

US EPA ARCHIVE DOCUMENT

requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or food additive regulations, or raising tolerance levels or food additive regulations, or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Environmental protection, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 10, 1993.

Douglas D. Campt,

Director, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. Section 180.1001(d) is amended in the table therein by adding and alphabetically inserting the inert ingredient, to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(d) * * *

Inert ingredients	Limits	Uses
2-Butenedioic acid (Z)-, polymer with ethanol and ethenyl acetate, sodium salt (minimum number average molecular weight 75,000; CAS No. 139871-83-3).		Component of water-soluble film

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BILLING CODE 6560-50-F

40 CFR Part 271

[FRL-4781-8]

Oklahoma: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: The State of Oklahoma has applied for final authorization of revision to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed Oklahoma's application and has made a decision, subject to public review and comment, that Oklahoma's hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Oklahoma's hazardous waste program revisions, subject to the authority retained by EPA in accordance with the Hazardous and Solid Waste Amendments of 1984. Oklahoma's application for program revision is available for public review and comment.

DATES: This final authorization for Oklahoma shall be effective November 29, 1993 unless EPA publishes a prior Federal Register (FR) action withdrawing this immediate final rule. All comments on Oklahoma's program revision application must be received by the close of business October 29, 1993.

ADDRESSES: Copies of the Oklahoma program revision application and the materials which EPA used in evaluating the revision are available from 8:30 a.m. to 4 p.m., Monday through Friday at the following addresses for inspection and copying: State of Oklahoma, Department of Environmental Quality, 1000 Northeast Tenth Street, Oklahoma City, Oklahoma, 73117-1299 and U.S. EPA, Region 6 Library, 12th Floor, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202, phone (214) 655-6444. Written comments, referring to Docket Number OK-93-1, should be sent to Dick Thomas, Region 6 Authorization Coordinator, Grants and Authorization Section (6H-HS), RCRA Programs Branch, U.S. EPA Region 6, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202, (214) 655-8528.

FOR FURTHER INFORMATION CONTACT: Dick Thomas, Region 6 Authorization Coordinator, Grants and Authorization Section (6H-HS), RCRA Programs Branch, U.S. EPA Region 6, First Interstate Bank Tower at Fountain Place,

1445 Ross Avenue, Dallas, Texas 75202, (214) 655-8528.

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under section 3006(b) of the Resource Conservation and Recovery Act ("RCRA or the Act"), 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Pub. L. 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 124, 260 through 266, 268, and 270.

B. Oklahoma

Oklahoma initially received final authorization on January 10, 1985, (see 49 FR 50362) to implement its base hazardous waste management program. Oklahoma received authorization for revisions to its program on June 18, 1990 (see 55 FR 14280), November 27, 1990 (see 55 FR 39274), June 3, 1991 (see 56 FR 13411), and November 19, 1991 (see 56 FR 47675). On October 15, 1992, Oklahoma submitted a final complete program revision application for additional program approvals. Today, Oklahoma is seeking approval of its program revision in accordance with 40 CFR 271.21(b)(3).

EPA has reviewed Oklahoma's application, and has made an immediate final decision that Oklahoma's

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 final decision until October 29, 1993. Copies of Oklahoma's application for program revision are available for inspection and copying at the locations indicated in the "ADDRESSES" section of this notice.

Approval of Oklahoma's program revision shall become effective 60 days from the date this notice is published, unless an adverse written comment pertaining to the State's revision discussed in this notice is received by the end of the comment period. If an adverse written comment is received,

EPA will publish either: (1) A withdrawal of the immediate final decision or (2) a notice containing a response to the comment that either affirms that the immediate final decision takes effect or reverses the decision.

Oklahoma's program revision application includes State regulatory changes that are equivalent to the rules promulgated in the Federal RCRA implementing regulations in 40 CFR parts 124, 260 through 262, 264, 265, and 270 that were published in the Federal Register through May 4, 1990. This proposed approval includes the provisions that are listed in the chart below. This chart also lists the State analogs that are being recognized as equivalent to the appropriate Federal requirements.

	Federal citation	State analog
64	1. Delay of Closure Period for Hazardous Waste Management Facilities, August 14, 1989 (54 FR 33376); Checklist 64.	Oklahoma Controlled Industrial Waste Disposal Act of 1991 (O.S.) 63 §§ 1-2004(2); 1-2005(A); 1-2009; and Regulations for Industrial Waste Management, ODH Bulletin 0525, Title 310, Rules 270-3-1 and 270-3-2, as last amended on April 30, 1992, effective June 22, 1992.
65	2. Mining Waste Exclusion I, September 1, 1989 (54 FR 36592); Checklist 65.	63 O.S. 1991, § 1-2005(A); and ODH Bulletin 0525, Title 310, Rules 270-3-1 and 270-3-2, as last amended on April 30, 1992, effective June 22, 1992.
67	3. Testing and Monitoring Activities, September 29, 1989 (54 FR 40260); Checklist 67.	63 O.S. 1991, § 1-2005(A); and ODH Bulletin 0525, Title 310, Rules 270-3-1 and 270-3-2, as last amended on April 30, 1992, effective June 22, 1992.
70	4. Changes to Part 124 Not Accounted for by Present Checklists, June 30, 1983 (48 FR 30113); July 26, 1988 (53 FR 28118); September 26, 1988 (53 FR 37396); and January 4, 1989 (54 FR 246); Checklist 70.	63 O.S. 1991, §§ 1-2004(1); 1-2005; 1-2006; 1-2008; 1-2009.1; and ODH Bulletin 0525, Title 310, Rules 270-3-1 and 270-3-2, as last amended on April 30, 1992, effective June 22, 1992.
76	5. Criteria for Listing Toxic Wastes; Technical Amendment, May 4, 1990 (55 FR 18726); Checklist 76.	63 O.S. 1991, § 1-2005(A); and ODH Bulletin 0525, Title 310, Rules 270-3-1 and 270-3-2, as last amended on April 30, 1992, effective June 22, 1992.
71	6. Mining Waste Exclusion II, January 23, 1990 (55 FR 2322); Checklist 71.	63 O.S. 1991, §§ 1-2004(5); 1-2005; 1-2005(A); 1-2010; and ODH Bulletin 0525, Title 310, Rules 270-3-1 and 270-3-2, as last amended on April 30, 1992, effective June 22, 1992.
72	7. Modification of F019 Listing, February 14, 1990 (55 FR 5340); Checklist 72.	63 O.S. 1991, § 1-2005(A); and ODH Bulletin 0525, Title 310, Rules 270-3-1 and 270-3-2, as last amended on April 30, 1992, effective June 22, 1992.
73	8. Testing and Monitoring Activities; Technical Corrections, March 9, 1990 (55 FR 8948); Checklist 73.	63 O.S. 1991, § 1-2005(A); and ODH Bulletin 0525, Title 310, Rules 270-3-1 and 270-3-2, as last amended on April 30, 1992, effective June 22, 1992.
24A	9. Financial Responsibility; Settlement Agreement (Amendment to Checklist 24's Optional Designation of 264.113 and 265.113), June 26, 1990 (55 FR 25976); Checklist 24A.	63 O.S. 1991, §§ 1-2004(1); 1-2005(A); 1-2008; 1-2009; and ODH Bulletin 0525, Title 310, Rules 270-3-1 and 270-3-2, as last amended on April 30, 1992, effective June 22, 1992.

Oklahoma is not authorized to operate the Federal program on Indian lands. This authority remains with EPA.

C. Decision

I conclude that Oklahoma's application for program revision meets 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 for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the HSWA. 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 40 CFR part 272 for codification of the decision to authorize Oklahoma's program and for incorporation by reference of those provisions of Oklahoma's statutes and regulations that EPA will enforce under sections 3008, 3013, and 7003 of RCRA. Therefore, EPA is reserving amendment of 40 CFR part 272, subpart E, until a later date.

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. This authorization effectively suspends the applicability of certain Federal regulations in favor of Oklahoma's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. This authorization 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

Environmental protection, Administrative practice and procedure, Confidential business information, Environmental protection, 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, 6974(b).

Dated: September 17, 1993.

W.B. Hathaway,

Acting Regional Administrator.

[FR Doc. 93-23877 Filed 9-28-93; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 76**

[MM Docket No. 92-264; DA 93-1081]

Broadcast Service; Cable Television Act; Correction

AGENCY: Federal Communications Commission.

ACTION: Final Rule; correction.

SUMMARY: This document contains a correction to the decision text and the final regulations adopted in the Report and Order segment of the Commission's Report and Order/Further Notice of Proposed Rule Making (Report and Order) in MM Docket No. 92-264, found at 58 FR 42013, August 6, 1993 (FR Doc. 93-18652). The Report and Order

adopted regulations interpreting and implementing the anti-trafficking and cross-ownership provisions of the Cable Television Consumer Protection and Competition Act of 1992 ("1992 Cable Act").

EFFECTIVE DATE: September 29, 1993.

FOR FURTHER INFORMATION CONTACT:

Jackie E. Chorney, Mass Media Bureau, (202) 632-6990.

SUPPLEMENTARY INFORMATION:**Background**

The text and the regulations that are the subject of this correction amends the Commission's Rules to implement the cable/Multichannel Multipoint Distribution Service (MMDS) and the cable/satellite master antenna television service (SMATV) cross-ownership restrictions mandated by the 1992 Cable Act.

Need for Correction

As published, the final rules contained an error which may prove to be misleading and is therefore in need of clarification.

Correction of Publication

Accordingly, the publication on August 6, 1993 of the final rules, which were the subject of FR Doc. 93-18652, is corrected as follows:

Section 76.501 is amended by revising paragraph (e)(1), on page 42019, column 2 to read as follows:

§ 76.501 Cross-ownership

* * * * *

(e)(1) A cable operator may offer SMATV service within the portion of the franchise area served by the cable operator's cable system only if the cable operator's SMATV system was owned, operated, controlled by, or under common control with the cable operator as of October 5, 1992, or is constructed by the cable operator and provided that such SMATV service is offered in accordance with the terms and conditions of the cable franchise agreement.

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Federal Communications Commission.

William H. Johnson,

Acting Chief, Mass Media Bureau.

[FR Doc. 93-23784 Filed 9-28-93; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 675**

[Docket No. 921185-3021; I.D. 092293C]

Groundfish of the Bering Sea and Aleutian Islands Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Apportionment of reserve; request for comments.

SUMMARY: NMFS announces that amounts of the reserve are needed in the fishery for Atka mackerel in the Central Aleutian District (statistical area 542) of the Aleutian Islands subarea (AI) within the Bering Sea and Aleutian Islands management area (BSAI), and apportions 12,600 metric tons (mt) from the reserve to this fishery. This action implements the recommendation of the North Pacific Fishery Management Council (Council) and is intended to promote the goals and objectives of the Fishery Management Plan for the Groundfish Fishery of the BSAI (FMP).

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), September 29, 1993, until 12 midnight, A.l.t., December 31, 1993. Comments must be received at the following address no later than 4:30 p.m., (A.l.t.), October 14, 1993.

FOR FURTHER INFORMATION CONTACT:

Andrew N. Smoker, Resource Management Specialist, Fisheries Management Division, NMFS, 907-586-7228.

ADDRESSES: Comments may be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, Alaska 99802-1668 (Attn: Lori Gravel), or be delivered to the fourth floor of the Federal Building, 709 West 9th Street, Juneau, AK.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI exclusive economic zone is managed by the Secretary of Commerce according to the FMP prepared by the Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

The total allowable catch (TAC) for the Central Aleutian District was established by a revision to the final 1993 initial specifications for groundfish (58 FR 37660, July 13, 1993) as 14,400 mt. At its June 1993 meeting,

