

US EPA ARCHIVE DOCUMENT

(a) By June 10, 1985, Utah shall submit for OSM's approval:

(1) Rules governing the training, examination and certification of blasters and

(2) A program to examine and certify all persons who are directly responsible for the use of explosives in surface coal mining operation.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60 and 61

[FRL-2592-8]

Subdelegation of Authority to the Oklahoma City-County Health Department for the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) Programs

AGENCY: Environmental Protection Agency (EPA), Region 6.

ACTION: Final rulemaking.

SUMMARY: The Oklahoma State Department of Health (OSDH) has subdelegated the authority to implement and enforce the NSPS and NESHAP programs in Oklahoma City and County to the Oklahoma City-County Health Department (OCCHD). Except as specifically limited, all of the authority and responsibilities delegated to the OSDH by EPA, which are found in 40 CFR Parts 60 and 61, are subdelegated to the OCCHD. Any such authority and responsibilities may be redelegated by the OCCHD to its staff.

EFFECTIVE DATE: August 1, 1983.

ADDRESS: A copy of the OCCHD/OSDH agreement for this subdelegation of authority is available for public inspection at the Air Branch, Air and Waste Management Division, Environmental Protection Agency, Region 6, InterFirst Two Building, 28th Floor, 1201 Elm Street, Dallas, Texas 75270.

FOR FURTHER INFORMATION CONTACT: Donna M. Ascenzi, Air Branch, EPA, address above; Telephone (214) 767-9873.

SUPPLEMENTARY INFORMATION: On June 10, 1983, EPA delegated the additional authority to the OSDH to subdelegate the authority for the NSPS and NESHAP programs to local air pollution control agencies in Oklahoma. Effective on August 1, 1983, this authority was granted to the OCCHD to administer the requirements for the NSPS and NESHAP

programs specified in 40 CFR Parts 60 and 61, as delegated to the OSDH by EPA.

In April 1983, the OCCHD requested the OSDH to delegate to them the authority to implement and enforce the NSPS and NESHAP programs as specified under 40 CFR Parts 60 and 61 for sources located in Oklahoma County and all sources located in Canadian County that are in the Oklahoma City limits. On August 1, 1983, the OSDH approved subdelegating this authority to the OCCHD.

This notice will have no effect on the National Ambient Air Quality Standards.

The Office of Management and Budget has exempted this information notice from the requirements of section 3 of Executive Order 12291.

Sources locating in Oklahoma City and County should submit all information pursuant to 40 CFR Parts 60 and 61 directly to the Oklahoma City-County Health Department, 1000 Northeast 10th Street, Oklahoma City, Oklahoma 73152.

List of Subjects

40 CFR Part 60

Air pollution control, Aluminum, Ammonium sulfate plants, Asphalt, Cement industry, Coal, Copper, Electric power plants, Glass and glass products, Grains, Intergovernmental relations, Iron, Lead, Metals, Metallic minerals, Motor vehicles, Nitric acid plants, Paper and paper products industry, Petroleum, Phosphate, Sewage disposal, Steel, Sulfuric acid plants, Waste treatment and disposal, Zinc, Tires, Incorporation by reference, Can surface coating, Sulfuric acid plants, Industrial organic chemicals, Organic solvent cleaners, Fossil fuel-fired steam generators, Fiberglass insulation, Synthetic fibers.

40 CFR Part 61

Asbestos, Beryllium, Hazardous substances, Mercury, Reporting and recordkeeping requirements, Vinyl chloride.

Dated: May 10, 1984.
Dick Whittington,
Regional Administrator.

PART 60—NEW SOURCE PERFORMANCE STANDARDS

Part 60 of Chapter 1, Title 40 of the Code of Federal Regulations is amended as follows:

Section 60.4 is amended by revising paragraph (b)(LL)(i) to read as follows:

§ 60.4 Address.

* * * * *
(b) * * *

(LL) * * *

(i) Oklahoma City and County:
Oklahoma City-County Health
Department, 1000 Northeast 10th Street,
Oklahoma City, Oklahoma 73152.

PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Part 61 of Chapter 1, Title 40 of the Code of Federal Regulations is amended as follows:

Section 61.04 is amended by revising paragraph (b)(LL)(i) to read as follows:

§ 61.04 Address.

* * * * *
(b) * * *
(LL) * * *

(i) Oklahoma City and County:
Oklahoma City-County Health
Department, 1000 Northeast 10th Street,
Oklahoma City, Oklahoma 73152.

(Clean Air Act, secs. 111 and 112, 42 U.S.C. 7411 and 7412)

[FR Doc. 84-13787 Filed 6-7-84; 8:45 am]
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40 CFR Part 271

[OSWER-FRL 2604-8]

Delaware; Decision on Final Authorization of State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Notice of Final Determination on Application of Delaware for Final Authorization.

SUMMARY: Delaware has applied for final authorization under the Resource Conservation and Recovery Act (RCRA). EPA received Delaware's application, reached a final determination that Delaware's hazardous waste program satisfied all of the requirements necessary to qualify for final authorization, and granted final authorization on December 14, 1983. EPA subsequently was informed that many of Delaware's implementing regulations were not in effect on that date. These regulations are now in effect. Delaware now satisfies all RCRA final authorization requirements. Thus, EPA is granting final authorization to Delaware to operate its program in lieu of the Federal program.

DATES: These regulations shall be promulgated for purposes of judicial review at 1:00 p.m. eastern time on June 22, 1984. They shall become effective on June 22, 1984.

FOR FURTHER INFORMATION CONTACT:

Wayne S. Naylor, State Programs, Section (3AW31), U.S. EPA, Region III, 6th & Walnut Streets, Philadelphia, PA 19106, Telephone: (215) 597-7239.

SUPPLEMENTARY INFORMATION: Section 3006 of the Resource Conservation and Recovery Act (RCRA) allows the Environmental Protection Agency (EPA) to authorize State hazardous waste programs to operate in the State in lieu of the Federal hazardous waste program. To qualify for final authorization, a State's program must (1) be "equivalent" to the Federal program, (2) be consistent with the Federal program and other authorized State programs, and (3) provide for adequate enforcement (Section 3006(b) of RCRA, 42 U.S.C. 6926(b)).

On August 1, 1983, Delaware submitted a complete application for final authorization. On October 14, 1983, EPA published for comment a tentative decision to grant Delaware final authorization. 48 FR 46824 (October 14, 1983). No comments were received by EPA on its tentative decision, and on December 14, 1983, EPA granted Delaware final authorization. 48 FR 55570 (December 14, 1983). EPA subsequently learned that many of Delaware's hazardous waste regulations were not in effect as of the date the program was authorized because certain State officials had not received notice of these regulations, as required by Delaware law. This notice now has been given and the regulations are in effect. Due to concern that the original authorization may be ineffective (see 40 CFR 271.7(a)), EPA has decided to authorize Delaware again.

The Delaware program is now the same as when it was originally reviewed by EPA, except that all the State's regulations are now effective. Thus, there are no issues raised by today's action which have not already been open to comment. The only issue is the past ineffectiveness of Delaware's regulations. EPA is aware of the problem and it has been cured. Accordingly, the Agency finds that prior notice of EPA's action and an opportunity to comment on it are unnecessary.

I conclude that the Delaware application for final authorization now meets all of the statutory and regulatory requirements established by RCRA. Accordingly, Delaware is granted final authorization to operate its hazardous waste program.

Compliance With Executive Order 12291

The Office of Management and Budget has exempted this rule from the

requirements of section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. The authorization effectively suspends the applicability of certain Federal regulations in favor of Delaware's program, thereby eliminating duplicative requirements for handlers of hazardous in Delaware. It does not impose any new burdens on small entities. The rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

Hazardous materials, Indian lands, Reporting and recordkeeping requirements, Waste treatment and disposal, Intergovernmental relations, Penalties, Confidential business information.

Authority: This notice 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: June 1, 1984.

Thomas P. Eichler,
Regional Administrator.

(FR Doc. 84-15405 Filed 6-7-84; 8:45 am)

BILLING CODE 6560-50-M

DEPARTMENT OF THE INTERIOR**Bureau of Land Management****43 CFR Part 5400**

(Circular No. 2545)

Advertised Sales: General; Amendment to Procedures

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rulemaking.

SUMMARY: This final rulemaking will enable the Bureau of Land Management to conduct competitive timber sales without the Bureau acquiring access to the timber. Previously, such sales were normally a negotiated sale involving a single purchaser.

EFFECTIVE DATE: July 9, 1984.

ADDRESS: Any suggestions or inquiries should be sent to: Director (230), Bureau of Land Management, 1800 C Street, N.W., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Charles Frost (202) 653-8864.

SUPPLEMENTARY INFORMATION: A proposed rulemaking to amend the

regulations governing the competitive sale of timber from lands administered by the Bureau of Land Management was published in the *Federal Register* on December 19, 1983 (48 FR 56090). This proposed rulemaking would amend the existing regulations in 43 CFR, Group 5400, Advertised Sales: General, to allow the authorized officer, when he/she determines there is competitive interest in the sale, to sell competitively timber which is normally sold by negotiation because of lack of Government access.

The proposed rulemaking received four responses, all of which were from the timber industry and timber industry trade associations. All of these comments were given careful consideration during the development of the final rulemaking.

Three of the responses were favorable to the proposed change; however, two expressed concern that the proposed rule clearly states that lack of access is the exception rather than the normal rule. One response was opposed to the Bureau of Land Management offering timber for sale without guaranteed access for all potential bidders.

The rule specifically applies only to "timber that would normally be sold by negotiated sale because of lack of legal access." The Bureau of Land Management has identified a need to offer timber without access competitively when the authorized officer determines that there is competitive interest in the sale; otherwise, the sale would be negotiated. Therefore, the language of the proposed rule is incorporated in this final rulemaking.

The principal author of this final rulemaking is Charles Frost, Division of Forestry, assisted by the staff of the Office of Legislation and Regulatory Management, Bureau of Land Management.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

List of Subjects in 43 CFR Part 5400

Administrative practice and procedure, Forest and forest products, Public lands, Reporting and recordkeeping requirements.

Under the authority of the Act of August 28, 1937 (43 U.S.C. 1181(a)), and the Act of July 31, 1947 (30 U.S.C. 601 et seq.), Part 5400, Title 43 of the Code of