

Federal requirement	HSWA or FR Notice	Promulgation	State authority
Checklist 118.—Liquids in Landfills II.	57 FR 54452	11/18/92	391-3-11-.02(1) and (2) and .10(1) and (2); 12-8-64(1)(A)(B)(D)(F)(I); 12-8-65(a)(16)(21); 12-8-66(a).
Checklist 119.—Toxicity characteristic revision.	57 FR 55114	11/24/92	391-3-11-.07; 12-8-62(10); 12-8-64(1)(D)(E); 12-8-65(a)(16)(21).
Checklist 120.—Wood preserving; technical amendment.	58 FR 6854 57 FR 61492	2/2/93 12/24/92	391-3-11-.07(1). 391-3-11-.07(1); 391-3-11-.10(2) and (1); 12-8-62(10)(11)(13); 12-8-64(1)(D)(E); 12-8-65(a)(16)(21)(3); 12-8-64(1)(A)(B)(C)(D)(F) and (I); 12-8-66.
Checklist 121.—Corrective action management units and temporary units.	58 FR 8658	2/16/93	391-3-11-.02(1); 391-3-11-.10(2) and (1); 391-3-11-.16; 391-3-11-.11(12); 391-3-11-.11(7)(d); 12-8-64(1)(A)(B)(D)(F)(I); 12-8-65(a)(16)(21); 12-8-66(e).
Checklist 122.—Recycled used oil management standards.	58 FR 26420	5/3/93	391-3-11-.07(1). 391-3-11-.10(2) and (1);
NCL.—LDR amendent third.	58 FR 14317	3/17/93	391-3-11-.17; 12-8-62(11)(13)(22); 12-8-64(1)(A)(B)(C)(D)(E)(F) and (I); 12-8-65(a)(3)(16) and (21); 12-8-66.
Checklist 123.—LDR hazardous waste debris case-by-case capacity variance.	58 FR 28506	5/14/93	391-3-11-.16; 12-8-62(13)(14); 12-8-64(1)(A)(B)(D)(F) and (I); 12-8-65(a)(16)(21); 12-8-66.
Checklist 124.—LDR for ignitable and corrosive characteristic wastes.	58 FR 29860	5/24/93	391-3-11-.10(2) and (1); 391-3-11-.16; 391-3-11-.11(7)(d); 12-8-62(13)(14); 12-8-64(1)(A)(B)(C)(D)(E)(F) and (I); 12-8-65(a)(16)(21); 12-8-66.

Footnote: Checklist 117B—Georgia adopted 40 CFR Part 261, 1992, by reference at 391-3-11-.07(i). The wording "Toxicity Characteristic" is correct in the 1992 CFR. Since Georgia did not adopt subsequent final optional rules that incorrectly changed the wording, Georgia did not cite 57 CFR 23062 specifically.

**C. Decision**

I conclude that Georgia's application for these program revisions meets all of the statutory and regulatory requirements established by RCRA. Accordingly, Georgia is granted final authorization to operate its hazardous waste program as revised.

Georgia 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 limitations of its program revision application and previously approved authorities. Georgia also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under Section 3007 of RCRA and to take enforcement actions under Section 3008, 3013, and 7003 of RCRA.

*Compliance With Executive Order 12866*

The Office of Management and Budget has exempted this rule from the requirements of Section 6 of Executive Order 12866.

*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. This authorization effectively suspends the

applicability of certain Federal regulations in favor of Georgia's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. 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, 6974(b)).

Dated: April 28, 1995.

**Patrick M. Tobin,**

*Acting Regional Administrator.*

[FR Doc. 95-11395 Filed 5-9-95; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**43 CFR Public Land Order 7141**

[UT-942-1430-01; UTU-42967, UTU-42983]

**Revocation of Secretarial Orders Dated October 28, 1921, and February 27, 1934; Utah**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public Land Order.

**SUMMARY:** This order revokes two Secretarial Orders in their entireties that withdrew 80 acres of public land for powersite classification purposes. The land is no longer required for powersite purposes. The land will be opened to surface entry. The land has been open to mining under the provisions of the Mining Claims Rights Restoration Act of 1955, and these provisions are no longer required. The land has been and will remain open to mineral leasing.

**EFFECTIVE DATE:** August 9, 1995.

**FOR FURTHER INFORMATION CONTACT:** Karl Fridberg, BLM Utah State Office, P.O. Box 45155, Salt Lake City, Utah 84145, 801-539-4101.

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is hereby ordered as follows:

1. The Secretarial Orders dated February 27, 1934, which established Powersite Classification No. 283, and October 28, 1921, which established Powersite Classification No. 16, are hereby revoked in their entireties for the following described land:

**Salt Lake Meridian**

T. 13 S., R. 5 E.,

Sec. 31, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains 80 acres in Sanpete County.

2. The State of Utah has a preference right for public highway rights-of-way or material sites for a period of 90 days from the date of publication of this order and any location, entry, selection, or subsequent patent shall be subject to any rights granted the State as provided by the Act of June 10, 1920, 16 U.S.C. 818 (1988).

3. At 9 a.m. on August 9, 1995, the land described in paragraph 1 shall be opened to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 9 a.m. on August 9, 1995, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The land described in paragraph 1 has been open to mining under the provisions of the Mining Claims Rights Restoration Act of 1955, and these provisions are no longer required.

Dated: April 21, 1995.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

[FR Doc. 95-11459 Filed 5-9-95; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**46 CFR Part 15**

[CGD 92-061]

RIN-2115-AE28

**Federal Pilotage Requirement for Foreign Trade Vessels**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is amending the regulations to require Federal pilots for foreign trade vessels: Navigating certain offshore marine oil terminals located within the U.S. navigable waters of the States of California and Hawaii; making intra-port transits within certain

designated waters in the States of New York and New Jersey; and transiting certain designated waters of the State of Massachusetts. This action is necessary to ensure that vessels are navigated by competent, qualified individuals, who are knowledgeable of the local area. The Coast Guard believes this requirement will promote navigational safety, increase the level of accountability, and reduce the risk of an accident and the discharge of oil or other hazardous substances into these waters.

**EFFECTIVE DATE:** The final rule is effective on June 9, 1995.

**ADDRESSES:** Unless otherwise indicated, documents referenced in this preamble are available for inspection or copying at the office of the Executive Secretary, Marine Safety Council (G-LRA/3406), U.S. Coast Guard Headquarters, 2100 Second Street SW., room 3406, Washington, DC 20593-0001, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

**FOR FURTHER INFORMATION CONTACT:** Mr. John R. Bennett, Merchant Vessel Personnel Division (G-MVP/12), Room 1210, U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC 20593-0001, telephone (202) 267-6102.

**SUPPLEMENTARY INFORMATION:**

Drafting Information: The principal persons involved in drafting this rule are Mr. John R. Bennett, Project Manager, Office of Marine Safety, Security and Environmental Protection, and Mr. Nicholas Grasselli, Project Counsel, Office of Chief Counsel.

**Regulatory History**

On July 9, 1993, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled "Federal Pilotage Requirement for Foreign Trade Vessels" in the **Federal Register** (58 FR 36914). This NPRM proposed areas in waters of the States of California, Hawaii, New York, New Jersey, and Massachusetts where a vessel engaged in foreign commerce would be required to use a Federally licensed first class pilot. The Coast Guard received seventy-five letters in response to the NPRM. The majority of these letters addressed the proposed pilotage requirements for New York and New Jersey.

**Background and Purpose**

The principal reason for this rulemaking is to enhance the safety of vessels performing difficult mooring maneuvers, or transiting congested or restricted waters. As noted in the NPRM, State laws do not require use of a pilot in the areas covered by this rule. Under 46 U.S.C. 8503, the Coast Guard

may prescribe pilotage regulations in waters not subject to State pilotage requirements.

**Discussion of Comments and Changes**

*A. Summary*

Seventy nine comments were received. Many comments stated that this rulemaking was unnecessary because most of the vessels affected by this rulemaking are piloted by individuals who hold State and Federal pilot's licenses. While it is true that many vessels affected by this rule are piloted by individuals who hold State and Federal pilot's licenses, it is not always clear whether these individuals are operating under their State or Federal pilot's license. For clarification and disciplinary purposes, the Coast Guard needs: (1) To verify that certain vessels operating in certain waters are being piloted by an individual holding a pilot's license; and (2) to ensure that the pilot is operating under the authority of only one pilot's license.

There have been several marine casualties involving pilots holding both State and Federal licenses. In cases where the individual was operating under the authority of a State license the Coast Guard could not take disciplinary action. This rulemaking will help to ensure that all foreign trade vessels operating in the areas described in this rulemaking are required to be under the direction and control of a Federally licensed pilot who is knowledgeable of the local navigational hazards and operating conditions, and who can be held accountable for his or her actions in the event of a casualty.

Several comments requested a public hearing. However, it is the Coast Guard's belief that holding a public hearing would not result in additional or different information than was provided in the comments. Therefore, the Coast Guard decided not to hold a public hearing.

*B. California*

Six comments supported this section of the rulemaking based on the belief that the Coast Guard needs to be able to improve its oversight of pilotage and ensure the pilot has local knowledge of the pilotage area.

Two comments opposed this section of the rulemaking because of possible Federalism implications. They noted that the California State Lands Commission (the Commission) already has a regulation that addresses pilotage requirements at offshore terminals. The Commission's regulation requires a mooring master who holds a valid U.S. Coast Guard license as a master or mate,