C. 570 authorizing the Secretary of the Interior to grant school districts