

under the authority of Title V and Part 70 for the purpose of implementing section 112(g) to the extent necessary during the transition period between promulgation of the federal section 112(g) rule and adoption of any necessary District rules to implement EPA's section 112(g) regulations. However, since this approval is for the purpose of providing a mechanism to implement section 112(g) during the transition period, the approval of the Chapter 3 operating permits program for this purpose will be without effect if EPA decides in the final section 112(g) rule that sources are not subject to the requirements of the rule until state regulations are adopted. Although section 112(l) generally provides the authority for approval of state air toxics programs, Title V and section 112(g) provide authority for this limited approval because of the direct linkage between implementation of section 112(g) and Title V. The duration of this approval is limited to 18 months following promulgation by EPA of section 112(g) regulations, to provide the District with adequate time to adopt regulations consistent with federal requirements.

The Office of Management and Budget has exempted this action from Executive Order 12866 review.

EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

EPA has determined that this proposed interim approval action does not include a federal mandate that may result in estimated costs of \$100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This federal action approves pre-existing requirements under state or local law, and imposes no new federal requirements. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector result from this action.

EPA has determined that this final interim approval action, promulgating interim approval of the District of Columbia's operating permits program, does not include a federal mandate that may result in estimated costs of \$100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This federal action approves pre-existing requirements under state or local law, and imposes no new federal requirements. Accordingly, no additional costs to state, local, or

tribal governments, or to the private sector result from this action.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, and Reporting and recordkeeping requirements.

Dated: July 20, 1995.

W.T. Wisniewski,
Acting Regional Administrator.

Part 70, title 40 of the Code of Federal Regulations is amended as follows:

PART 70—[AMENDED]

1. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401, et seq.

2. Appendix A to part 70 is amended by adding the entry for the District of Columbia in alphabetical order to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

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District of Columbia

(a) Environmental Regulation Administration: submitted on January 13, 1994 and March 11, 1994; interim approval effective on September 6, 1995; interim approval expires September 8, 1997.

(b) [Reserved]

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[FR Doc. 95-19399 Filed 8-4-95; 8:45 am]

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40 CFR Part 258

[EPA/OSW-FR-95; FRL-5271-8]

Financial Assurance Criteria for Owners and Operators of Municipal Solid Waste Landfill Facilities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; technical corrections.

SUMMARY: This rule corrects typographical errors in the Financial Assurance Criteria (40 CFR part 258, subpart G) for owners and operators of municipal solid waste landfills (MSWLFs).

EFFECTIVE DATE: These technical corrections are effective August 7, 1995. The effective date for subpart G of 40 CFR part 258 was recently extended from April 9, 1995 until April 9, 1997 (see the April 7, 1995 **Federal Register**, 60 FR 17649).

FOR FURTHER INFORMATION CONTACT: For general information, contact the RCRA/

Superfund Hotline, Office of Solid Waste, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, (800) 424-9346, TDD (800) 553-7672 (hearing impaired); in the Washington, DC metropolitan area the number is (703) 920-9810, TDD (703) 486-3323.

For more detailed information on specific aspects of this document, contact Allen J. Geswein (703-308-7261), Office of Solid Waste (5306W), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

SUPPLEMENTARY INFORMATION: This rule corrects typographical errors included in the Financial Assurance Criteria issued on October 9, 1991 as part of the Criteria for Municipal Solid Waste Landfills (see 56 FR 50978). The cross-references in the provisions that relate to a trust fund (§ 258.74(a) (3) and (4)), a letter of credit (§ 258.74(c)(3)) and an insurance policy (§ 258.74(d)(3)) are being changed to reference the correct section that provides for the use of multiple financial mechanisms (“§ 258.74(k)” or “paragraph k”) instead of the current (incorrect) reference to the section that addresses a state's assumption of responsibility for compliance with financial assurance requirements (“§ 258.74(j)” or “paragraph j”); the surety bond provisions at § 258.74(b)(2) already correctly reference § 258.74(k). Another change eliminates an incorrect reference to § 270.74(a) in the trust fund provisions at § 258.74(a)(6) and substitutes the correct reference to § 258.74(a). A final change corrects a grammatical error in the trust fund provisions at § 258.74(a)(4) by substituting “in the pay-in period” for “on the pay-in period” in the last sentence of that subsection.

There is good cause pursuant to section 553(b)(3)(B) of the Administrative Procedure Act, 5 U.S.C. 553(b)(3)(B), to issue today's technical corrections without prior notice and comment, because notice and comment is unnecessary when, as in this case, the changes only correct prior typographical errors and do not materially change the regulatory requirements.

List of Subjects in 40 CFR Part 258

Environmental protection, Reporting and recordkeeping requirements, Waste treatment and disposal.

Dated: June 20, 1995.

Elliott Laws,
Assistant Administrator for Solid Waste and Emergency Response.

40 CFR part 258 is amended as follows:

PART 258—CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS

1. The authority section for part 258 continues to read as follows:

Authority: 42 U.S.C. 6907(a)(3), 6912(a), 6944(a) and 6949a(c); 33 U.S.C. 1345 (d) and (e).

2. Section 258.74 is amended by revising paragraphs (a)(3), (a)(4), (a)(6), (c)(3), and (d)(3) to read as follows:

§ 258.74 Allowable mechanisms.

* * * * *

(a) * * *

(3) For a trust fund used to demonstrate financial assurance for closure and post-closure care, the first payment into the fund must be at least equal to the current cost estimate for closure or post-closure care, except as provided in paragraph (k) of this section, divided by the number of years in the pay-in period as defined in paragraph (a)(2) of this section. The amount of subsequent payments must be determined by the following formula: $Next\ Payment = [CE - CV]/Y$ where CE is the current cost estimate for closure or post-closure care (updated for inflation or other changes), CV is the current value of the trust fund, and Y is the number of years remaining in the pay-in period.

(4) For a trust fund used to demonstrate financial assurance for corrective action, the first payment into the trust fund must be at least equal to one-half of the current cost estimate for corrective action, except as provided in paragraph (k) of this section, divided by the number of years in the corrective action pay-in period as defined in paragraph (a)(2) of this section. The amount of subsequent payments must be determined by the following formula: $Next\ Payment = [RB - CV]/Y$

where RB is the most recent estimate of the required trust fund balance for corrective action (i.e., the total costs that will be incurred during the second half of the corrective action period), CV is the current value of the trust fund, and Y is the number of years remaining in the pay-in period.

* * * * *

(6) If the owner or operator establishes a trust fund after having used one or more alternate mechanisms specified in this section, the initial payment into the trust fund must be at least the amount that the fund would contain if the trust fund were established initially and annual payments made according to the specifications of this paragraph and paragraph (a) of this section, as applicable.

* * * * *

(c) * * *

(3) The letter of credit must be irrevocable and issued for a period of at least one year in an amount at least equal to the current cost estimate for closure, post-closure care or corrective action, whichever is applicable, except as provided in paragraph (k) of this section. The letter of credit must provide that the expiration date will be automatically extended for a period of at least one year unless the issuing institution has cancelled the letter of credit by sending notice of cancellation by certified mail to the owner and operator and to the State Director 120 days in advance of cancellation. If the letter of credit is cancelled by the issuing institution, the owner or operator must obtain alternate financial assurance.

* * * * *

(d) * * *

(3) The insurance policy must be issued for a face amount at least equal to the current cost estimate for closure or post-closure care, whichever is applicable, except as provided in paragraph (k) of this section. The term *face amount* means the total amount the insurer is obligated to pay under the policy. Actual payments by the insurer will not change the face amount, although the insurer's future liability will be lowered by the amount of the payments.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 93-121; RM-8220]

Radio Broadcasting Services; Buena Vista, CO

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 281C3 for Channel 281A at Buena Vista, Colorado, and modifies the Class A authorization for Station KBVC(FM) to specify operation on the higher powered channel, as requested by Riley M. Murphy. See 58 FR 31183, June 1, 1993. Coordinates used for Channel 281C3 at Buena Vista are 38-39-49 and 106-12-50. With this action, the proceeding is terminated.

EFFECTIVE DATE: September 18, 1995.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 93-121, adopted July 27, 1995, and released August 2, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, located at 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Colorado is amended by removing Channel 281A and adding Channel 281C3 at Buena Vista.

Federal Communications Commission.

Andrew J. Rhodes,

Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

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DEPARTMENT OF DEFENSE

48 CFR Chapter 2

Defense Federal Acquisition Regulation Supplement (DFARS); Revision of Authority Citation

AGENCY: Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: The Defense Acquisition Regulations (DAR) Council is revising the authority citations for 48 CFR Chapter 2 to update the authority for issuance of the Defense FAR Supplement. In addition, the DAR Council is adding the new authority citation to Appendix G as an authority citation was previously inadvertently omitted.

EFFECTIVE DATE: August 7, 1995.