

US EPA ARCHIVE DOCUMENT

established for residues of the herbicide linuron [3-(3,4-dichlorophenyl)-1-methoxy-1-methylurea] in or on the following raw agricultural commodity:

Commodity	Parts per million
Parsley.....	0.25

[FR Doc. 90-22773 Filed 9-25-90; 8:45 am]

BILLING CODE 6530-50-F

40 CFR Part 271

[FRL-3834-9]

Hazardous Waste Management Program: Revisions to the Authorized State of Oklahoma Program

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: The State of Oklahoma has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed the Oklahoma application and has made a decision, subject to public review and comment, that the Oklahoma hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve the Oklahoma hazardous waste program revisions. The Oklahoma application for program revision is available for public review and comment.

DATES: Final authorization for Oklahoma shall be effective November 27, 1990, unless EPA publishes a prior Federal Register action withdrawing this immediate final rule. All comments on the Oklahoma program revision application must be received by the close of business October 26, 1990.

ADDRESSES: Copies of the Oklahoma program revision application are available from 8:30 a.m. to 4 p.m., Monday through Friday at the following addresses for inspection and copying: Oklahoma State Department of Health, 1000 N.E. Tenth, Oklahoma City, Oklahoma 73152; U.S. EPA Region 6, Library, 12th Floor, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202; and U.S. EPA Headquarters, Library, PM 211A, 401 M Street SW., Washington, DC 20460. Written comments referring to Docket Number OK-90-2 should be sent to the Regional Authorization Coordinator, Attention: Mr. Brett Jucha,

Grants and Authorization Section, RCRA Programs Branch, U.S. EPA Region 6, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202, phone (214) 655-6760.

FOR FURTHER INFORMATION CONTACT:

Mr. Brett Jucha, Grants and Authorization Section, RCRA Programs Branch, U.S. EPA Region 6, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202, phone (214) 655-6760.

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under section 3006(b) of RCRA, 42 U.S.C. 6929(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Public Law 98-616, November 8, 1984, hereinafter "HSWA") allows States to revise their programs to become substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority. States exercising the latter option receive "interim authorization" for the HSWA requirements under section 3006(g) of RCRA, 42 U.S.C. 6926(g), and later apply for final authorization for the HSWA requirements.

Revisions to State hazardous waste programs are necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, State program revisions are necessitated by changes to EPA's regulations in 40 CFR parts 260-266 and 124 and 270.

B. Oklahoma

On December 27, 1964, EPA published a Federal Register (FR) notice announcing its decision to grant final authorization, initially, to Oklahoma (See 49 FR 50382). Revisions to the State program were approved on June 18, 1990. On December 28, 1988, Oklahoma submitted the program revision application discussed herewithin in accordance with § 271.21(b)(3).

EPA has reviewed the Oklahoma application, and has made an immediate final decision that the Oklahoma hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization.

Consequently, EPA intends to grant final authorization for the additional program modifications to Oklahoma. The public may submit written

comments on EPA's immediate final decision up until October 26, 1990. Copies of the Oklahoma application for program revision are available for inspection and copying at the locations indicated in the "Addresses" section of this notice.

Approval of the Oklahoma program revision shall become effective in 60 days unless an adverse comment pertaining to the State's revision discussed in this notice is received by the end of the comment period. If an adverse comment is received, EPA will publish either (1) A withdrawal of the immediate final decision or (2) a notice containing a response to comments which either affirms that the immediate final decision takes effect or reverses the decision.

The Oklahoma program revision application is based on changes to State regulations which were intended to make them equivalent to the analogous Federal regulations. Although the State's regulation changes included some changes based on provisions of the Hazardous and Solid Waste Amendments of 1984 (HSWA), the State is not seeking HSWA authorization with this application. EPA is not, therefore, authorizing the State's HSWA-type provisions with this notice.

Consequently, EPA intends to grant final authorization to Oklahoma for only the program modifications which are described below.

The following chart lists the State rules (Rules and Regulations for Industrial Waste Management as amended April 28, 1988 (effective June 1, 1988) and the referenced State laws) that have been changed and that are being recognized as equivalent to the analogous Federal rules.

Federal citation	State analog
1. Radioactive mixed waste requirements—changes to 40 CFR parts 261 and 271—as published in the FR on July 3, 1986	1. Chapter 2, Sections 200 and 210 and 63 O.S. Supp. 1987, Sections 1-2002 and 1-2005.
2. Liability coverage—corporate guarantee—changes to 40 CFR parts 264, subpart H and 265, subpart H—as published in the FR on July 11, 1986	2. Chapter 2, Sections 210, 520-522.
3. Correction to the tank standards—changes to 40 CFR parts 260, 261, 262, 264, 265, and 270—as published in the FR on July 14, 1986	3. Chapter 2, Section 210.
4. Corrections to the listing of commercial chemical products and Appendix VIII constituents—changes to 40 CFR part 261, subpart D—as published in the FR on August 6, 1986	4. Chapter 2, Section 210.

Federal citation	State analog
5. Correction to the hazardous waste tank system requirements—as published in the FR on August 15, 1986	5. Chapter 2, Section 210.
6. Listing of spent pickle liquor correction—as published in the FR on September 22, 1986	6. Chapter 2, Section 210.
7. Revisions to Manual SW-846: amended incorporation by reference—changes to 40 CFR parts 260 and 270—as published in the FR on March 16, 1987	7. Chapter 2, Section 210
8. Closure, post-closure care for interim status surface impoundments—changes to 40 CFR part 265, subpart K—as published in the FR on March 19, 1987	8. Chapter 2, Section 210.
9. Definition of solid waste—technical correction—changes to 40 CFR parts 261, subpart D and 266, subpart C—as published in the FR on June 5, 1987	9. Chapter 2, Section 210.
10. Amendments to Part B information requirements for disposal facilities—changes to 40 CFR part 270, subpart B—as published in the FR on June 22, 1987	10. Chapter 2, Section 210.
11. Technical correction; identification and listing of hazardous waste—as published in the FR on April 22, 1988	11. Chapter 2, Section 210.

The Oklahoma provisions incorporating the Federal HSWA provisions concerning research, development, and demonstration (R, D, and D) permits have not been evaluated and are not a part of the authorized revisions, since Oklahoma is not applying for them at this time. Therefore, that portion of chapter 2, rule 210 that incorporates 40 CFR 270.10(a) providing for Research, Development, and Demonstration permits, is not being considered for authorization at this time. In addition, the State rule regarding fees (chapter 7, rules 740-743) was determined to be broader in scope than the Federal requirements, and therefore, is not part of the Oklahoma authorized program.

The following State rules regarding additional wastes were added to the State's hazardous waste regulations by adoption of the HSWA provisions. Because the State is not applying for authorization of these provisions at this time, these Federal requirements will not become part of the Oklahoma authorized program until the State applies for and receives authorization for them.

Additional Wastes

Oklahoma Rules and Regulations for Controlled Industrial Management, chapter 2, rules 210 (portion), April 28, 1988: Dioxin wastes (See FR 1978, January 14, 1985); TDI.

DNT, and TDA wastes (See 50 FR 42936, October 23, 1985); Spent solvents (See 50 FR 53315, December 31, 1985); EDB wastes (See 51 FR 5330, February 13, 1986); and additional spent solvents (See 51 FR 6541, February 25, 1986).

The State also submitted revisions to the Program Description, Attorney General's Statement and the Memorandum of Agreement between the State of Oklahoma and EPA, Region 6.

No State hazardous waste permits will need to be modified to reflect this additional authority.

The State of Oklahoma is not authorized to operate on Indian lands.

C. Decision

I conclude that the Oklahoma application for program revision meets all of the statutory and regulatory requirements established by RCRA. Accordingly, Oklahoma is granted final authorization to operate its hazardous waste program as revised. Oklahoma now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out other aspects of the RCRA program, subject to the limitation of its revised program application and previously approved authorities. Oklahoma also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under sections 3008, 3013, and 7003 of RCRA.

D. Codification in Part 272

EPA uses part 272 for codification of the decision to authorize the Oklahoma program and for incorporation by reference of those provisions of the Oklahoma statutes and regulations that EPA will enforce under sections 3008, 3013 and 7003 of RCRA. Subsequently, EPA will be amending part 272, subpart LL, under a separate notice.

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 4 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. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

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

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, and 6974(b).

Dated: September 10, 1990.

Joe D. Winkle,

Acting Regional Administrator.

[FR Doc. 90-22776 Filed 9-25-90; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter 1

[MM Docket No. 87-268; FCC 90-295]

Advanced Television Systems and Their Impact on the Existing Television Broadcast Service, et. seq.

AGENCY: Federal Communications Commission.

ACTION: Policy decision.

SUMMARY: This Report and Order sets forth several policy decisions that will affect the Commission's further study of technical matters concerning the introduction of Advanced Television (ATV) Service. The Commission has decided that it intends to select a "simulcast" high definition (HDTV) system, that is, a system that employs design principles independent of the existing NTSC technology, for ATV service. It also decided not to give further consideration to systems that require additional spectrum to augment the existing 6 MHz channel used for broadcast television. Finally, the Commission left open the possibility that it might entertain consideration of an enhanced definition television (EDTV), but stated that it does not envision that it would adopt an EDTV standard prior to reaching a decision on an HDTV standard. These decisions will enable the Commission to move forward promptly toward the goal of bringing the benefits of HDTV service to the public.

EFFECTIVE DATE: September 26, 1990.

ADDRESSES: Federal Communications Commission, 1919 M Street NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Alan Stillwell, Office of Engineering and Technology, (202) 653-8162.