

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by the American Cyanamid Co. The supplemental NADA provides for the safe and effective use of chlortetracycline bisulfate (CTC bisulfate) soluble powder concentrate in the drinking water of chickens and turkeys for control of certain bacterial diseases susceptible to CTC, in the drinking water of swine, and as a drench in cattle for control and treatment of certain bacterial diseases susceptible to CTC. The approved supplemental NADA reflects compliance with findings of the National Academy of Sciences/National Research Council (NAS/NRC), Drug Efficacy Study Group's (DESI) evaluation of related drug products' effectiveness and FDA's conclusions concerning that evaluation.

**EFFECTIVE DATE:** May 19, 1995.

**FOR FURTHER INFORMATION CONTACT:** Dianne T. McRae, Center for Veterinary Medicine (HFV-102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-594-1623.

**SUPPLEMENTARY INFORMATION:** American Cyanamid Co., Berdan Ave., Wayne, NJ 07470, is the sponsor of NADA 55-020 which provides for use of Aureomycin® CTC (bisulfate) Soluble Powder Concentrate (available in 1/4 and 10 pound packets) containing CTC bisulfate equivalent to 102.4 grams of CTC hydrochloride (CTC HCl) per pound. The drug product is used to medicate the drinking water of chickens, turkeys, swine, calves, beef cattle, and nonlactating dairy cattle in accordance with § 520.445b(d)(4) (21 CFR 520.445b(d)(4)). The NADA was originally approved on June 7, 1963.

American Cyanamid Co. filed a supplement to NADA 55-020 revising the product labeling to conform to that approved for the firm's supplemental NADA's 65-071 (Aureomycin® (CTC HCl) Soluble Powder) and 65-440 (Aureomycin® (CTC HCl) Soluble Powder Concentrate). Approval of those supplemental NADA's was published in the **Federal Register** of August 3, 1994 (59 FR 39438). The approval reflects compliance of the products' labeling with NAS/NRC findings and FDA's concurrence with those findings.

The NAS/NRC evaluation is concerned only with the drugs' effectiveness and safety to the treated animal. It does not take into account the safety for food use of food derived from

drug-treated animals. Nothing herein will constitute a bar to further proceedings with respect to questions of safety of the drug or its metabolites in food products derived from treated animals.

Supplemental NADA 55-020 is approved as of April 6, 1995, and the regulations are amended by revising § 520.445b(d)(4) to reflect the approval. The basis for this approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

Under section 512(c)(2)(F)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(iii)), this approval for food producing animals does not qualify for marketing exclusivity because the supplemental application does not contain reports of new clinical or field investigations (other than bioequivalence or residue studies) and new human food safety studies (other than bioequivalence or residue studies) essential to the approval and conducted or sponsored by the applicant.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

#### **List of Subjects in 21 CFR Part 520**

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 520 is amended as follows:

#### **PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS**

1. The authority citation for 21 CFR part 520 continues to read as follows:

**Authority:** Sec. 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b).

2. Section 520.445b is amended by revising paragraph (d)(4) introductory text to read as follows:

#### **§ 520.445b Chlortetracycline powder (chlortetracycline hydrochloride or chlortetracycline bisulfate).**

\* \* \* \* \*

(d) \* \* \*

(4) The following uses of chlortetracycline hydrochloride or chlortetracycline bisulfate in drinking water or drench were reviewed by the National Academy of Sciences/National Research Council (NAS/NRC) and found effective:

\* \* \* \* \*

Dated: May 4, 1995.

**Robert C. Livingston,**

*Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.*

[FR Doc. 95-12291 Filed 5-18-95; 8:45 am]

BILLING CODE 4160-01-F

#### **NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

#### **36 CFR Part 1258**

RIN 3095-AA63

#### **Reproduction Services; Fee Schedule**

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Final rule; confirmation of interim final rule.

**SUMMARY:** The National Archives and Records Administration (NARA) is adopting as a final rule the interim final rule on NARA reproduction fees. The interim rule corrected addresses and removed certain photographic reproductions and fees from the published fee schedule. This rule will affect Federal agencies and members of the public who order reproductions from NARA.

**EFFECTIVE DATE:** The effective date of this rule is March 6, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mary Ann Hadyka or Nancy Allard on (301)713-6730.

**SUPPLEMENTARY INFORMATION:** On January 30, 1995, NARA issued an interim final rule. The effective date of the interim final rule was March 6, 1995. No comments were received during the 60-day comment period provided by the interim rule. Therefore, we are confirming in this final rule the correction of addresses and removal of published fees for certain reproductions in 36 CFR part 1258.

This rule is not a significant regulatory action for purposes of Executive Order 12866 of September 30,

1993 and has not been reviewed by the Office of Management and Budget. As required by the Regulatory Flexibility Act, it is hereby certified that this rule will not have a significant impact on small entities.

**List of Subjects in 36 CFR Part 1258**

Archives and records.

**PART 1258—FEES**

Accordingly, the interim final rule amending 36 CFR part 1258 which was published at 60 FR 5579 on January 30, 1995, is adopted as a final rule without change.

Dated: May 11, 1995.

**Trudy Huskamp Peterson,**

*Acting Archivist of the United States.*

[FR Doc. 95-12323 Filed 5-18-95; 8:45 am]

BILLING CODE 7515-01-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 264, 265, 270, and 271**

[FRL-5206-9]

RIN 2060-AB94

**Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of postponed effective date.

**SUMMARY:** This document postpones the effective date of the final rule on Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers until December 6, 1995.

**EFFECTIVE DATE:** The final rule will be effective as of December 6, 1995. The EPA specified in the final rule a schedule that established the compliance dates by which different requirements of the rule must be met. These compliance dates and requirements are explained further in the final rule (59 FR 62896, December 6, 1994) under **SUPPLEMENTARY INFORMATION.** This document only changes the June 5, 1995 effective date to December 6, 1995; all other compliance dates for the final rule remain as published in the final rule (59 FR 62896, December 6, 1994.)

**ADDRESSES:** Docket. The supporting information used for the final rule is

available for public inspection and copying in the RCRA docket. The RCRA docket numbers pertaining to the final rule are F-91-CESP-FFFFF, F-92-CESA-FFFFF, F-94-CESF-FFFFF, and F-94-CE2A-FFFFF. The docket is available for inspection at the EPA RCRA Docket Office (5305), Room 2616, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** For information about this postponement contact the RCRA Hotline at (800) 424-9346 toll-free, or (703) 920-9810.

**SUPPLEMENTARY INFORMATION:** This document announces the postponement of the effective date for the final Air Emission Standards published under the Resource Conservation and Recovery Act. These final standards were published on December 6, 1994 (59 FR 62896) and were originally scheduled to become effective as of June 5, 1995. Since promulgation, the EPA has become aware that certain provisions of the final standards may require clarification, and plans to publish a subsequent **Federal Register** document to clarify such provisions. This process may result in compliance options that facilities do not now realize are available. To ensure that all options are clear to affected facilities, and to ensure that all affected facilities have time to make any such alterations in their compliance plan prior to the effective date of the standards, EPA is postponing the effective date of the final rule for six months. The EPA considers a postponement of six months to be adequate time to allow for affected facilities to make any such necessary adjustments. The EPA also believes that it would be inequitable not to postpone the effective date in light of the possibility of increased compliance flexibility, so that a modest postponement is justified. See 5 U.S.C. 705 ("when an agency finds that justice so requires, it may postpone the effective date of action taken by it, pending judicial review"). Therefore, the effective date of the final rule will be postponed until December 6, 1995. The final rule text affected by this change is amended as follows.

**List of Subjects**

*40 CFR Part 264*

Environmental protection, Air pollution control, Hazardous waste, Insurance, Packaging and containers, Reporting and recordkeeping requirements, Security measures, Surety bonds.

*40 CFR Part 265*

Air pollution control, Hazardous waste, Insurance, Packaging and containers, Reporting and recordkeeping requirements, Security measures, Surety bonds, Water supply.

*40 CFR Part 271*

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

Dated: May 8, 1995.

**Mary D. Nichols,**

*Assistant Administrator Office of Air and Radiation.*

For the reasons set out in the preamble, title 40, chapter I, parts 264, 265, and 271 of the Code of Federal Regulations are amended as follows:

**PART 264—STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

1. The authority citation for part 264 continues to read as follows:

**Authority:** 42 U.S.C. 6905, 6912(a), 6924 and 6925.

**Subpart CC—Air Emission Standards for Tanks, Surface Impoundments, and Containers**

2. Section 264.1080 is amended by revising paragraphs (b)(1) and (c) to read as follows:

**§ 264.1080 Applicability.**

\* \* \* \* \*

(b) \* \* \*

(1) A waste management unit that holds hazardous waste placed in the unit before December 6, 1995, and in which no hazardous waste is added to the unit on or after this date.

\* \* \* \* \*

(c) For the owner and operator of a facility subject to this subpart and who received a final permit under RCRA section 3005 prior to December 6, 1995, the requirements of this subpart shall be incorporated into the permit when the permit is reissued in accordance with the requirements of § 124.15 of this chapter or reviewed in accordance with the requirements of § 270.50(d) of this chapter. Until such date when the owner and operator receives a final permit incorporating the requirements of this subpart, the owner and operator is subject to the requirements of 40 CFR part 265 subpart CC.