

US EPA ARCHIVE DOCUMENT

In the Rules and Regulations section of this **Federal Register**, we are approving these local rules in a direct final action without prior proposal because we believe these SIP revisions are not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: October 2, 2008.

Laura Yoshii,

Acting Regional Administrator, Region IX.

[FR Doc. E8-27737 Filed 11-21-08; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[EPA-R05-RCRA-2008-0711; FRL-8744-3]

Wisconsin: Final Authorization of State Hazardous Waste Management Program Revision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Wisconsin has applied to EPA for final authorization of the changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA has reviewed Wisconsin's application and has preliminarily determined that these changes satisfy all requirements needed to qualify for final authorization, and is proposing to authorize the State's changes. We are proposing to authorize the renumbering and revision of Wisconsin's previously authorized regulations.

DATES: Comments on this proposed rule must be received on or before December 24, 2008.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R05-RCRA-2008-0711 by one of the following methods:

<http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

E-mail: gromnicki.jean@epa.gov.

Mail: Jean Gromnicki, Wisconsin Regulatory Specialist, LR-8J, U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Instructions: Direct your comments to Docket ID Number EPA-R05-RCRA-2008-0711. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <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 <http://www.regulations.gov> or e-mail. The <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 e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made 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 or 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 <http://www.epa.gov/epahome/dockets.htm>.

Docket: All documents in the docket are listed in the www.regulations.gov index. Although listed in the index, some of the 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 <http://www.regulations.gov> or in hard copy. You may view and copy Wisconsin's application from 9 a.m. to 4 p.m. at the following addresses: U.S. EPA, Region 5, LR-8J, 77 West Jackson Boulevard, Chicago, Illinois, contact: Jean

Gromnicki (312) 886-6162; or Wisconsin Department of Natural Resources, 101 S. Webster Street, Madison, Wisconsin, contact: Patricia Chabot (608) 264-6015.

FOR FURTHER INFORMATION CONTACT: Jean Gromnicki, Wisconsin Regulatory Specialist, U.S. EPA, Region 5, LR-8J, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6162, e-mail gromnicki.jean@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 266, 268, 270, 273 and 279.

B. What Decisions Have We Made in This Rule?

We conclude that Wisconsin's application to revise its authorized program meets all of the statutory and regulatory requirements established by RCRA. Therefore, we propose to grant Wisconsin final authorization to operate its hazardous waste program with the changes described in the authorization application. Wisconsin has responsibility for permitting Treatment, Storage, and Disposal Facilities (TSDFs) within its borders (except in Indian Country) and for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the Hazardous and Solid Waste Amendments of 1984 (HSWA). New Federal requirements and prohibitions imposed by Federal regulations that EPA promulgates under the authority of HSWA take effect in authorized States before they are authorized for the requirements. Thus, EPA will implement those requirements and prohibitions in Wisconsin, including issuing permits, until the State is granted authorization to do so.

C. What Is the Effect of Today's Authorization Decision?

The effect of this decision is that a facility in Wisconsin subject to RCRA will now have to comply with the authorized State requirements instead of the equivalent Federal requirements in order to comply with RCRA. Wisconsin has enforcement responsibilities under its State hazardous waste program for violations of such program, but EPA retains its authority under RCRA sections 3007, 3008, 3013, and 7003, which include, among others, authority to:

1. Do inspections, and require monitoring, tests, analyses or reports
2. Enforce RCRA requirements and suspend or revoke permits
3. 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 Wisconsin is

being authorized by today's action are already effective, and are not changed by today's action.

D. What Happens if EPA Receives Comments That Oppose This Action?

If EPA receives comments that oppose this authorization, we will address all public comments in a later **Federal Register**. You may not have another opportunity to comment. If you want to comment on this authorization, you must do so at this time.

E. What Has Wisconsin Previously Been Authorized for?

Wisconsin initially received final authorization on January 30, 1986, effective January 31, 1986 (51 FR 3783) to implement the RCRA hazardous waste management program. We granted authorization for changes to their program on May 23, 1989, effective June 6, 1989 (54 FR 15029), on November 22, 1989, effective January 22, 1990 (54 FR 48243), on April 24, 1992, effective

April 24, 1992 (57 FR 15029), on June 2, 1993, effective August 2, 1993 (58 FR 31344), on August 4, 1994, effective October 4, 1994 (59 FR 39971), on August 5, 1999, effective October 4, 1999 (64 FR 42630), and on June 26, 2002, effective June 26, 2002 (67 FR 43002).

F. What Changes Are We Authorizing With Today's Action?

On April 29, 2008, Wisconsin submitted a final complete program revision application, seeking authorization of their changes in accordance with 40 CFR 271.21. We now make a final decision, subject to receipt of written comments that oppose this action, that Wisconsin's hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. These rules were effective on August 1, 2006. Therefore, we propose to grant Wisconsin final authorization for the following program changes:

Federal provision	Former NR provision	Recodified NR provision
40 CFR 260.1	NR 600.01	NR 660.01
40 CFR 260.2	NR 600.06	NR 660.02
40 CFR 260.3	§§227.27(1) & 990.001(1) & (2), Stats	§§227.27(1) & 990.001(1) & (2), Stats.
40 CFR 260.10	NR 600.03	NR 660.10
40 CFR 260.11	NR 600.10	NR 660.11
40 CFR 260.20	NR 605.10(6)	NR 660.20
40 CFR 260.21	None	NR 660.21
40 CFR 260.22	NR 605.10(1), (2) & (4)	NR 660.22
40 CFR 260.23	NR 605.10(7)	NR 660.23
40 CFR 260.30	None	NR 660.30
40 CFR 260.31	None	NR 660.31
40 CFR 260.32	None	NR 660.32
40 CFR 260.33	None	NR 660.33
40 CFR 260.40	NR 625.10	NR 660.40
40 CFR 260.41	None	NR 660.41
40 CFR 261.1	NR 600.03 & 605.01–605.03	NR 661.01
40 CFR 261.2	NR 605.05(1)(m), (2)(a) & (f)–(i), (3) & (4)	NR 661.02
40 CFR 261.3	NR 605.04	NR 661.03
40 CFR 261.4	NR 600.03(107) & 605.05 & §289.01(33), Stats	NR 661.04
40 CFR 261.5	NR 610.06, 610.07(1)–(4) & 610.09	NR 662.220
40 CFR 261.6	NR 605.05(1)(q) & (2)(a)–(d), 625.01–625.09 & 625.11	NR 661.06
40 CFR 261.7	NR 605.06 & 610.04(4)	NR 661.07
40 CFR 261.8	NR 605.13	NR 661.08
40 CFR 261.9	NR 605.05(12)	NR 661.09
40 CFR 261.10	NR 605.07(1)	NR 661.10
40 CFR 261.11	NR 605.07(2)	NR 661.11
40 CFR 261.20	NR 605.08(1)	NR 661.20
40 CFR 261.21	NR 605.08(2)	NR 661.21
40 CFR 261.22	NR 605.08(3)	NR 661.22
40 CFR 261.23	NR 605.08(4)	NR 661.23
40 CFR 261.24	NR 605.08(5)	NR 661.24
40 CFR 261.30	NR 605.09(1)	NR 661.30
40 CFR 261.31	NR 605.09(2)(a) & 605.14	NR 661.31
40 CFR 261.32	NR 605.09(2)(b)	NR 661.32
40 CFR 261.33	NR 605.09(3)	NR 661.33
40 CFR 261.35	NR 605.05(6)	NR 661.35
40 CFR 261.38	None	NR 661.38
40 CFR 261 Appendix I	NR 605 Appendix I	NR 661 Appendix I
40 CFR 261 Appendix II	None	NR 661 Appendix II
40 CFR 261 Appendix III	NR 605 Appendix II	NR 661 Appendix III
40 CFR 261 Appendix VII	NR 605 Appendix III	NR 661 Appendix VII
40 CFR 261 Appendix VIII	NR 605 Appendix IV	NR 661 Appendix VIII
40 CFR 262.10	NR 610.01, 610.02, 610.04(2) & (3), 615.01, 615.02, 615.04(2) & 615.05(1)(c).	NR 662.010 & 662.190(2)

Federal provision	Former NR provision	Recodified NR provision
40 CFR 262.11	NR 610.05(1)–(5) & 615.06(1)–(4) & (6)	NR 662.011 & 662.190(2)
40 CFR 262.12	NR 610.08(1)(b) & (c) & 615.07	NR 662.012 & 662.190(2)
40 CFR 262.20	NR 610.08(1)(d) & (e), 615.08(1), (3)–(5), (8) & (9) & 15.09(1)	NR 662.020 & 662.191
40 CFR 262.21	NR 610.08(1)(d) & 615.08(2)	NR 662.021 & 662.190(2)(a)
40 CFR 262.22	NR 610.08(1)(d) & 615.08(6)	NR 662.022 & 662.190(2)(a)
40 CFR 262.23	NR 610.08(1)(d) & 615.08(6), (11), (12) & (15)	NR 662.023 & 662.190(2)(a)
40 CFR 262.30	NR 610.08(1)(j), 615.05(4)(a)2.a. & 615.10(1)	NR 662.030 & 662.190(2)
40 CFR 262.31	NR 610.08(1)(k)(intro.), 615.05(4)(a)2.a. & 615.10(2)(intro.)	NR 662.031 & 662.190(2)
40 CFR 262.32	NR 610.08(1)(k)(intro.) & 2., 615.05(4)(a)2.a. & 615.10(2)(intro.) & (b).	NR 662.032 & 662.190(2)
40 CFR 262.33	NR 610.08(1)(L), 615.05(4)(a)2.a. & 615.10(3)	NR 662.033 & 662.190(2)
40 CFR 262.34	NR 615.05(4)(a)2.–6. & 10., (b) & (c) & 610.08(intro.), (1)(k)1., (n)–(q), (u), (w) & (x), (2) & (5)(a) & (c).	NR 662.034 & 662.192
40 CFR 262.40	NR 615.06(5), 615.08(7) & 615.11(1)(c) & (2)(c)	NR 662.040
40 CFR 262.41	NR 615.11(1)	NR 662.041
40 CFR 262.42	NR 615.11(2)	NR 662.042
40 CFR 262.43	NR 615.11(3)	NR 662.043
40 CFR 262.44	NR 610.05(6), 610.08(1)(d), (h)1. & (i) & 615.08(7)	NR 662.193
40 CFR 262.50	NR 610.08(1)(m) & 615.12(intro.)	NR 662.050 & 662.190(2)
40 CFR 262.51	NR 600.03(41), (70), (180), (184) & (234)	NR 662.051 & 662.190(2)
40 CFR 262.52	NR 610.08(1)(m) & 615.12(1i)–(1m)	NR 662.052 & 662.190(2)
40 CFR 262.53	NR 610.08(1)(m) & 615.12(1)	NR 662.053 & 662.190(2)
40 CFR 262.54	NR 610.08(1)(m) & 615.12(1c)–(1g), (1k), (1p) & (1r)	NR 662.054 & 662.190(2)
40 CFR 262.55	NR 610.08(1)(m) & 615.12(2)	NR 662.055 & 662.190(2)
40 CFR 262.56	NR 610.08(1)(m) & 615.12(1t)	NR 662.056 & 662.190(2)
40 CFR 262.57	NR 610.08(1)(m) & 615.12(1u)–(1z)	NR 662.057 & 662.190(2)
40 CFR 262.58	NR 615.14	NR 662.058 & 662.190(2)
40 CFR 262.60	NR 615.13	NR 662.060 & 662.190(2)
40 CFR 262.70	NR 610.04(2) & (3) & 615.04(2)	NR 662.070 & 662.190(2)
40 CFR 262.80	None	NR 662.080 & 662.190(2)
40 CFR 262.81	None	NR 662.081 & 662.190(2)
40 CFR 262.82	None	NR 662.082 & 662.190(2)
40 CFR 262.83	None	NR 662.083 & 662.190(2)
40 CFR 262.84	None	NR 662.084 & 662.190(2)
40 CFR 262.85	None	NR 662.085 & 662.190(2)
40 CFR 262.86	None	NR 662.086 & 662.190(2)
40 CFR 262.87	None	NR 662.087 & 662.190(2)
40 CFR 262.89	None	NR 662.089 & 662.190(2)
40 CFR 262 Appendix	NR 610.08(1)(d) & 615.08(8)(intro.) & (9)(intro.)	NR 662.020(1) & 662.190(2)(a)
40 CFR 263.10	NR 620.01, 620.04(1) & 620.05(2) & (5)	NR 663.10
40 CFR 263.11	NR 620.05(4) & 620.06	NR 663.11
40 CFR 263.12	NR 620.14(intro.), (3), (5)(a) & (14)	NR 663.12
40 CFR 263.20	NR 620.07	NR 663.20
40 CFR 263.21	NR 620.08	NR 663.21
40 CFR 263.22	NR 620.09	NR 663.22
40 CFR 263.30	NR 620.10	NR 663.30
40 CFR 263.31	NR 620.10	NR 663.31
40 CFR 264.1	NR 630.01, 630.02, 630.04(1), (2), (4)–(7), (9), (11)–(14), (16) & (17), 635.04(1), 636.04(1), 640.04(1)–(5) & (9)–(11), 645.04(1)–(5), 656.04(2), 660.04(2) & 665.05(2).	NR 664.0001
40 CFR 264.3	NR 630.04(8), 640.04(7) & 660.04(4)	NR 664.0003
40 CFR 264.4	§ 291.85, Stats	NR 664.0004
40 CFR 264.10	NR 630.02	NR 664.0010
40 CFR 264.11	NR 630.11	NR 664.0011
40 CFR 264.12	NR 630.10	NR 664.0012
40 CFR 264.13	NR 630.12 & 630.13(1)	NR 664.0013
40 CFR 264.14	NR 630.14	NR 664.0014
40 CFR 264.15	NR 630.15	NR 664.0015
40 CFR 264.16	NR 630.16	NR 664.0016
40 CFR 264.17	NR 630.17(1) & (2)	NR 664.0017
40 CFR 264.18	NR 600.04(5) & 630.18(2) & (3)	NR 664.0018
40 CFR 264.19	NR 655.07(7) & 660.13(6)–(9) & 660.16	NR 664.0019
40 CFR 264.30	NR 630.02	NR 664.0030
40 CFR 264.31	NR 630.21(1)	NR 664.0031
40 CFR 264.32	NR 630.21(2)	NR 664.0032
40 CFR 264.33	NR 630.21(4)	NR 664.0033
40 CFR 264.34	NR 630.21(3)	NR 664.0034
40 CFR 264.35	NR 630.21(5)	NR 664.0035
40 CFR 264.37	NR 630.21(6)	NR 664.0037
40 CFR 264.50	NR 630.02	NR 664.0050
40 CFR 264.51	NR 630.22(1)(a)	NR 664.0051
40 CFR 264.52	NR 630.22(1)(e) & (g)	NR 664.0052
40 CFR 264.53	NR 630.22(1)(b)	NR 664.0053
40 CFR 264.54	NR 630.22(1)(c)	NR 664.0054

Federal provision	Former NR provision	Recodified NR provision
40 CFR 264.55	NR 630.22(1)(d)	NR 664.0055
40 CFR 264.56	NR 630.22(2)	NR 664.0056
40 CFR 264.70	NR 630.02	NR 664.0070
40 CFR 264.71	NR 630.30(4)–(5m) & (7)	NR 664.0071
40 CFR 264.72	NR 600.03(147) & (203) & 630.30(6)	NR 664.0072
40 CFR 264.73	NR 630.31(1)	NR 664.0073
40 CFR 264.74	NR 630.31(2)–(4)	NR 664.0074
40 CFR 264.75	NR 630.40(1)	NR 664.0075
40 CFR 264.76	NR 630.40(2)	NR 664.0076
40 CFR 264.77	NR 630.40(3)	NR 664.0077
40 CFR 264.90	NR 635.02, 635.04(1)(a) & 635.05(1)(intro.), (a), (b) & (d) & (2) & 680.04.	NR 664.0090
40 CFR 264.91	NR 635.06	NR 664.0091
40 CFR 264.92	NR 635.07	NR 664.0092
40 CFR 264.93	NR 635.08	NR 664.0093
40 CFR 264.94	NR 635.09	NR 664.0094
40 CFR 264.95	NR 635.10	NR 664.0095
40 CFR 264.96	NR 635.11(1) & (2)	NR 664.0096
40 CFR 264.97	NR 635.12	NR 664.0097
40 CFR 264.98	NR 635.13	NR 664.0098
40 CFR 264.99	NR 635.14	NR 664.0099
40 CFR 264.100	NR 635.15	NR 664.0100
40 CFR 264.101	NR 635.17	NR 664.0101
40 CFR 264.110	NR 680.04, 685.02 & 685.06(1)	NR 664.0110
40 CFR 264.111	NR 685.05(1)(a)–(c)	NR 664.0111
40 CFR 264.112	NR 685.05(2)–(5)	NR 664.0112
40 CFR 264.113	NR 685.05(6) & (7)	NR 664.0113
40 CFR 264.114	NR 685.05(8)	NR 664.0114
40 CFR 264.115	NR 685.05(10)(a) & (b)	NR 664.0115
40 CFR 264.116	NR 685.05(10)(c)	NR 664.0116
40 CFR 264.117	NR 685.06(2)–(4)	NR 664.0117
40 CFR 264.118	NR 685.06(5) & (6)	NR 664.0118
40 CFR 264.119	NR 660.17, 660.24(10) & 685.06(8)	NR 664.0119
40 CFR 264.120	NR 685.06(9)	NR 664.0120
40 CFR 264.140	NR 680.04 & 685.07(1)(a) & (b)	NR 664.0140
40 CFR 264.141	NR 600.03(3), (15), (23m), (33), (35), (52), (53), (116), (137), (139), (144), (154), (155), (162), (168), (218), (219) & (224) & 685.03.	NR 664.0141
40 CFR 264.142	NR 685.07(3)(a), (b)1. & 4. & (c)	NR 664.0142
40 CFR 264.143	NR 685.07(5)(a)–(i) & (9)(a)	NR 664.0143
40 CFR 264.144	NR 685.07(4)(a), (b)1. & 4. & (c)	NR 664.0144
40 CFR 264.145	NR 685.07(5)(a)–(i) & (9)(b)	NR 664.0145
40 CFR 264.146	NR 680.04	NR 664.0146
40 CFR 264.147	NR 680.04 & 685.08(1)–(3), (4)(c), (6), (8), (9)(a) & (b), (10)(a)–(c), (11)(a)–(d) & (12)(a)–(d).	NR 664.0147
40 CFR 264.148	NR 685.07(10) & 685.08(13)	NR 664.0148
40 CFR 264.151	NR 685.08(7)(a) & (b), (8)(d)1., (9)(c), (10)(f), (11)(e) & (12)(e) & DNR Forms 4430–022–4430–026.	NR 664.0151
40 CFR 264.170	NR 640.02	NR 664.0170
40 CFR 264.171	NR 640.09	NR 664.0171
40 CFR 264.172	NR 640.10	NR 664.0172
40 CFR 264.173	NR 640.11(2) & (3)	NR 664.0173
40 CFR 264.174	NR 640.12(1)	NR 664.0174
40 CFR 264.175	NR 640.13(1)	NR 664.0175
40 CFR 264.176	NR 640.14	NR 664.0176
40 CFR 264.177	NR 640.15	NR 664.0177
40 CFR 264.178	NR 640.16(1)	NR 664.0178
40 CFR 264.179	NR 640.13(4)	NR 664.0179
40 CFR 264.190	NR 645.02 & 645.09(1) & (2)	NR 664.0190
40 CFR 264.191	NR 645.07(1)–(4)	NR 664.0191
40 CFR 264.192	NR 645.08	NR 664.0192
40 CFR 264.193	NR 645.09(3)–(11)	NR 664.0193
40 CFR 264.194	NR 645.10(1)–(3)	NR 664.0194
40 CFR 264.195	NR 645.11	NR 664.0195
40 CFR 264.196	NR 645.12	NR 664.0196
40 CFR 264.197	NR 645.17(1)(a)	NR 664.0197
40 CFR 264.198	NR 645.13	NR 664.0198
40 CFR 264.199	NR 645.14	NR 664.0199
40 CFR 264.200	NR 645.10(6)	NR 664.0200
40 CFR 264.220	NR 660.02	NR 664.0220
40 CFR 264.221	NR 660.18(11)(a)–(d), (38) & (39), 660.24(11)(b)1.–5. & 680.04	NR 664.0221
40 CFR 264.222	NR 660.18(11)(f)	NR 664.0222
40 CFR 264.223	NR 660.18(11)(g)–(i)	NR 664.0223
40 CFR 264.226	NR 660.18(13), (31)(b) & (c) & (32)	NR 664.0226

Federal provision	Former NR provision	Recodified NR provision
40 CFR 264.227	NR 660.18(33)–(37)	NR 664.0227
40 CFR 264.228	NR 660.20(1)(a)1. & (d), 660.21(1)(a) & (4), 660.22 & 660.24(14) & (15).	NR 664.0228
40 CFR 264.229	NR 660.18(3) & 660.24(11)(a)	NR 664.0229
40 CFR 264.230	NR 660.18(4)	NR 664.0230
40 CFR 264.231	NR 660.25	NR 664.0231
40 CFR 264.232	NR 660.18(40)	NR 664.0232
40 CFR 264.250	NR 655.02 & 655.05(2)(intro.) & (a)–(e)	NR 664.0250
40 CFR 264.251	NR 655.07(2), (3) & (5) & 680.04	NR 664.0251
40 CFR 264.252	NR 655.07(2) & 660.18(11)(f)	NR 664.0252
40 CFR 254.253	NR 655.07(2) & 660.18(11)(g)–(i)	NR 664.0253
40 CFR 264.254	NR 655.08	NR 664.0254
40 CFR 264.256	NR 655.09	NR 664.0256
40 CFR 264.257	NR 655.10(1)	NR 664.0257
40 CFR 264.258	NR 655.11(2)(a), (b) & (d)	NR 664.0258
40 CFR 264.259	NR 655.12	NR 664.0259
40 CFR 264.270	NR 600.04(3)	NR 664.0270
40 CFR 264.271	None	None.
40 CFR 264.272	None	None.
40 CFR 264.273	None	None.
40 CFR 264.276	None	None.
40 CFR 264.278	None	None.
40 CFR 264.279	None	None.
40 CFR 264.280	None	None.
40 CFR 264.281	None	None.
40 CFR 264.282	None	None.
40 CFR 264.283	None	None.
40 CFR 264.300	NR 660.02	NR 664.0300
40 CFR 264.301	NR 660.18(11)(a)–(d), (12), (16) & (29) & 680.04	NR 664.0301
40 CFR 264.302	NR 660.18(11)(f)	NR 664.0302
40 CFR 264.303	NR 660.18(13) & (31)(a) & (c)	NR 664.0303
40 CFR 264.304	NR 660.18(11)(g)–(i)	NR 664.0304
40 CFR 264.309	NR 660.18(14)	NR 664.0309
40 CFR 264.310	NR 660.20(1)(a)1., 660.21(1)(a) & 660.22(2)	NR 664.0310
40 CFR 264.312	NR 660.18(3)	NR 664.0312
40 CFR 264.313	NR 660.18(4)	NR 664.0313
40 CFR 264.314	NR 660.18(6)–(8) & (9)(b) & (d)	NR 664.0314
40 CFR 264.315	NR 660.18(9)(a)	NR 664.0315
40 CFR 264.316	NR 660.18(9)(c)	NR 664.0316
40 CFR 264.317	NR 660.25	NR 664.0317
40 CFR 264.340	NR 665.02	NR 664.0340
40 CFR 264.341	NR 665.09(14)	NR 664.0341
40 CFR 264.342	NR 665.08	NR 664.0342
40 CFR 264.343	NR 665.09(13)	NR 664.0343
40 CFR 264.344	NR 665.05(3)	NR 664.0344
40 CFR 264.345	NR 665.09(12), (14), (15) & (17)–(19)	NR 664.0345
40 CFR 264.347	NR 665.09(11)(a)–(f)	NR 664.0347
40 CFR 264.351	NR 665.10(1)	NR 664.0351
40 CFR 264.550	None	NR 664.0550
40 CFR 264.551	NR 600.03(49) & 636.40	NR 664.0551
40 CFR 264.552	None	NR 664.0552
40 CFR 264.553	NR 636.41	NR 664.0553
40 CFR 264.554	None	NR 664.0554
40 CFR 264.555	None	NR 664.0555
40 CFR 264.570	NR 656.02, 656.03, 656.04(3) & 656.07(1)	NR 664.0570
40 CFR 264.571	NR 656.07(2)	NR 664.0571
40 CFR 264.572	NR 656.07(3)	NR 664.0572
40 CFR 264.573	NR 656.07(4)	NR 664.0573
40 CFR 264.574	NR 656.07(5)	NR 664.0574
40 CFR 264.575	NR 656.08(1)(a), (b) & (c)1.–3.	NR 664.0575
40 CFR 264.600	NR 670.02	NR 664.0600
40 CFR 264.601	NR 670.08	NR 664.0601
40 CFR 264.602	NR 670.09	NR 664.0602
40 CFR 264.603	NR 670.10(2)	NR 664.0603
40 CFR 264.1030	NR 631.02	NR 664.1030
40 CFR 264.1031	NR 600.03(9), (30), (47), (63), (66), (84), (86), (90), (112), (113), (179), (209), (214), (222) & (230) & 631.03(1)–(15) & (18)–(25).	NR 664.1031
40 CFR 264.1032	NR 631.06(1)	NR 664.1032
40 CFR 264.1033	NR 631.06(2)	NR 664.1033
40 CFR 264.1034	NR 631.03(26) & 631.07	NR 664.1034
40 CFR 264.1035	NR 631.08	NR 664.1035
40 CFR 264.1036	NR 631.09	NR 664.1036
40 CFR 264.1050	NR 632.02	NR 664.1050
40 CFR 264.1051	NR 632.03	NR 664.1051

Federal provision	Former NR provision	Recodified NR provision
40 CFR 264.1052	NR 632.06(1)	NR 664.1052
40 CFR 264.1053	NR 632.06(2)	NR 664.1053
40 CFR 264.1054	NR 632.06(3)	NR 664.1054
40 CFR 264.1055	NR 632.06(4)	NR 664.1055
40 CFR 264.1056	NR 632.06(5)	NR 664.1056
40 CFR 264.1057	NR 632.06(6)	NR 664.1057
40 CFR 264.1058	NR 632.06(7)	NR 664.1058
40 CFR 264.1059	NR 632.06(8)	NR 664.1059
40 CFR 264.1060	NR 632.06(9)	NR 664.1060
40 CFR 264.1061	NR 632.07(1)	NR 664.1061
40 CFR 264.1062	NR 632.07(2)	NR 664.1062
40 CFR 264.1063	NR 631.03(26) & 632.08	NR 664.1063
40 CFR 264.1064	NR 632.09	NR 664.1064
40 CFR 264.1065	NR 632.10	NR 664.1065
40 CFR 264.1080	NR 633.02	NR 664.1080
40 CFR 264.1081	NR 631.03(14) & 633.03	NR 664.1081
40 CFR 264.1082	NR 633.05	NR 664.1082
40 CFR 264.1083	NR 633.06	NR 664.1083
40 CFR 264.1084	NR 633.07	NR 664.1084
40 CFR 264.1085	NR 633.08	NR 664.1085
40 CFR 264.1086	NR 633.09	NR 664.1086
40 CFR 264.1087	NR 633.10	NR 664.1087
40 CFR 264.1088	NR 633.11	NR 664.1088
40 CFR 264.1089	NR 633.12	NR 664.1089
40 CFR 264.1090	NR 633.13	NR 664.1090
40 CFR 264.1100	NR 655.02 & 655.05(2) (intro.), (a), (g)(intro.) & 1, (k) & (L)	NR 664.1100
40 CFR 264.1101	NR 655.05(2)(j) & (L) & 655.07(5) & (6)	NR 664.1101
40 CFR 264.1102	NR 655.11(2)(a)–(c)	NR 664.1102
40 CFR 264.1200	None	NR 664.1200
40 CFR 264.1201	None	NR 664.1201
40 CFR 264.1202	None	NR 664.1202
40 CFR 264 Appendix I	None	NR 664 Appendix I
40 CFR 264 Appendix IV	None	NR 664 Appendix IV
40 CFR 264 Appendix V	None	NR 664 Appendix V
40 CFR 264 Appendix VI	None	None. See NR 664.0018, 1st Note.
40 CFR 264 Appendix IX	NR 635 Appendix I	NR 664 Appendix IX
40 CFR 265.1	NR 635.04(1), 645.04(1)–(5), 656.04(2) & 680.22	NR 665.0001
40 CFR 265.4	§ 291.85, Stats.	NR 665.0004
40 CFR 265.10	None	NR 665.0010
40 CFR 265.11	NR 630.11 & 680.22(3)	NR 665.0011
40 CFR 265.12	NR 630.10(1) & (2) & 680.22(4)	NR 665.0012
40 CFR 265.13	NR 630.12, 630.13(1) & 680.22(5) & (6)	NR 665.0013
40 CFR 265.14	NR 630.14 & 680.22(12)	NR 665.0014
40 CFR 265.15	NR 630.15 & 680.22(16)	NR 665.0015
40 CFR 265.16	NR 630.16 & 680.22(14)	NR 665.0016
40 CFR 265.17	NR 630.17(1) & (2) & 680.22(10)	NR 665.0017
40 CFR 265.18	NR 600.04(5), 630.18(2) & (3) & 680.22(2) & (11)	NR 665.0018
40 CFR 265.19	NR 655.07(7), 660.13(6)–(9), 660.16 & 680.22(24), (25) & (26)	NR 665.0019
40 CFR 265.30	None	NR 665.0030
40 CFR 265.31	NR 630.21(1) & 680.22(13)	NR 665.0031
40 CFR 265.32	NR 630.21(2) & 680.22(13)	NR 665.0032
40 CFR 265.33	NR 630.21(4) & 680.22(13)	NR 665.0033
40 CFR 265.34	NR 630.21(3) & 680.22(13)	NR 665.0034
40 CFR 265.35	NR 630.21(5) & 680.22(13)	NR 665.0035
40 CFR 265.37	NR 630.21(6) & 680.22(13)	NR 665.0037
40 CFR 265.50	None	NR 665.0050
40 CFR 265.51	NR 630.22(1)(a) & 680.22(13)	NR 665.0051
40 CFR 265.52	NR 630.22(1)(e) & (g) & 680.22(13)	NR 665.0052
40 CFR 265.53	NR 630.22(1)(b) & 680.22(13)	NR 665.0053
40 CFR 265.54	NR 630.22(1)(c) & 680.22(13)	NR 665.0054
40 CFR 265.55	NR 630.22(1)(d) & 680.22(13)	NR 665.0055
40 CFR 265.56	NR 630.22(2) & 680.22(13)	NR 665.0056
40 CFR 265.70	None	NR 665.0070
40 CFR 265.71	NR 630.30(4)–(5m) & (7) & 680.22(15)	NR 665.0071
40 CFR 265.72	NR 630.030(6) & 680.22(15)	NR 665.0072
40 CFR 265.73	NR 630.31(1)(a)–(i) & (k)–(o) & 680.22(15)	NR 665.0073
40 CFR 265.74	NR 630.31(2)–(4) & 680.22(15)	NR 665.0074
40 CFR 265.75	NR 630.40(1) & 680.22(15)	NR 665.0075
40 CFR 265.76	NR 630.40(2) & 680.22(15)	NR 665.0076
40 CFR 265.77	NR 630.40(3) & 680.22(15)	NR 665.0077
40 CFR 265.90	NR 635.02, 635.04(1)(a) & 635.05(1)(intro.), (a), (b) & (d) & (2) & 680.22(28).	NR 665.0090
40 CFR 265.91	NR 635.12(1), (3) & (8)(e)–(g) & 680.22(28)	NR 665.0091
40 CFR 265.92	NR 635.12(9) & (12)(intro.) & (a)–(c), 635.16(1)–(4) & 680.22(28)	NR 665.0092

Federal provision	Former NR provision	Recodified NR provision
40 CFR 265.93	NR 635.16(5) & (7)–(16) & 680.22(28)	NR 665.0093
40 CFR 265.94	NR 635.16(6) & (17) & 680.22(28)	NR 665.0094
40 CFR 265.110	NR 680.22(18) & 685.06(1)	NR 665.0110
40 CFR 265.111	NR 680.22(17) & 685.05(1)(a)–(c)	NR 665.0111
40 CFR 265.112	NR 680.22(17) & 685.05(2)(intro.), (a)–(f) & (k) & (3)–(5)	NR 665.0112
40 CFR 265.113	NR 680.22(17) & 685.05(6) & (7)	NR 665.0113
40 CFR 265.114	NR 680.22(17) & 685.05(8)	NR 665.0114
40 CFR 265.115	NR 680.22(17) & 685.05(10)(a) & (b)	NR 665.0115
40 CFR 265.116	NR 680.22(17) & 685.05(10)(c)	NR 665.0116
40 CFR 265.117	NR 680.22(18) & 685.06(2)–(4)	NR 665.0117
40 CFR 265.118	NR 680.22(18) & 685.06(5)–(7)	NR 665.0118
40 CFR 265.119	NR 660.17, 680.22(18) & (27) & 685.06(8)	NR 665.0119
40 CFR 265.120	NR 680.22(18) & 685.06(9)	NR 665.0120
40 CFR 265.121	None	NR 665.0121
40 CFR 265.140	NR 680.22(19) & 685.07(1)(a) & (b)	NR 665.0140
40 CFR 265.141	None	NR 665.0141
40 CFR 265.142	NR 680.22(19) & 685.07(3)(a), (b)1. & 4. & (c)	NR 665.0142
40 CFR 265.143	NR 680.22(19) & 685.07(5)(a)–(d) & (f)–(i) & (9)(a)	NR 665.0143
40 CFR 265.144	NR 680.22(19) & 685.07(4)(a), (b)1. & 4. & (c)	NR 665.0144
40 CFR 265.145	NR 680.22(19) & 685.07(5)(b)–(i) & (9)(b)	NR 665.0145
40 CFR 265.146	None	NR 665.0146
40 CFR 265.147	NR 680.22(20) & 685.08(1)–(3), (4)(c), (6), (8), (9)(a) & (b), (10)(a)–(c), (11)(a)–(d) & (12)(a)–(d).	NR 665.0147
40 CFR 265.148	NR 680.22(19) & (20) & 685.07(10) & 685.08(13)	NR 665.0148
40 CFR 265.170	None	NR 665.0170
40 CFR 265.171	NR 640.09 & 680.22(23)	NR 665.0171
40 CFR 265.172	NR 640.10 & 680.22(23)	NR 665.0172
40 CFR 265.173	NR 640.11(2) & (3) & 680.22(23)	NR 665.0173
40 CFR 265.174	NR 640.12(1) & 680.22(21)	NR 665.0174
40 CFR 265.176	NR 640.14 & 680.22(23)	NR 665.0176
40 CFR 265.177	NR 640.15 & 680.22(21) & (23)	NR 665.0177
40 CFR 265.178	None	NR 665.0178
40 CFR 265.190	NR 645.02 & 645.09(1) & (2) & 680.22(22)	NR 665.0190
40 CFR 265.191	NR 645.07(1)–(4) & 680.22(22)	NR 665.0191
40 CFR 265.192	NR 645.08 & 680.22(22)	NR 665.0192
40 CFR 265.193	NR 645.09(3)–(10) & (11)(a), (b), (d) & (e), 680.22(22) & 680.24(6)	NR 665.0193
40 CFR 265.194	NR 645.10(1)–(3) & 680.22(30)	NR 665.0194
40 CFR 265.195	NR 645.11 & 680.22(22)	NR 665.0195
40 CFR 265.196	NR 645.12 & 680.22(22)	NR 665.0196
40 CFR 265.197	NR 645.17(1)(a) & 680.22(17)	NR 665.0197
40 CFR 265.198	NR 645.13 & 680.22(22)	NR 665.0198
40 CFR 265.199	NR 645.14 & 680.22(22)	NR 665.0199
40 CFR 265.200	NR 645.15 & 680.22(22)	NR 665.0200
40 CFR 265.201	NR 610.08(1)(p)	NR 662.194
40 CFR 265.202	NR 645.10(6) & 680.22(30)	NR 665.0202
40 CFR 265.220	None	NR 665.0220
40 CFR 265.221	NR 660.18(2)(b),(11)(a)–(d),(16) & (38) & 680.22(25) & (31)	NR 665.0221
40 CFR 265.222	NR 660.18(11)(f) & 680.22(25) & (31)	NR 665.0222
40 CFR 265.223	NR 660.18(22) & 680.22(25) & (31)	NR 665.0223
40 CFR 265.224	NR 660.18(11)(g)–(i) & 680.22(25) & (31)	NR 665.0224
40 CFR 265.225	NR 660.18(10) & 680.22(25) & (31)	NR 665.0225
40 CFR 265.226	NR 660.18(31)(c) & 680.22(25) & (31)	NR 665.0226
40 CFR 265.228	NR 660.20(1)(a)1. & (d), 660.21(1)(a) & (4), 660.22 & 660.24(14) & (15) & 680.22 (17), (18), (26), (27), & (31).	NR 665.0228
40 CFR 265.229	NR 660.18(3), 660.24(11)(a) & 680.22(25) & (31)	NR 665.0229
40 CFR 265.230	NR 660.18(4) & 680.22(25) & (31)	NR 665.0230
40 CFR 265.231	NR 660.18(40) & 680.22(25) & (31)	NR 665.0231
40 CFR 265.250	NR 655.02 & 680.22(24)	NR 665.0250
40 CFR 265.251	NR 655.07(5) & 680.22(24)	NR 665.0251
40 CFR 265.252	NR 655.10(2) & 680.22(24)	NR 665.0252
40 CFR 265.253	NR 655.07(4) & 680.22(24)	NR 665.0253
40 CFR 265.254	NR 655.07(2), 660.18(2)(b) & 680.22(24)	NR 665.0254
40 CFR 265.255	NR 655.07(2), 660.18(11)(f) & 680.22(24), (25) & (31)	NR 665.0255
40 CFR 265.256	NR 655.09 & 680.22(24)	NR 665.0256
40 CFR 265.257	NR 655.10(1) & 680.22(24)	NR 665.0257
40 CFR 265.258	NR 655.11(2)(a) & (b) & 680.22(24)	NR 665.0258
40 CFR 265.259	NR 655.07(2) & 660.18(11)(g)–(i) & 680.22(24), (25) & (31)	NR 665.0259
40 CFR 265.260	NR 655.08(3) & 680.22(24)	NR 665.0260
40 CFR 265.270	NR 600.04(3) & 680.22(2)	NR 665.0270
40 CFR 265.272	None	None.
40 CFR 265.273	None	None.
40 CFR 265.276	None	None.
40 CFR 265.278	None	None.
40 CFR 265.279	None	None.

Federal provision	Former NR provision	Recodified NR provision
40 CFR 265.280	None	None.
40 CFR 265.281	None	None.
40 CFR 265.282	None	None.
40 CFR 265.300	None	NR 665.0300
40 CFR 265.301	NR 660.18(2)(b), (11)(a)–(d), (12), (16) & (29) & 680.22(25) & (31)	NR 665.0301
40 CFR 265.302	NR 660.18(11)(f) & 680.22(25) & (31)	NR 665.0302
40 CFR 265.303	NR 660.18(11)(g)–(i) & 680.22(25) & (31)	NR 665.0303
40 CFR 265.304	NR 660.18(31)(c) & 680.22(25) & (31)	NR 665.0304
40 CFR 265.309	NR 660.18(14) & 680.22(25) & (31)	NR 665.0309
40 CFR 265.310	NR 660.20(1)(a)1., 660.21(1)(a) & 660.22(2)(a), (b) & (d)–(f) & 680.22(17), (18), (26) & (27).	NR 665.0310
40 CFR 265.312	NR 660.18(3) & 680.22(25) & (31)	NR 665.0312
40 CFR 265.313	NR 660.18(4) & 680.22(25) & (31)	NR 665.0313
40 CFR 265.314	NR 660.18(6)–(8) & (9)(b) & (d) & 680.22(25) & (31)	NR 665.0314
40 CFR 265.315	NR 660.18(9)(a) & 680.22(25) & (31)	NR 665.0315
40 CFR 265.316	NR 660.18(9)(c) & 680.22(25) & (31)	NR 665.0316
40 CFR 265.340	None	NR 665.0340
40 CFR 265.341	NR 665.09(16)(a)1., 3. & 4. & 680.22(29)	NR 665.0341
40 CFR 265.345	NR 665.09(5) & 680.22(29)	NR 665.0345
40 CFR 265.347	NR 665.09(11)(d) & 680.22(29)	NR 665.0347
40 CFR 265.351	NR 665.10(1) & 680.22(17)	NR 665.0351
40 CFR 265.352	NR 665.09(13)(b) & (16) & 680.22(29)	NR 665.0352
40 CFR 265.370	None	NR 665.0370
40 CFR 265.373	None	NR 665.0373
40 CFR 265.375	None	NR 665.0375
40 CFR 265.377	None	NR 665.0377
40 CFR 265.381	None	NR 665.0381
40 CFR 265.382	NR 630.20(1) & 680.22(7)	NR 665.0382
40 CFR 265.383	None	NR 665.0383
40 CFR 265.400	None	NR 665.0400
40 CFR 265.401	None	NR 665.0401
40 CFR 265.402	None	NR 665.0402
40 CFR 265.403	None	NR 665.0403
40 CFR 265.404	None	NR 665.0404
40 CFR 265.405	None	NR 665.0405
40 CFR 265.406	None	NR 665.0406
40 CFR 265.430	NR 600.04(1) & (2) & 680.22(2)	NR 665.0430
40 CFR 265.440	NR 656.02, 656.03, 656.04(3) & 656.07(1) & 680.22(33)	NR 665.0440
40 CFR 265.441	NR 656.07(2) & 680.22(33)	NR 665.0441
40 CFR 265.442	NR 656.07(3) & 680.22(33)	NR 665.0442
40 CFR 265.443	NR 656.07(4)(a)–(m) & (o) & 680.22(33)	NR 665.0443
40 CFR 265.444	NR 656.07(5) & 680.22(33)	NR 665.0444
40 CFR 265.445	NR 656.08(1)(a), (b) & (c)1.–3. & 680.22(33)	NR 665.0445
40 CFR 265.1030	NR 631.02(1) & (2) & 680.22(34)	NR 665.1030
40 CFR 265.1031	NR 631.03(1)–(15) & (18)–(25) & 680.22(34)	NR 665.1031
40 CFR 265.1032	NR 631.06(1) & 680.22(34)	NR 665.1032
40 CFR 265.1033	NR 631.06(2)(a)–(h) & (j)–(o) & 680.22(34)	NR 665.1033
40 CFR 265.1034	NR 631.03(26), 631.07 & 680.22(34)	NR 665.1034
40 CFR 265.1035	NR 631.08 & 680.22(34)	NR 665.1035
40 CFR 265.1050	NR 632.02(1), (2), (4) & (5) & 680.22(35)	NR 665.1050
40 CFR 265.1051	NR 632.03 & 680.22(35)	NR 665.1051
40 CFR 265.1052	NR 632.06(1) & 680.22(35)	NR 665.1052
40 CFR 265.1053	NR 632.06(2) & 680.22(35)	NR 665.1053
40 CFR 265.1054	NR 632.06(3) & 680.22(35)	NR 665.1054
40 CFR 265.1055	NR 632.06(4) & 680.22(35)	NR 665.1055
40 CFR 265.1056	NR 632.06(5) & 680.22(35)	NR 665.1056
40 CFR 265.1057	NR 632.06(6) & 680.22(35)	NR 665.1057
40 CFR 265.1058	NR 632.06(7) & 680.22(35)	NR 665.1058
40 CFR 265.1059	NR 632.06(8) & 680.22(35)	NR 665.1059
40 CFR 265.1060	NR 632.06(9) & 680.22(35)	NR 665.1060
40 CFR 265.1061	NR 632.07(1) & 680.22(35)	NR 665.1061
40 CFR 265.1062	NR 632.07(2) & 680.22(35)	NR 665.1062
40 CFR 265.1063	NR 631.03(26), 632.08 & 680.22(35)	NR 665.1063
40 CFR 265.1064	NR 632.09 & 680.22(35)	NR 665.1064
40 CFR 265.1080	NR 633.02 & 680.22(36)	NR 665.1080
40 CFR 265.1081	NR 631.03(14), 633.03 & 680.22(36)	NR 665.1081
40 CFR 265.1082	NR 633.04 & 680.22(36)	NR 665.1082
40 CFR 265.1083	NR 633.05 & 680.22(36)	NR 665.1083
40 CFR 265.1084	NR 633.06 & 680.22(36)	NR 665.1084
40 CFR 265.1085	NR 633.07 & 680.22(36)	NR 665.1085
40 CFR 265.1086	NR 633.08 & 680.22(36)	NR 665.1086
40 CFR 265.1087	NR 633.09 & 680.22(36)	NR 665.1087
40 CFR 265.1088	NR 633.10 & 680.22(36)	NR 665.1088
40 CFR 265.1089	NR 633.11 & 680.22(36)	NR 665.1089

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40 CFR 265.1090	NR 633.12 & 680.22(36)	NR 665.1090
40 CFR 265.1100	NR 655.02 & 680.22(24)	NR 665.1100
40 CFR 265.1101	NR 655.07(5) & (6) & 680.22(24)	NR 665.1101
40 CFR 265.1102	NR 655.11(2)(a)-(c) & 680.22(17)	NR 665.1102
40 CFR 265.1200	None	NR 665.1200
40 CFR 265.1201	None	NR 665.1201
40 CFR 265.1202	None	NR 665.1202
40 CFR 265 Appendix I	None	NR 665 Appendix I
40 CFR 265 Appendix III	None	NR 665 Appendix III
40 CFR 265 Appendix IV	None	NR 665 Appendix IV
40 CFR 265 Appendix V	None	NR 665 Appendix V
40 CFR 265 Appendix VI	NR 633 Appendix I	NR 665 Appendix VI
40 CFR 266.20	None	NR 666.020
40 CFR 266.21	None	NR 666.021
40 CFR 266.22	None	NR 666.022
40 CFR 266.23	NR 600.04(4)	NR 666.023
40 CFR 266.70	None	NR 666.070
40 CFR 266.80	NR 610.04(1), 615.04(3), 620.04(2) & 625.12	NR 666.080
40 CFR 266.100	None	NR 666.100
40 CFR 266.101	None	NR 666.101
40 CFR 266.102	None	NR 666.102
40 CFR 266.103	None	NR 666.103
40 CFR 266.104	None	NR 666.104
40 CFR 266.105	None	NR 666.105
40 CFR 266.106	None	NR 666.106
40 CFR 266.107	None	NR 666.107
40 CFR 266.108	None	NR 666.108
40 CFR 266.109	None	NR 666.109
40 CFR 266.110	None	NR 666.110
40 CFR 266.111	None	NR 666.111
40 CFR 266.112	None	NR 666.112
40 CFR 266.200	None	NR 666.200
40 CFR 266.201	None	NR 666.201
40 CFR 266.202	None	NR 666.202
40 CFR 266.203	None	NR 666.203
40 CFR 266.204	None	NR 666.204
40 CFR 266.205	None	NR 666.205
40 CFR 266.206	None	NR 666.206
40 CFR 266.210	None	NR 666.210
40 CFR 266.220	None	NR 666.220
40 CFR 266.225	None	NR 666.225
40 CFR 266.230	None	NR 666.230
40 CFR 266.235	None	NR 666.235
40 CFR 266.240	None	NR 666.240
40 CFR 266.245	None	NR 666.245
40 CFR 266.250	None	NR 666.250
40 CFR 266.255	None	NR 666.255
40 CFR 266.260	None	NR 666.260
40 CFR 266.305	None	NR 666.305
40 CFR 266.310	None	NR 666.310
40 CFR 266.315	None	NR 666.315
40 CFR 266.320	None	NR 666.320
40 CFR 266.325	None	NR 666.325
40 CFR 266.330	None	NR 666.330
40 CFR 266.335	None	NR 666.335
40 CFR 266.340	None	NR 666.340
40 CFR 266.345	None	NR 666.345
40 CFR 266.350	None	NR 666.350
40 CFR 266.355	None	NR 666.355
40 CFR 266.360	None	NR 666.360
40 CFR 266 Appendix I	None	NR 666 Appendix I
40 CFR 266 Appendix II	None	NR 666 Appendix II
40 CFR 266 Appendix III	None	NR 666 Appendix III
40 CFR 266 Appendix IV	None	NR 666 Appendix IV
40 CFR 266 Appendix V	None	NR 666 Appendix V
40 CFR 266 Appendix VI	None	NR 666 Appendix VI
40 CFR 266 Appendix VII	None	NR 666 Appendix VII
40 CFR 266 Appendix VIII	None	NR 666 Appendix VIII
40 CFR 266 Appendix IX	None	NR 666 Appendix IX
40 CFR 266 Appendix XI	None	NR 666 Appendix XI
40 CFR 266 Appendix XII	None	NR 666 Appendix XII
40 CFR 266 Appendix XIII	NR 605 Appendix V	NR 666 Appendix XIII
40 CFR 268.1	NR 675.01, 675.02, 675.03(1m), 675.04(3) & (4) & 675.05(3)	NR 668.01
40 CFR 268.2	NR 600.03(177) & 675.03	NR 668.02

Federal provision	Former NR provision	Recodified NR provision
40 CFR 268.3	NR 675.06	NR 668.03
40 CFR 268.4	NR 675.04(1) & (5)	NR 668.04
40 CFR 268.5	NR 675.05(1)	NR 668.05
40 CFR 268.6	NR 675.05(2)	NR 668.06
40 CFR 268.7	NR 675.07	NR 668.07
40 CFR 268.9	NR 675.09	NR 668.09
40 CFR 268.14	None	NR 668.14
40 CFR 268.30	None	NR 668.30
40 CFR 268.31	NR 675.12	NR 668.31
40 CFR 268.32	None	NR 668.32
40 CFR 268.33	None	NR 668.33
40 CFR 268.34	None	NR 668.34
40 CFR 268.35	None	NR 668.35
40 CFR 268.36	None	NR 668.36
40 CFR 268.37	NR 675.18	NR 668.37
40 CFR 268.38	NR 675.19(1)	NR 668.38
40 CFR 268.39	NR 675.19(2)	NR 668.39
40 CFR 268.40	NR 675.20	NR 668.40
40 CFR 268.41	NR 675.21	NR 668.41
40 CFR 268.42	NR 675.22	NR 668.42
40 CFR 268.43	NR 675.23	NR 668.43
40 CFR 268.44	NR 675.24	NR 668.44
40 CFR 268.45	NR 675.25	NR 668.45
40 CFR 268.46	NR 675.26	NR 668.46
40 CFR 268.48	NR 675.28	NR 668.48
40 CFR 268.49	None	NR 668.49
40 CFR 268.50	NR 675.30	NR 668.50
40 CFR 268 Appendix III	NR 675 Appendix II	NR 668 Appendix III
40 CFR 268 Appendix IV	NR 675 Appendix III	NR 668 Appendix IV
40 CFR 268 Appendix VI	NR 675 Appendix V	NR 668 Appendix VI
40 CFR 268 Appendix VII	NR 675 Appendix VI	NR 668 Appendix VII
40 CFR 268 Appendix VIII	NR 675 Appendix VII	NR 668 Appendix VIII
40 CFR 268 Appendix IX	None	NR 668 Appendix IX
40 CFR 268 Appendix XI	NR 675 Appendix IX	NR 668 Appendix XI
40 CFR 270.1	NR 610.07(5), 610.08(5)(a) & (d), 615.05(6)(a) & (c), 620.14(intro.), 640.05, 640.06(1)(intro.), 645.05(1), 645.06(1)(intro.), 655.05(1), 655.06(intro.), 656.05, 656.06(intro.), 660.09(intro.), 660.12, 660.24(7) & (8)(intro.), 665.06(1)(intro.), 670.06(intro.), 680.01, 680.02, 680.24(2) & (4), 680.30, 680.31(1) & 680.43(6).	NR 670.001
40 CFR 270.2	NR 600.03(14), (32), (49), (54), (61), (62), (68), (69), (71), (76), (78), (81), (94), (95), (98), (103), (111), (120), (146), (164), (166), (167), (170), (182), (195), (200), (215), (233), (238), (240), (244), (261), (263) & (266) & 680.03(3m).	NR 660.10 & 670.002
40 CFR 270.4	NR 680.40	NR 670.004
40 CFR 270.5	None	NR 670.005
40 CFR 270.6	NR 600.10	NR 660.11
40 CFR 270.10	NR 680.06(3)(a), (4) & (5), 680.10, 680.21(3), 680.31(1) & (2) & 680.45(6)(intro.) & (b).	NR 670.010
40 CFR 270.11	NR 680.05(2) & 680.41	NR 670.011
40 CFR 270.12	NR 600.06	NR 670.012
40 CFR 270.13	None	NR 670.013
40 CFR 270.14	NR 632.11(1)(b)3., 640.06(1)(e), (2)(e)2. & (f) & (3)(d)4., 640.07(3)(a)10., 12. & 13., 645.06(1)(e), (2)(e)2. & (f) & (3)(e), 645.16(3)(a)11., 13. & 14., 660.09(9)-(12), 660.13(3)(a) & (b) & (4), 680.05(1)(c)1., 680.06(3)(a)-(L) & (n), (4) & (5)(a), 685.07(2)(b) & 685.08(5)(a) & (b).	NR 670.014
40 CFR 270.15	NR 640.06(2)(a)-(c) & (h) & 640.07(3)(a)7., 8. & 11	NR 670.015
40 CFR 270.16	NR 645.06(1)(i) & 645.16(3)(a)8.c.-e., 9. & 12	NR 670.016
40 CFR 270.17	NR 660.09(5), (7), (8) & (14), 660.13(1), (2) & (7) & 660.24(8) & (9).	NR 670.017
40 CFR 270.18	NR 655.06	NR 670.018
40 CFR 270.19	NR 665.06(1)(d)-(f)	NR 670.019
40 CFR 270.20	NR 600.04(3) & 680.22(2)	NR 664.0270 & 665.0270
40 CFR 270.21	NR 660.09(5), (7), (8) & (14) & 660.13(1), (2) & (7)	NR 670.021
40 CFR 270.22	None	NR 670.022
40 CFR 270.23	NR 670.06 & 670.07	NR 670.023
40 CFR 270.24	NR 632.11(2)	NR 670.024
40 CFR 270.25	NR 632.11(3)	NR 670.025
40 CFR 270.26	NR 656.06	NR 670.026
40 CFR 270.27	NR 632.11(4)	NR 670.027
40 CFR 270.28	None	NR 670.028
40 CFR 270.29	None	NR 670.029
40 CFR 270.30	NR 680.42(1)-(8), (10), (11)(a) & (c)-(f), (12)-(15) & (17)-(18m) ...	NR 670.030

Federal provision	Former NR provision	Recodified NR provision
40 CFR 270.31	NR 680.42(11)(b)	NR 670.031
40 CFR 270.32	NR 680.42(19)	NR 670.032
40 CFR 270.33	None	NR 670.033
40 CFR 270.40	NR 680.44	NR 670.040
40 CFR 270.41	NR 680.07(2)(b), (d), (e) & (g) & (3)(a)	NR 670.041
40 CFR 270.42	NR 680.07(1), (2)(intro.), (3)(intro.), (5), (6)(d) & (e) & (7) & 680 Appendix I.	NR 670.042 & 670 Appendix I
40 CFR 270.43	NR 680.43(1) & (2)	NR 670.043
40 CFR 270.50	NR 680.45(6) & (8)	NR 670.050
40 CFR 270.51	NR 680.45(7)	NR 670.051
40 CFR 270.60	None	NR 670.001(3)(b)9
40 CFR 270.61	NR 600.09	NR 670.061
40 CFR 270.62	NR 665.06(1)(d) & (2)-(4) & 665.07(1)-(3)	NR 670.062
40 CFR 270.63	NR 600.04(3) & 680.22(2)	NR 664.0270 & 665.0270
40 CFR 270.64	NR 600.04(1) & (2) & 680.22(2)	NR 665.0430
40 CFR 270.65	NR 680.51	NR 670.065
40 CFR 270.66	None	NR 670.066
40 CFR 270.68	None	NR 670.068
40 CFR 270.70	NR 680.20(1) & (3), 680.21(1)(a), 680.22(3) & 680.24(1) & (2)	NR 670.070
40 CFR 270.71	NR 680.23	NR 670.071
40 CFR 270.72	NR 680.03(4) & 680.07(3)(e) & (4)	NR 670.072
40 CFR 270.73	NR 680.43(3) & (4)	NR 670.073
40 CFR 270.79	None	None.
40 CFR 270.80	NR 680.50(intro.)	NR 670.079(1)
40 CFR 270.85	None	None.
40 CFR 270.90	None	None.
40 CFR 270.95	None	None.
40 CFR 270.100	None	None.
40 CFR 270.105	None	None.
40 CFR 270.110	NR 680.50(2)	NR 670.079(3)
40 CFR 270.115	None	None.
40 CFR 270.120	NR 680.50(2)(intro.)	NR 670.079(1)
40 CFR 270.125	None	None.
40 CFR 270.130	NR 680.50(3)	NR 670.079(4)
40 CFR 270.135	NR 680.50(1)(e)	NR 670.079(2)(e)
40 CFR 270.140	None	None.
40 CFR 270.145	None	NR 670.079(3)
40 CFR 270.150	NR 680.50(4)	NR 670.079(4)
40 CFR 270.155	None	None.
40 CFR 270.160	None	None.
40 CFR 270.165	None	None.
40 CFR 270.170	NR 680.50(1)(c)	NR 670.079(2)(c)
40 CFR 270.175	None	None.
40 CFR 270.180	NR 680.50(1)(d)	NR 670.079(2)(d)
40 CFR 270.185	None	None.
40 CFR 270.190	None	None.
40 CFR 270.195	NR 680.50(1)(b)	NR 670.079(2)(b)
40 CFR 270.200	NR 680.50(1)(c)	NR 670.079(2)(c)
40 CFR 270.205	None	None.
40 CFR 270.210	None	None.
40 CFR 270.215	None	None.
40 CFR 270.220	None	None.
40 CFR 270.225	None	None.
40 CFR 270.230	None	None.
40 CFR 270.235	None	NR 670.235
40 CFR 124.1	None	NR 670.401
40 CFR 124.3	NR 640.06(4)(a), 640.07(3)(b), 645.06(4)(a), 645.16(3)(b), 660.10, 660.14, 660.15, 665.06(5) & 680.06(9)(a).	NR 670.403
40 CFR 124.4	None	NR 670.404
40 CFR 124.5	NR 680.07(6)(a) & (f)	NR 670.405
40 CFR 124.6	None	NR 670.406
40 CFR 124.8	NR 680.06(10)(b), (11)(b) & (12)(b) & 680.07(6)(c)	NR 670.408
40 CFR 124.9	NR 680.06(10)(e), (11)(i) & (12)(e) & 680.07(6)(f)	NR 670.409
40 CFR 124.10	NR 680.06(10)(a), (11)(a) & (12)(a) & 680.07(6)(b)	NR 670.410
40 CFR 124.11	NR 680.06(10)(c)3., (11)(c) & (12)(c)3. & 680.07(6)(d)3	NR 670.411
40 CFR 124.12	NR 680.06(10)(c), (11)(f) & (12)(c) & 680.07(6)(d)	NR 670.412
40 CFR 124.15	NR 640.06(4)(b), 645.06(4)(b), 660.11 & 665.06(6)	NR 670.415
40 CFR 124.17	NR 680.06(10)(d), (11)(h) & (12)(d) & 680.07(6)(e)	NR 670.417
40 CFR 124.31	NR 680.06(1m)	NR 670.431
40 CFR 124.32	NR 680.06(8m)	NR 670.432
40 CFR 124.33	NR 680.06(15)	NR 670.433
40 CFR 273.1	NR 690.04	NR 673.01
40 CFR 273.2	NR 690.05	NR 673.02
40 CFR 273.3	NR 690.06	NR 673.03

Federal provision	Former NR provision	Recodified NR provision
40 CFR 273.4	NR 690.07	NR 673.04
40 CFR 273.5	None	NR 673.05
40 CFR 273.8	NR 690.08	NR 673.08
40 CFR 273.9	NR 690.03	NR 673.09
40 CFR 273.10	NR 690.10	NR 673.10
40 CFR 273.11	NR 690.11	NR 673.11
40 CFR 273.12	NR 690.12(2)	NR 673.12
40 CFR 273.13	NR 690.13	NR 673.13
40 CFR 273.14	NR 690.14	NR 673.14
40 CFR 273.15	NR 690.15	NR 673.15
40 CFR 273.16	NR 690.16	NR 673.16
40 CFR 273.17	NR 690.17	NR 673.17
40 CFR 273.18	NR 690.18	NR 673.18
40 CFR 273.19	NR 690.19	NR 673.19
40 CFR 273.20	NR 690.20	NR 673.20
40 CFR 273.30	NR 690.30	NR 673.30
40 CFR 273.31	NR 690.31	NR 673.31
40 CFR 273.32	NR 690.12(1) & 690.32	NR 673.32
40 CFR 273.33	NR 690.33	NR 673.33
40 CFR 273.34	NR 690.34	NR 673.34
40 CFR 273.35	NR 690.35	NR 673.35
40 CFR 273.36	NR 690.36	NR 673.36
40 CFR 273.37	NR 690.37	NR 673.37
40 CFR 273.38	NR 690.38	NR 673.38
40 CFR 273.39	NR 690.39	NR 673.39
40 CFR 273.40	NR 690.40	NR 673.40
40 CFR 273.50	NR 690.50	NR 673.50
40 CFR 273.51	NR 690.51	NR 673.51
40 CFR 273.52	NR 690.52	NR 673.52
40 CFR 273.53	NR 690.53	NR 673.53
40 CFR 273.54	NR 690.54	NR 673.54
40 CFR 273.55	NR 690.55	NR 673.55
40 CFR 273.56	NR 690.56	NR 673.56
40 CFR 273.60	NR 690.60	NR 673.60
40 CFR 273.61	NR 690.61	NR 673.61
40 CFR 273.62	NR 690.62	NR 673.62
40 CFR 273.70	NR 690.70	NR 673.70
40 CFR 273.80	NR 690.80	NR 673.80
40 CFR 273.81	NR 690.81	NR 673.81
40 CFR 279.1	NR 590.03	NR 679.01
40 CFR 279.10	NR 590.02(1), (4) & (5), 590.04(1)(a)–(d) & (2)(b)–(e), 590.05(2)(c), 590.10(2)–(4) & 590.11(1).	NR 679.10
40 CFR 279.11	NR 590.09(1)	NR 679.11
40 CFR 279.12	NR 590.05(1), (4) & (7)	NR 679.12
40 CFR 279.20	NR 590.02(7), 590.04(1)(a) & (d)–(f) & 590.12	NR 679.20
40 CFR 279.21	NR 590.04(2)(f)	NR 679.21
40 CFR 279.22	NR 590.13	NR 679.22
40 CFR 279.23	NR 590.14(1)	NR 679.23
40 CFR 279.24	NR 590.15	NR 679.24
40 CFR 279.30	NR 590.20(1)	NR 679.30
40 CFR 279.31	NR 590.20(1)	NR 679.31
40 CFR 279.32	NR 590.20(1)	NR 679.32
40 CFR 279.40	NR 590.30–590.33	NR 679.40
40 CFR 279.41	NR 590.34 & 590.50(4)	NR 679.41
40 CFR 279.42	NR 590.07	NR 679.42
40 CFR 279.43	NR 590.35	NR 679.43
40 CFR 279.44	NR 590.11	NR 679.44
40 CFR 279.45	NR 590.36	NR 679.45
40 CFR 279.46	NR 590.37	NR 679.46
40 CFR 279.47	NR 590.38	NR 679.47
40 CFR 279.50	NR 590.50(1) & (2) & 590.51	NR 679.50
40 CFR 279.51	NR 590.07	NR 679.51
40 CFR 279.52	NR 590.52	NR 679.52
40 CFR 279.53	NR 590.11(1)–(3)	NR 679.53
40 CFR 279.54	NR 590.53	NR 679.54
40 CFR 279.55	NR 590.54	NR 679.55
40 CFR 279.56	NR 590.55	NR 679.56
40 CFR 279.57	NR 590.56	NR 679.57
40 CFR 279.58	NR 590.57	NR 679.58
40 CFR 279.59	NR 590.58	NR 679.59
40 CFR 279.60	NR 590.70 & 590.71	NR 679.60
40 CFR 279.61	NR 590.72	NR 679.61
40 CFR 279.62	NR 590.07	NR 679.62
40 CFR 279.63	NR 590.11	NR 679.63

Federal provision	Former NR provision	Recodified NR provision
40 CFR 279.64	NR 590.73	NR 679.64
40 CFR 279.65	NR 590.74	NR 679.65
40 CFR 279.66	NR 590.75	NR 679.66
40 CFR 279.67	NR 590.76	NR 679.67
40 CFR 279.70	NR 590.80, 590.82 & 590.83	NR 679.70
40 CFR 279.71	NR 590.81	NR 679.71
40 CFR 279.72	NR 590.84	NR 679.72
40 CFR 279.73	NR 590.07	NR 679.73
40 CFR 279.74	NR 590.85	NR 679.74
40 CFR 279.75	NR 590.86	NR 679.75
40 CFR 279.80	None	NR 679.80
40 CFR 279.81	NR 590.04(2)(c) & 590.05(2)(a) & (b)	NR 679.81
40 CFR 279.82	NR 590.05(4)	NR 679.82

G. Where Are the Revised State Rules Different From the Federal Rules?

These practices are prohibited in Wisconsin: Underground Injection (40 CFR Part 144), and Land Treatment (40 CFR 270.20). Wisconsin also does not provide for Permit by Rule (40 CFR 270.60). Wisconsin does not allow automatic authorization under the permit modification regulations found in 40 CFR 270.42 (b)(6). The 10 year Remedial Action Plan, or RAP (40 CFR 270.79 *et seq.*) is replaced by a 5 year Remediation Variance (NR670.079).

These Wisconsin regulations are more stringent: 662.220(5)(c,d), 662.220(6)(c,d,f), and 670.030 (annual report required instead of a biennial report).

Wisconsin maintains different financial regulations that allow for additional equivalent financial mechanisms (664.0143), do not allow the net worth test for closure under Part 665, and maintain some more stringent insurance requirements under 664.0143(5)(h), 664.0147(1)(a)(3), and 665.0147(1)(a)(3).

The following Wisconsin regulations have no Federal counterpart: 666.081, 666.900 through 666.910, and 673.11. There are no Wisconsin provisions for 40 CFR 268.5, 268.44 (other than 268.44(h)), and 270.3 as these are Federal non-delegable provisions.

H. Who Handles Permits After the Authorization Takes Effect?

Wisconsin 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 we issued prior to the effective date of this authorization until they expire or are terminated. We will not issue any more new 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 Wisconsin is not yet authorized.

I. How Does Today's Action Affect Indian Country (18 U.S.C. 1151) in Wisconsin?

Wisconsin is not authorized to carry out its hazardous waste program in "Indian Country," as defined in 18 U.S.C. 1151. Indian Country includes:

1. All lands within the exterior boundaries of Indian reservations within the State of Wisconsin;
2. Any land held in trust by the U.S. for an Indian tribe; and
3. Any other land, whether on or off an Indian reservation that qualifies as Indian Country.

Therefore, this action has no effect on Indian Country. EPA will continue to implement and administer the RCRA program in Indian Country.

J. What Is Codification and Is EPA Codifying Wisconsin'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 Regulations. We do this by referencing the authorized State rules in 40 CFR part 272. Wisconsin's rules, up to and including those revised June 7, 1991, as corrected August 19, 1991, have previously been codified through the incorporation-by-reference effective February 4, 1992 (57 FR 4162). We reserve the amendment of 40 CFR part 272, subpart KK for the codification of Wisconsin's program changes until a later date.

K. Statutory and Executive Order Reviews

This proposed rule only authorizes hazardous waste requirements pursuant to RCRA 3006 and imposes no requirements other than those imposed by State law (see Supplementary Information, Section A. Why Are Revisions to State Programs Necessary?).

Therefore this rule complies with applicable executive orders and statutory provisions as follows:

1. Executive Order 18266: Regulatory Planning Review

The Office of Management and Budget has exempted this rule from its review under Executive Order 12866 (58 FR 51735, October 4, 1993).

2. Paperwork Reduction Act

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.*).

3. Regulatory Flexibility Act

After considering the economic impacts of today's rule on small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), I certify that this rule will not have a significant economic impact on a substantial number of small entities.

4. Unfunded Mandates Reform Act

Because this rule approves 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).

5. Executive Order 13132: Federalism

Executive Order 13132 (64 FR 43255, August 10, 1999) does not apply to this rule because it will not have federalism implications (*i.e.*, 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).

6. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

Executive Order 13175 (65 FR 67249, November 9, 2000) does not apply to

this rule because it will not have tribal implications (*i.e.*, substantial direct effects on one or more Indian tribes, or 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.)

7. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

This rule is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant as defined in Executive Order 12866 and because the EPA does not have reason to believe the environmental health or safety risks addressed by this action present a disproportionate risk to children.

8. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This rule is not subject to Executive Order 13211 (66 FR 28355, May 22, 2001), because it is not a significant regulatory action as defined in Executive Order 12866.

9. National Technology Transfer Advancement Act

EPA approves State programs as long as they meet criteria required by RCRA, so it would be inconsistent with applicable law for EPA, in its review of a State program, to require the use of any particular voluntary consensus standard in place of another standard that meets 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 to this rule.

10. Executive Order 12988

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.

11. Executive Order 12630: Evaluation of Risk and Avoidance of Unanticipated Takings

EPA has complied with Executive Order 12630 (53 FR 8859, March 18, 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.

12. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low Income Populations

Because this rule proposes authorization of pre-existing State rules and imposes no additional requirements beyond those imposed by State law and there are no anticipated significant adverse human health or environmental effects, the rule is not subject to Executive Order 12898 (59 FR 7629, February 16, 1994).

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indians—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, 6974(b).

Dated: October 23, 2008.

Walter W. Kovalick,

Acting Regional Administrator, Region 5.

[FR Doc. E8-27855 Filed 11-21-08; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-B-1021]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1 percent annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition,

these elevations, once finalized, will be used by insurance agents, and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

DATES: Comments are to be submitted on or before February 23, 2009.

ADDRESSES: The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-1021, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) bill.blanton@dhs.gov.

FOR FURTHER INFORMATION CONTACT:

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3151 or (e-mail) bill.blanton@dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

Administrative Procedure Act Statement. This matter is not a