

US EPA ARCHIVE DOCUMENT

## 5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

## 6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

## 7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

## 8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

## 9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

## 10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

## 11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments,

because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

## 12. Energy Effects

This action is not a “significant energy action” under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

## 13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

## 14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule establishes an emergency safety zone for waters of the Allegheny River within the COTP Pittsburgh Zone. This rule is categorically excluded from further review under paragraph 34(g) of figure 2–1 of the Commandant Instruction an environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

## List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

## PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T08–0126 to read as follows:

### § 165.T08–0126 Safety Zone; Pittsburgh, PA; Ice Accumulations; Allegheny River Mile 1.0–72.0.

(a) *Location.* The following area is a safety zone: all waters of the Allegheny River within the Captain of the Port (COTP) Pittsburgh Zone, mile 1.0 to mile 72.0 on the Allegheny River.

(b) *Effective date.* This temporary rule is effective from March 20, 2015 through April 1, 2015, and enforceable February 26, 2015, until April 1, 2015 or ice conditions within the Captain of the Port (COTP) Pittsburgh Zone have improved, whichever occurs earlier.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23, entry into this zone is prohibited unless authorized by the COTP Pittsburgh or a designated representative.

(2) Persons or vessels requiring entry into or passage through the zone must request permission from the COTP Pittsburgh or a designated representative. The COTP Pittsburgh or a representative may be contacted at (412) 221–0807.

(3) All persons and vessels shall comply with the instructions of the COTP Pittsburgh or their designated representative. Designated COTP representatives include United States Coast Guard commissioned, warrant, and petty officers.

(d) *Informational broadcasts.* The COTP Pittsburgh will inform the public through Broadcast Notices to Mariners (BNM) of the safety zone and any changes to the enforcement periods.

Dated: February 26, 2015.

**L.N. Weaver,**

*Commander, U.S. Coast Guard, Captain of the Port Pittsburgh.*

[FR Doc. 2015–06356 Filed 3–19–15; 8:45 am]

**BILLING CODE 9110–04–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[EPA–R04–RCRA–2014–0712; FRL–9924–83–Region–4]

### Tennessee: Final Authorization of State Hazardous Waste Management Program Revisions

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** Tennessee has applied to the United States Environmental Protection Agency (EPA) for final authorization of changes to its hazardous waste program

under the Resource Conservation and Recovery Act (RCRA). EPA has determined that these changes satisfy all requirements needed to qualify for final authorization, and is authorizing the State's changes through this direct final rule. In the "Proposed Rules" section of this issue of the **Federal Register**, EPA is also publishing a separate document that serves as the proposal to authorize these changes. EPA believes this action is not controversial and does not expect comments that oppose it. Unless EPA receives written comments that oppose this authorization during the comment period, the decision to authorize Tennessee's changes to its hazardous waste program will take effect. If EPA receives comments that oppose this action, EPA will publish a document in the **Federal Register** withdrawing this direct final rule before it takes effect, and the separate document published in the "Proposed Rules" section of this issue of the **Federal Register** will serve as the proposal to authorize the changes.

**DATES:** This final authorization will become effective on May 19, 2015 unless EPA receives adverse written comment by April 20, 2015. If EPA receives such comment, EPA will publish a timely withdrawal of this direct final rule in the **Federal Register** and inform the public that this authorization will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R04-RCRA-2014-0712, by one of the following methods:

- **Federal eRulemaking Portal:** [www.regulations.gov](http://www.regulations.gov). Follow the on-line instructions for submitting comments.
- **Email:** [merizalde.carlos@epa.gov](mailto:merizalde.carlos@epa.gov).
- **Fax:** (404) 562-9964 (prior to faxing, please notify the EPA contact listed below).
- **Mail:** Send written comments to Carlos E. Merizalde, RCRA Corrective Action and Permitting Section, RCRA Cleanup and Brownfields Branch, Resource Conservation and Restoration Division, U.S. Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960.
- **Hand Delivery or Courier:** Deliver your comments to Carlos E. Merizalde, RCRA Corrective Action and Permitting Section, RCRA Cleanup and Brownfields Branch, Resource Conservation and Restoration Division, U.S. Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. Such deliveries are only accepted during the Regional Office's normal hours of operation, and special

arrangements should be made for deliveries of boxed information.

**Instructions:** EPA must receive your comments by April 20, 2015. Direct your comments to Docket ID No. EPA-R04-RCRA-2014-0712. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI), or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or email. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your email address will be automatically captured and included as part of the comment that is placed in the public docket and made publicly available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. (For additional information about EPA's public docket, visit the EPA Docket Center homepage at [www.epa.gov/epahome/dockets.htm](http://www.epa.gov/epahome/dockets.htm)).

**Docket:** All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure 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 [www.regulations.gov](http://www.regulations.gov), or in hard copy.

You may view and copy Tennessee's applications and associated publicly available materials from 8 a.m. to 4 p.m. at the following locations: EPA, Region 4, Resource Conservation and Restoration Division, Atlanta Federal Center, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960; telephone number: (404) 562-8512; and the Tennessee Department of Environment and

Conservation, Division of Solid Waste Management, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 14th Floor, Nashville, Tennessee; telephone number: (615) 532-0825. Interested persons wanting to examine these documents should make an appointment with the office at least a week in advance.

**FOR FURTHER INFORMATION CONTACT:**

Carlos E. Merizalde, RCRA Corrective Action and Permitting Section, RCRA Cleanup and Brownfields Branch, Resource Conservation and Restoration Division, U.S. Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960; telephone number: (404) 562-8606; fax number: (404) 562-9964; email address: [merizalde.carlos@epa.gov](mailto:merizalde.carlos@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**A. Why are revisions to state programs necessary?**

States which have received final authorization from EPA under RCRA section 3006(b), 42 U.S.C. 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal program. As the Federal program changes, States must change their programs and ask EPA to authorize the changes. Changes to State programs may be necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, States must change their programs because of changes to EPA's regulations in 40 Code of Federal Regulations (CFR) parts 124, 260 through 268, 270, 273, and 279.

New Federal requirements and prohibitions imposed by Federal regulations that EPA promulgates pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA) take effect in authorized States at the same time that they take effect in unauthorized States. Thus, EPA will implement those requirements and prohibitions in Tennessee, including the issuance of new permits implementing those requirements, until the State is granted authorization to do so.

**B. What decisions has EPA made in this rule?**

On March 9, 2010 and January 15, 2013, Tennessee submitted final complete program revision applications seeking authorization of changes to its hazardous waste program that correspond to certain Federal rules promulgated between July 1, 2004 and June 30, 2006 (also known as RCRA Clusters XV and XVI). Tennessee

supplemented these applications on September 16, 2014. EPA concludes that Tennessee's applications to revise its authorized program meet all of the statutory and regulatory requirements established by RCRA, as set forth in RCRA section 3006(b), 42 U.S.C. 6926(b), and 40 CFR part 271. Therefore, EPA grants Tennessee final authorization to operate its hazardous waste program with the changes described in the authorization applications, and as outlined below in Section G of this document.

Tennessee has responsibility for permitting treatment, storage, and disposal facilities within its borders and for carrying out the aspects of the RCRA program described in its revised program applications, subject to the limitations of HSWA, as discussed above.

### C. What is the effect of this authorization decision?

The effect of this decision is that the changes described in Tennessee's authorization applications will become part of the authorized State hazardous waste program, and will therefore be federally enforceable. Tennessee will continue to have primary enforcement authority and responsibility for its State hazardous waste program. EPA retains its authorities under RCRA sections 3007, 3008, 3013, and 7003, including its authority to:

- Conduct inspections, and require monitoring, tests, analyses, or reports;
- Enforce RCRA requirements, including authorized State program requirements, and suspend or revoke permits; and
- Take enforcement actions regardless of whether the State has taken its own actions.

This action does not impose additional requirements on the regulated community because the regulations for which Tennessee is being authorized by this action are already effective and enforceable

requirements under State law, and are not changed by this action.

### D. Why wasn't there a proposed rule before this rule?

Along with this direct final rule, EPA is publishing a separate document in the "Proposed Rules" section of this issue of the **Federal Register** that serves as the proposal to authorize these State program changes. EPA did not publish a proposed rule before today because EPA views this as a routine program change and does not expect comments that oppose this approval. EPA is providing an opportunity for public comment now, as described in Section E of this document.

### E. What happens if EPA receives comments that oppose this action?

If EPA receives comments that oppose this authorization, EPA will withdraw this direct final rule by publishing a document in the **Federal Register** before the rule becomes effective. EPA will base any further decision on the authorization of the State program changes on the proposed rule mentioned in the previous section, after considering all comments received during the comment period, and will address all such comments in a later final rule. You may not have another opportunity to comment on these State program changes. If you want to comment on this authorization, you must do so at this time.

If EPA receives comments that oppose only the authorization of a particular change to the State hazardous waste program, EPA will withdraw that part of this direct final rule, but the authorization of the program changes that the comments do not oppose will become effective on the date specified above. The **Federal Register** withdrawal document will specify which part of the authorization will become effective, and which part is being withdrawn.

### F. What has Tennessee previously been authorized for?

Tennessee initially received final authorization on January 22, 1985, effective February 5, 1985 (50 FR 2820), to implement a RCRA hazardous waste management program. EPA granted authorization for changes to Tennessee's program on the following dates: June 12, 1987, effective August 11, 1987 (52 FR 22443); June 1, 1992, effective July 31, 1992 (57 FR 23063); May 8, 1995, effective July 7, 1995 (60 FR 22524); August 24, 1995, effective October 23, 1995 (60 FR 43979); May 23, 1996, effective July 22, 1996 (61 FR 25796); January 30, 1998, effective March 31, 1998 (63 FR 4587); September 15, 1999, effective November 15, 1999 (64 FR 49998); October 26, 2000, effective December 26, 2000 (65 FR 64161); December 26, 2001, effective February 25, 2002 (66 FR 66342); April 11, 2003, effective June 10, 2003 (68 FR 17748); March 14, 2005, effective May 13, 2005 (70 FR 12416); May 11, 2006, effective July 10, 2006 (71 FR 27405); and October 5, 2012, effective December 4, 2012 (77 FR 60919).

### G. What changes is EPA authorizing with this action?

On March 9, 2010 and January 15, 2013, Tennessee submitted final complete program revision applications seeking authorization of its changes in accordance with 40 CFR 271.21. Tennessee supplemented these applications on September 16, 2014. EPA now makes an immediate final decision, subject to receipt of written comments that oppose this action, that Tennessee's hazardous waste program revisions are equivalent to, consistent with, and no less stringent than the Federal program, and therefore satisfy all of the requirements necessary to qualify for final authorization. Therefore, EPA grants Tennessee final authorization for the following program changes:

Description of federal requirement	Federal Register date and page	Analogous State Authority <sup>1 2</sup>
206—Nonwastewaters from Dyes and Pigments.	70 FR 9138 02/24/05 and 70 FR 35032 06/16/05.	Tennessee Revised Code: 0400–12–01–.02(1)(d)2(xii)(I)–(V); 0400–12–01–.02(4)(c)1–4; 0400–12–01–.02(5) (App. VII & VIII); 0400–12–01–.10(2)(k)–(t); 0400–12–01–.10(3)(a) (Table of Treatment Standards for Hazardous Waste); and .10(3)(i)1 (Universal Treatment Standards Table)
Checklist 207—Uniform Hazardous Waste Manifest Rule.	70 FR 10776 03/04/05 and 70 FR 35034 06/16/05.	Tennessee Revised Code: 0400–12–01–.01(2)(a); 0400–12–01–.02(1)(g)2(i)(III)I–II; 0400–12–01–.03(3)(a)1(i)–(ii); .03(3)(b)1(a)–(m); .03(3)(h)1–2; 0400–12–01–.03(4)(c)2; .03(4)(d); .03(4)(e)16(i)–(ii); 0400–12–01–.03(7)(e)3 & 5;

Description of federal requirement	Federal Register date and page	Analogous State Authority <sup>1 2</sup>
208—Methods Innovation Rule and SW-846 Final Update IIIB.	70 FR 34538 06/14/05 and 70 FR 44150 08/01/05.	<p>0400-12-01-.03(8)(a)3-5;  0400-12-01-.03(13)(a) (App.);  0400-12-01-.04(3)(a)1-3 &amp; 7(i)-(iv); .04(3)(b)2(i)-(ii);  0400-12-01-.06(5)(a)1-2; .06(5)(b)1(i)-(iii); .06(5)(b)2(iv);  .06(5)(b)5; .06(5)(c)1-5; .06(5)(c)6(i)-(vii); .06(5)(c)7;  .06(5)(g)1-2;  0400-12-01-.05(5)(a)1-2; .05(5)(b)1(i)-(iii); .05(5)(b)2(iv);  .05(5)(b)5; .05(5)(c)1-5; .05(5)(c)6(i)-(vii); .05(5)(c)7; and  .05(5)(g)1-2.</p> <p>Tennessee Revised Code:  0400-12-01-.01(2)(b)1-2;  0400-12-01-.02(1)(c)1(ii)(V);  0400-12-01-.02(3)(b)1(i); .02(3)(c)1(i)-(ii);  0400-12-01-.02(4)(f)2(ii)(III);  0400-12-01-.02(5) (App. I-III);  0400-12-01-.06(10)(a)1;  0400-12-01-.06(14)(o)2;  0400-12-01-.06(30)(e)3(i)(II) &amp; (IV); .06(30)(e)4(i)(III);  .06(30)(e)6;  0400-12-01-.06(31)(n)4(ii);  0400-12-01-.06(57)(i) (App. IX);  0400-12-01-.05(10)(a)1;  0400-12-01-.05(14)(o)3;  0400-12-01-.05(27)(e)3(i)(II) &amp; (IV); .05(27)(e)4(i)(III);  .05(27)(e)6;  0400-12-01-.05(28)(n)4(ii);  0400-12-01-.05(29)(b); .05(29)(e)1(iii)(II)III;  .05(29)(e)1(iii)(III); .05(29)(e)2(iii)(II)III; .05(29)(e)2(iii)(III);  .05(29)(e)3(iii)(I);  0400-12-01-.09(8)(a)4(i)(II); .09(8)(a)7(ii); .09(8)(c)2(i);  .09(8)(g)1; .09(8)(m)2(i); .09(8)(m)2(ii)(I);  0400-12-01-.09(30) (App. IX);  0400-12-01-.10(3)(a)2; .10(3)(a) (Table of Treatment  Standards for Hazardous Waste), footnote 7; .10(3)(i)1  (Universal Treatment Standards Table), footnote 4;  0400-12-01-.07(5)(b)5(iii)(I)III-IV; .07(5)(b)8(i)(II)II.B;  0400-12-01-.07(1)(e)2(ii)(I)III-IV; .07(1)(j)3(ii)(I)-II);  0400-12-01-.11(2)(a)2(i)(II);  0400-12-01-.11(5)(e)3;  0400-12-01-.11(6)(d)3; and  0400-12-01-.11(7)(d)3.</p>
209—Universal Waste Rule: Specific Provisions for Mercury Containing Equipment.	70 FR 45508 08/05/05 .....	<p>Tennessee Revised Code:  0400-12-01-.01(2)(a);  0400-12-01-.02(1)(j);  0400-12-01-.06(1)(b)2(x);  0400-12-01-.05(1)(b)2(xii);  0400-12-01-.10(1)(a)6;  0400-12-01-.07(1)(b)4(ix);  0400-12-01-.12(1)(a); .12(1)(a)1(iii); .12(1)(f)1-3;  .12(1)(b);  0400-12-01-.12(2)(d)3(i)-(iv); .12(2)(e)4(i)-(ii);  0400-12-01-.12(3)(c)2(iv)-(v); .12(3)(d)3(i)-(iv); and  .12(3)(e)4(i)-(ii).</p>
211—Wastewater Treatment Exemptions for Hazardous Waste Mixtures (“Headworks exemptions”).	70 FR 57769 10/04/05 .....	<p>Tennessee Revised Code:  0400-12-01-.02(1)(c)1(ii)(IV)I-II; .02(1)(c)1(ii)(IV)IV; and  .02(1)(c)1(ii)(IV)VI-VII.</p>
213—Burden Reduction Initiative .....	71 FR 16862 04/04/06 .....	<p>Tennessee Revised Code:  0400-12-01-.01(4)(b)2(ii-vii);  0400-12-01-.02(1)(d)1(ix)(II)V; .02(1)(d)6(ix);  0400-12-01-.06(2)(f)2(iv)-(v); .06(2)(g)1(iv);  0400-12-01-.06(4)(c)2; .06(4)(g)9;  0400-12-01-.06(5)(d)2; .06(5)(d)2(i)-(ii), (vi), (viii), (x) &amp;  (xviii)-(xix);  0400-12-01-.06(6)(i)4; .06(6)(i)7(ii)-(iii); .06(6)(j)6-7;  .06(6)(k)7;  0400-12-01-.06(7)(d)5(v); .06(7)(f) &amp; (k);  0400-12-01-.06(8)(d)4(i); .06(8)(f)4(i); .06(8)(n)5;  0400-12-01-.06(9)(e);  0400-12-01-.06(10)(b)1; .06(10)(b)2(v)(II); .06(10)(c)1-2;  .06(10)(d)1(i)-(ii); .06(10)(d)9(ii); .06(10)(f)2-8;  .06(10)(g)6;  0400-12-01-.06(12)(b)3;  0400-12-01-.06(13)(k)2;  0400-12-01-.06(14)(o)1-5;</p>

Description of federal requirement	Federal Register date and page	Analogous State Authority <sup>1 2</sup>
		0400–12–01–.06(15)(d)1(ii); .06(15)(h)4; 0400–12–01–.06(22)(e)3(ii); 0400–12–01–.06(26)(b)1–3; .06(26)(d)1(iv)(II); .06(26)(d)7; .06(26)(e)1; 0400–12–01–.06(31)(l)2(i)–(ii); .06(31)(m)1; 0400–12–01–.06(33)(a); .06(33)(b)3(ii); 0400–12–01–.05(2)(f)2(iv); .05(2)(g)1(iv); 0400–12–01–.05(4)(c)2; .05(4)(g)9; 0400–12–01–.05(5)(d)2(i)–(ii), (vi)–(viii) & (xv); 0400–12–01–.05(6)(a)4(i) & (iii); .05(6)(d)4(ii) & (v); 0400–12–01–.05(7)(d)5(v); .05(7)(f); .05(7)(k); 0400–12–01–.05(8)(d)3(i); .05(8)(f)3(i); .05(8)(n)5; 0400–12–01–.05(9)(e); 0400–12–01–.05(10)(b)1; .05(10)(b)2(v)(II); .05(10)(c)1 & 2; .05(10)(d)1(i)–(ii); .05(10)(d)9(ii); .05(10)(f)1–7; .05(10)(g)6; .05(10)(l)3–8; 0400–12–01–.05(11)(b)1; .05(11)(e)1; 0400–12–01–.05(12)(j)1; 0400–12–01–.05(13)(k)5; 0400–12–01–.05(14)(b)1; .05(14)(d)1; .05(14)(o)1–6; 0400–12–01–.05(23)(b)1–3; .05(23)(d)1(iv)(II); .05(23)(d)7; .05(23)(e)1; 0400–12–01–.05(28)(l)2(i)–(ii); .05(28)(m)1; 0400–12–01–.05(30)(a); .05(30)(b)3(ii); 0400–12–01–.09(8)(c)5(x); .09(8)(d)4 & 11; 0400–12–01–.10(1)(g)1(i)–(ii); .10(1)(g)2(vi); .10(1)(i)1 & 4; 0400–12–01–.07(5); .07(5)(b)2(i); .07(5)(b)12(iii)(XV); and 0400–12–01–.07(10)(o).

<sup>1</sup> The Tennessee provisions for RCRA Cluster XV (Checklists 206, 207, and 208) and Cluster XVI (Checklists 209, 211, and 213) are from the Tennessee Hazardous Waste Management Regulations, Chapter 0400–12–01, effective November 5, 2013.

<sup>2</sup> Chapter 1200–01–11 was renumbered as Chapter 0400–12–01, effective September 17, 2012. The chapter title, “Hazardous Waste Management,” remained the same and the contents of the chapter did not change as a result of the renumbering.

#### H. Where are the revised State rules different from the Federal rules?

We consider Tennessee Hazardous Waste Management Regulations 0400–12–01–.05(5)(d)2 and –.06(5)(d)2 to be more stringent than the Federal counterparts at 40 CFR 265.73(b) and 264.73(b) because the State requires owners and operators of interim status and permitted treatment, storage, and disposal facilities to maintain information in the facility’s operating record on site for no less than five (5) years. The Federal requirements at 40 CFR 265.73(b) and 264.73(b) require that owners and operators of the same types of facilities maintain such records for no less than three (3) years. These five-year document retention requirements are part of the Tennessee authorized program and are federally enforceable.

#### I. Who handles permits after the authorization takes effect?

Tennessee will issue permits for all the provisions for which it is authorized and will administer the permits it issues. EPA will continue to administer any RCRA hazardous waste permits or portions of permits which EPA issued prior to the effective date of this authorization until they expire or are terminated. EPA will not issue any more permits or new portions of permits for the provisions listed in the Table above

after the effective date of this authorization. EPA will continue to implement and issue permits for HSWA requirements for which Tennessee is not authorized.

#### J. What is codification and is EPA codifying Tennessee’s hazardous waste program as authorized in this rule?

Codification is the process of placing the State’s statutes and regulations that comprise the State’s authorized hazardous waste program into the Code of Federal Regulations. EPA does this by referencing the authorized State rules in 40 CFR part 272. EPA is not codifying the authorization of Tennessee’s changes at this time. However, EPA reserves the amendment of 40 CFR part 272, subpart RR, for the authorization of Tennessee’s program changes at a later date.

#### K. Administrative Requirements

The Office of Management and Budget (OMB) has exempted this action from the requirements of Executive Order 12866 (58 FR 51735, October 4, 1993), and therefore this action is not subject to review by OMB. This action authorizes State requirements for the purpose of RCRA 3006 and imposes no additional requirements beyond those imposed by State law. Accordingly, I certify that this action will not have a significant economic impact on a

substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this action authorizes pre-existing requirements under State law and does not impose any additional enforceable duty beyond that required by State law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). For the same reason, this action also does not significantly or uniquely affect the communities of Tribal governments, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely authorizes State requirements as part of the State RCRA hazardous waste program without altering the relationship or the distribution of power and responsibilities established by RCRA. This action also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant and it does not make decisions based on environmental

health or safety risks. This rule is not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

Under RCRA section 3006(b), EPA grants a State’s application for authorization as long as the State meets the criteria required by RCRA. It would thus be inconsistent with applicable law for EPA, when it reviews a State authorization application, to require the use of any particular voluntary consensus standard in place of another standard that otherwise satisfies the requirements of RCRA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the “Attorney General’s Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings” issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this document and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2). This action will be effective May 19, 2015, unless objections to this authorization are received.

#### List of Subjects in 40 CFR Part 271

Environmental protection,  
Administrative practice and procedure,

Confidential business information, Hazardous waste, Hazardous waste transportation, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

**Authority:** This action 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, and 6974(b).

Dated: March 2, 2015.

**Heather McTeer Toney,**

*Regional Administrator, Region 4.*

[FR Doc. 2015–06512 Filed 3–19–15; 8:45 am]

**BILLING CODE 6560–50–P**

## GENERAL SERVICES ADMINISTRATION

### 41 CFR Part 301–11

[FTR Amendment 2015–01; FTR Case 2015–301; Docket No. 2009–0013; Sequence No. 2]

**RIN 3090–AJ54**

### **Federal Travel Regulation; Temporary Duty (TDY) Travel Allowances (Taxes); Relocation Allowances (Taxes); Technical Amendment**

**AGENCY:** Office of Government-wide Policy (OGP), General Services Administration (GSA).

**ACTION:** Final rule; technical amendment.

**SUMMARY:** General Services Administration published in the **Federal Register** of August 21, 2014, a document amending the Federal Travel Regulation (FTR) concerning calculation of reimbursement for taxes on relocation and extended temporary duty (TDY) benefits. Inadvertently, sections pertaining to Employee Responsibilities and Agency Responsibilities in subpart F were not removed. This document removes those sections.

#### **DATES:**

**Effective:** This rule is effective on March 20, 2015.

**Applicability date:** This rule is applicable for employees who relocated beginning January 1, 2015.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick Miller, Office of Government-wide Policy (MAE), U.S. General Services Administration, at 202–501–3822 or email at [rodney.miller@gsa.gov](mailto:rodney.miller@gsa.gov) for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at 202–501–4755. Please cite FTR Amendment 2015–01, FTR case 2015–301.

## SUPPLEMENTARY INFORMATION:

### Background

GSA published a final rule in the **Federal Register** at 79 FR 49640, August 21, 2014, to update the Federal Travel Regulation (FTR) for Temporary Duty (TDY) Travel Allowances and Relocation Allowances (Taxes). Inadvertently the amendment did not include the removal of sections §§ 301–11.621 through 301–11.628, and 301–11.631 through 301–11.640 in part 301–11, subpart F. Therefore, GSA is issuing this amendment correction to the final rule to further amend the FTR by removing those sections.

### List of Subjects in 41 CFR Part 301–11

Government employees, Income taxes, Travel and transportation.

Dated: March 16, 2015.

**Giancarlo Brizzi,**

*Acting Associate Administrator.*

For the reasons set forth in the preamble, under 5 U.S.C. 5701–5739, GSA is amending 41 CFR part 301–11 as set forth below:

### PART 301–11—PER DIEM EXPENSES

■ 1. The authority for part 301–11 continues to read as follows:

**Authority:** 5 U.S.C. 5707.

**§§ 301–11.621, 301–11.622, 301–11.623, 301–11.624, 301–11.625, 301–11.626, 301–11.627, and 301–11.628 [Removed]**

■ 2. Remove the undesignated center heading “Employee Responsibilities” and §§ 301–11.621 through 301–11.628.

**§§ 301–11.631, 301–11.632, 301–11.633, 301–11.634, 301–11.635, 301–11.636, 301–11.637, 301–11.638, 301–11.639, and 301–11.640 [Removed]**

■ 3. Remove the undesignated center heading “Agency Responsibilities” and §§ 301–11.631 through 301–11.640.

[FR Doc. 2015–06400 Filed 3–19–15; 8:45 am]

**BILLING CODE 6820–14–P**