

under Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(5) *Memorandum of Agreement*. The Memorandum of Agreement between EPA Region 6 and the Louisiana Department of Environmental Quality, signed by the EPA Regional Administrator on May 14, 1992, though not incorporated by reference, is referenced as part of the approved underground storage tank program under subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

3. Appendix A to Part 282 is amended by adding in alphabetical order "Louisiana" and its listing.

#### Appendix A to Part 282—State Requirements Incorporated by Reference in Part 282 of the Code of Federal Regulations

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##### Louisiana

(a) The statutory provisions include:

1. *Louisiana Environmental Quality Act, Louisiana Revised Statutes Title 30*
  - § 2194 Underground Storage Tanks; Registration
  - § 2195 Underground Storage Tank Trust Fund
    - § 2195.1 Underground Motor Fuel Storage Tank Remediation Agreements
    - § 2195.2 Uses of the Trust
    - § 2195.3 Source of Funding; Limitations on Disbursements from the Trust; Limit on Amount in Trust
    - § 2195.4 Procedures for Disbursements from the Fund Trust
    - § 2195.5 Audits
    - § 2195.6 Ownership of Trust
    - § 2195.7 No Inference of Liability on the Part of the State
    - § 2195.8 Advisory Board
    - § 2195.9 Financial Responsibility
    - § 2195.10 Voluntary Cleanup, Private Contracts; Exemptions

(b) The regulatory provisions include:

1. *Louisiana Environmental Regulatory Code, Part XI: Underground Storage Tanks, Chapter 1—Program Applicability and Definitions*
  - § 101 Applicability
  - § 103 Definitions
2. *Chapter 3—Registration Requirements, Standards, and Fee Schedule*
  - § 301 Registration Requirements
  - § 303 Standards for UST Systems
  - § 305 Interim Prohibitions for Deferred UST Systems
  - § 307 Fee Schedule
3. *Chapter 5—General Operating Requirements*
  - § 501 Spill and Overfill Control
  - § 503 Operation and Maintenance of Corrosion Protection
  - § 505 Compatibility
  - § 507 Repairs Allowed
  - § 509 Reporting and Recordkeeping
4. *Chapter 7—Methods of Release Detection and Release Reporting, Investigation, Confirmation, and Response*
  - § 701 Methods of Release Detection

- § 703 Requirements for Use of Release Detection Methods
  - § 705 Release Detection Recordkeeping
  - § 707 Reporting of Suspected Releases
  - § 709 Investigation due to Off-site Impacts
  - § 711 Release Investigation and Confirmation Steps
  - § 713 Reporting and Cleanup of Spills and Overfills
  - § 715 Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances
5. *Chapter 9—Out-of-Service UST Systems and Closure*
    - § 901 Applicability to Previously Closed UST Systems
    - § 903 Temporary Closure
    - § 905 Permanent Closure and Changes-in-Service
    - § 907 Assessing the Site at Closure or Changes-in-Service
  6. *Chapter 11—Financial Responsibility*
    - § 1101 Applicability
    - § 1103 Compliance Dates
    - § 1105 Definition of Terms
    - § 1107 Amount and Scope of Required Financial Responsibility
    - § 1109 Allowable Mechanisms and Combinations of Mechanisms
    - § 1111 Financial Test of Self-Insurance
    - § 1113 Guarantee
    - § 1115 Insurance and Risk Retention Group Coverage
    - § 1117 Surety Bond
    - § 1119 Letter of Credit
    - § 1121 Use of the Underground Motor Fuel Storage Tank Trust
    - § 1123 Trust Fund
    - § 1125 Standby Trust Fund
    - § 1127 Substitution of Financial Assurance Mechanisms by Owner or Operator
    - § 1129 Cancellation or Nonrenewal by a Provider of Financial Assurance
    - § 1131 Reporting by Owner or Operator
    - § 1133 Recordkeeping
    - § 1135 Drawing on Financial Assurance Mechanisms
    - § 1137 Release from the Requirements
    - § 1139 Bankruptcy or Other Incapacity of Owner or Operator or Provider of Financial Assurance
    - § 1141 Replenishment of Guarantees, Letters of Credit, or Surety Bonds

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#### 40 CFR Part 282

[FRL-5304-6]

#### Underground Storage Tank Program: Approved State Program for Arkansas

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

**ACTION:** Immediate final rule.

**SUMMARY:** The Resource Conservation and Recovery Act of 1976, as amended (RCRA), authorizes the U.S. Environmental Protection Agency to grant approval to states to operate their

underground storage tank programs in lieu of the federal program. 40 CFR part 282 codifies EPA's decision to approve state programs and incorporates by reference those provisions of the state statutes and regulations that will be subject to EPA's inspection and enforcement authorities under sections 9005 and 9006 of RCRA subtitle I and other applicable statutory and regulatory provisions. This rule codifies, in part 282, the prior approval of Arkansas' underground storage tank program and incorporates by reference appropriate provisions of state statutes and regulations.

**DATES:** This regulation is effective March 18, 1996, unless EPA publishes a prior Federal Register notice withdrawing this immediate final rule. All comments on the codification of Arkansas' underground storage tank program must be received by the close of business February 20, 1996. The incorporation by reference of certain publications listed in the regulations, is approved by the Director of the Federal Register, as of March 18, 1996, in accordance with 5 U.S.C. 552(a).

**ADDRESSES:** Comments may be mailed to the Docket Clerk, Underground Storage Tank Program, 6H-A, U.S. EPA Region 6, 1445 Ross Avenue, Dallas, TX 75202-2733. Comments received by EPA may be inspected in the public docket, located in the EPA Region 6 Library (12th floor) from 8 a.m. to 4:30 p.m., Monday through Friday, excluding federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Gary Fisher, Underground Storage Tank Program, 6H-A, U.S. EPA Region 6, 1445 Ross Avenue, Dallas, TX 75202-2733. Phone: (214) 665-8048.

**SUPPLEMENTARY INFORMATION:** Background

Section 9004 of the Resource Conservation and Recovery Act of 1976, as amended, (RCRA), 42 U.S.C. 6991(c), allows the U.S. Environmental Protection Agency to approve state underground storage tank programs to operate in the state in lieu of the federal underground storage tank program. EPA published a Federal Register document announcing its decision to grant approval to Arkansas on February 14, 1995 (60 FR 10331). Approval was effective on April 25, 1995.

EPA codifies its approval of State programs in 40 CFR part 282 and incorporates by reference therein the state statutes and regulations that will be subject to EPA's inspection and enforcement authorities under sections 9005 and 9006 of subtitle I of RCRA, 42 U.S.C. 6991(d) and 6991(e), and other

applicable statutory and regulatory provisions. Today's rulemaking codifies EPA's approval of the Arkansas underground storage tank program. This codification reflects the state program in effect at the time EPA granted Arkansas approval under section 9004(a), 42 U.S.C. 6991c(a) for its underground storage tank program. Notice and opportunity for comment were provided earlier on the Agency's decision to approve the Arkansas program, and EPA is not now reopening that decision nor requesting comment on it.

This effort provides clear notice to the public of the scope of the approved program in each state. By codifying the approved Arkansas program and by amending the Code of Federal Regulations whenever a new or different set of requirements is approved in Arkansas, the status of federally approved requirements of the Arkansas program will be readily discernible. Only those provisions of the Arkansas underground storage tank program for which approval has been granted by EPA will be incorporated by reference for enforcement purposes.

To codify EPA's approval of Arkansas' underground storage tank program, EPA has added § 282.53 to title 40 of the CFR. Section 282.53 incorporates by reference for enforcement purposes the State's statutes and regulations. Section 282.53 also references the Attorney General's Statement, Demonstration of Adequate Enforcement Procedures, the Program Description, and the Memorandum of Agreement, which are approved as part of the underground storage tank program under subtitle I of RCRA.

The Agency retains the authority under sections 9005 and 9006 of subtitle I of RCRA, 42 U.S.C. 6991d and 6991e, and other applicable statutory and regulatory provisions to undertake inspections and enforcement actions in approved states. With respect to such an enforcement action, the Agency will rely on federal sanctions, federal inspection authorities, and federal procedures rather than the state authorized analogs to these provisions. Therefore, the approved Arkansas enforcement authorities will not be incorporated by reference. Section 282.53 lists those approved Arkansas authorities that would fall into this category.

The public also needs to be aware that some provisions of the State's underground storage tank program are not part of the federally approved state program. These non-approved provisions are not part of the RCRA Subtitle I program because they are "broader in scope" than Subtitle I of

RCRA. See 40 CFR 281.12(a)(3)(ii). As a result, state provisions which are "broader in scope" than the federal program are not incorporated by reference for purposes of enforcement in part 282. Section 282.53 of the codification simply lists for reference and clarity the Arkansas statutory and regulatory provisions which are "broader in scope" than the federal program and which are not, therefore, part of the approved program being codified today. "Broader in scope" provisions cannot be enforced by EPA; the State, however, will continue to enforce such provisions.

#### Certification Under the Regulatory Flexibility Act

This rule codifies the decision already made (60 FR 10331, February 14, 1995) to approve the Arkansas underground storage tank program and thus has no separate effect. Therefore, this rule does not require a regulatory flexibility analysis. Thus, pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities.

#### 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.

#### Paperwork Reduction Act

Under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, Federal agencies must consider the paperwork burden imposed by any information request contained in a proposed or final rule. This rule will not impose any information requirements upon the regulated community.

#### List of Subjects in 40 CFR Part 282

Environmental protection, Hazardous substances, Incorporation by reference, Intergovernmental relations, State program approval, Underground storage tanks, Water pollution control.

Dated: October 20, 1995.

A. Stanley Meiburg,  
*Acting Regional Administrator.*

For the reasons set forth in the preamble, 40 CFR Part 282 is amended as follows:

### **PART 282—APPROVED UNDERGROUND STORAGE TANK PROGRAMS**

1. The authority citation for part 282 continues to read as follows:

Authority: 42 U.S.C. 6912, 6991c, 6991d, and 6991e.

#### **Subpart B—Approved State Programs**

2. Subpart B is amended by adding § 282.53 to read as follows:

#### **§ 282.53 Arkansas State-Administered Program.**

(a) The State of Arkansas is approved to administer and enforce an underground storage tank program in lieu of the federal program under Subtitle I of the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6991 *et seq.* The State's program, as administered by the Arkansas Department of Pollution Control and Ecology, was approved by EPA pursuant to 42 U.S.C. 6991c and part 281 of this chapter. EPA approved the Arkansas program on February 14, 1995 and it was effective on April 25, 1995.

(b) Arkansas has primary responsibility for enforcing its underground storage tank program. However, EPA retains the authority to exercise its inspection and enforcement authorities under sections 9005 and 9006 of subtitle I of RCRA, 42 U.S.C. 6991d and 6991e, as well as under other statutory and regulatory provisions.

(c) To retain program approval, Arkansas must revise its approved program to adopt new changes to the federal subtitle I program which make it more stringent, in accordance with section 9004 of RCRA, 42 U.S.C. 6991c, and 40 CFR part 281, subpart E. If Arkansas obtains approval for the revised requirements pursuant to section 9004 of RCRA, 42 U.S.C. 6991c, the newly approved statutory and regulatory provisions will be added to this subpart and notice of any change will be published in the Federal Register.

(d) Arkansas has final approval for the following elements submitted to EPA in Arkansas' program application for final approval and approved by EPA on February 14, 1995. Copies may be obtained from the Underground Storage Tank Program, Arkansas Department of Pollution Control and Ecology, 8001 National Drive, Little Rock, AR 72219-8913.

(1) *State statutes and regulations.* (i) The provisions cited in this paragraph are incorporated by reference as part of the underground storage tank program under subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(A) Arkansas Statutory Requirements Applicable to the Underground Storage Tank Program, 1995.

(B) Arkansas Regulatory Requirements Applicable to the Underground Storage Tank Program, 1995.

(ii) The following statutes and regulations are part of the approved state program, although not incorporated by reference herein for enforcement purposes.

(A) The statutory provisions include:

(1) *Arkansas Code Annotated, Title 8, Chapter 1, Subchapter 1—General Provisions:*

(i) § 8-1-107 Inspections—Definitions—Investigations—Inspection Warrant—Exceptions—Penalties

(2) *Arkansas Code Annotated, Title 8, Chapter 4, Subchapter 1—General Provisions:*

(i) § 8-4-103 Criminal, Civil, and Administrative Penalties

(3) *Arkansas Code Annotated, Title 8, Chapter 7, Subchapter 8—Regulated Substance Storage Tanks:*

(i) § 8-7-802 Department and commission—powers and duties

(ii) § 8-7-806 Penalties

(iii) § 8-7-809 Corrective actions—Orders of director

(B) The regulatory provisions include:

(1) *Arkansas Department of Pollution Control and Ecology Regulation Number 12—Storage Tank Regulation:*

(i) Chapter 2, Section 4: Access to Records

(ii) Chapter 2, Section 5: Entry and Inspection of Underground Storage Tank Facilities

(iii) Chapter 8, Section 1: Violations

(iv) Chapter 8, Section 2: Penalty Policy and Administrative Procedures

(iii) The following statutory and regulatory provisions are broader in scope than the federal program, are not part of the approved program, and are not incorporated by reference herein for enforcement purposes.

(A) Statutes.

(1) *Arkansas Code Annotated, Title 8, Chapter 7, Subchapter 8—Regulated Substance Storage Tanks.*

(i) § 8-7-802 Department's Powers and Duties (Insofar as it applies to aboveground storage tanks.)

(ii) § 8-7-805 License Requirement (Insofar as it applies to individuals other than UST owners and operators.)

(2) *Arkansas Code Annotated, Title 8, Chapter 7, Subchapter 9—Petroleum Storage Tank Trust Fund Act.*

(i) § 8-7-903 Rules and Regulations—Powers of department

(Insofar as (c) addresses aboveground storage tanks.)

(ii) Reserved.

(B) Regulations.

(1) *Arkansas Department of Pollution Control and Ecology Regulation Number 12—Storage Tank Regulation.*

(i) Chapter 2, Section 6: Entry and Inspection of Aboveground Storage Tank Facilities (Insofar as it applies to aboveground storage tanks.)

(ii) Chapter 3, Section 1: Underground and Aboveground Storage Tank Registration Fees (Insofar as it applies to aboveground storage tanks.)

(iii) Chapter 5: Licensing of Tank Installers and Service Personnel (Insofar as it applies to individuals other than UST system owners and operators.)

Section 1: Purpose

Section 2: Definitions

Section 3: Applicability

Section 4: General Requirements

Section 5: Contractor Licensing

Section 6: Individual Licensing

Section 7: Experience Requirements

Section 8: Written Examination

Section 9: Approval of Comparable Licensing Programs

Section 10: Reciprocity

Section 11: Denial of Licenses

Section 12: Renewal of Licenses

Section 13: Duties and Obligations

Section 14: Department Approval of Training and Continuing Education

Section 15: Complaints

Section 16: Investigations; Enforcement; Penalties

Section 17: Department Actions Against Licenses.

(iv) Chapter 6: Licensing of Tank Testers (Insofar as it applies to individuals other than UST system owners and operators.)

Section 1: Purpose

Section 2: Definitions

Section 3: Applicability

Section 4: General Requirements

Section 5: Company Licensing

Section 6: Individual Licensing

Section 7: Experience Requirements

Section 8: Approval of Comparable Licensing Programs

Section 9: Reciprocity

Section 10: Denial of Licenses

Section 11: Renewal of Licenses

Section 12: Duties and Obligations

Section 13: Department Approval of Training and Continuing Education

Section 14: Complaints

Section 15: Investigation; Enforcement; Penalties

Section 16: Department Actions Against Licenses

(2) *Statement of legal authority.* (i)

“Attorney General’s Statement for Final Approval”, signed by the Attorney General of Arkansas on September 21,

1994, though not incorporated by reference, is referenced as part of the approved underground storage tank program under Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(ii) Letter from the Attorney General of Arkansas to EPA, September 21, 1994, though not incorporated by reference, is referenced as part of the approved underground storage tank program under Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(3) *Demonstration of procedures for adequate enforcement.* The “Demonstration of Procedures for Adequate Enforcement” submitted as part of the original application on September 26, 1994, though not incorporated by reference, is referenced as part of the approved underground storage tank program under subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(4) *Program Description.* The program description and any other material submitted as part of the original application on September 26, 1994, though not incorporated by reference, are referenced as part of the approved underground storage tank program under Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(5) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region 6 and the Arkansas Department of Pollution Control and Ecology, signed by the EPA Regional Administrator on February 14, 1995, though not incorporated by reference, is referenced as part of the approved underground storage tank program under subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

3. Appendix A to part 282 is amended by adding in alphabetical order “Arkansas” and its listing.

#### Appendix A to Part 282—State Requirements Incorporated by Reference in Part 282 of the Code of Federal Regulations

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##### Arkansas

(a) The statutory provisions include:

1. *Arkansas Code Annotated, Title 8, Chapter 7, Subchapter 8—Regulated Substance Storage Tanks:*

§ 8-7-801 Definitions and exceptions

§ 8-7-803 Regulations generally

§ 8-7-804 Procedures of department generally

§ 8-7-807 Responsibility and liability of owner

§ 8-7-808 Regulated Substance Storage Tank Program Fund

§ 8-7-810 Insurance pools

§ 8-7-811 Trade secrets

§ 8-7-812 Subchapter controlling over other laws

- § 8-7-813 Registration
2. *Arkansas Code Annotated, Title 8, Chapter 7, Subchapter 9—Petroleum Storage Tank Trust Fund Act:*
- § 8-7-901 Title
- § 8-7-902 Definitions
- § 8-7-903 Rules and Regulations—  
Powers of department [Except (c), which addresses aboveground storage tanks.]
- § 8-7-904 Advisory committee
- § 8-7-905 Petroleum Storage Tank Trust Fund
- § 8-7-906 Petroleum environmental assurance fee
- § 8-7-907 Payments for corrective action
- § 8-7-908 Third-party claims
- § 8-7-909 Confidential treatment of information
- (b) The regulatory provisions include:
1. *Arkansas Department of Pollution Control and Ecology Regulation Number 12—Storage Tank Regulation:*
- a. Chapter 1: General Provisions
- Section 1: Purpose
- Section 2: Authority
- Section 3: Short Title
- b. Chapter 2: Regulations Promulgated Under Acts 172 and 173 of 1989 and Act 65 of the Third Extraordinary Session of 1989 for Administration of the State Regulated Storage Tank Program
- Section 1: Incorporation of Federal Regulations
- Section 2: Arkansas Petroleum Storage Tank Trust Fund Act
- Section 3: Definitions
- c. Chapter 3: Fees
- Section 1: Underground and Aboveground Storage Tank Registration Fees [Except insofar as it applies to aboveground storage tanks.]
- Section 2: Underground Storage Tank Licensing Fees
- Section 3: Late Payment Penalties
- Section 4: Refusal or Failure to Pay Fees
- d. Chapter 4: Petroleum Storage Tank Trust Fund Release Reimbursement
- Section 1: Purpose
- Section 2: Amount of Reimbursement
- Section 3: Initial Fund Eligibility
- Section 4: Loss and Restoration of Initial Fund Eligibility
- Section 5: Corrective Action Reimbursement Procedure
- Section 6: Reimbursement Application Review
- Section 7: Allowable Costs
- Section 8: Reasonable Costs
- Section 9: Audits
- Section 10: Deductible
- Section 11: Third Party Claim Reimbursement Procedure
- Section 12: Compliance
- Section 13: Fund Availability
- Section 14: Cost Recovery
- e. Chapter 7: Confidentiality
- Section 1: Confidentiality Requests
- Section 2: Responsibility
- Section 3: Submission Procedure
- Section 4: Requirements for Protection
- Section 5: Acceptability of Information
- Section 6: Security
- f. Chapter 9: Severability
- g. Chapter 10: Effective Date

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## 40 CFR Part 282

[FRL-5304-2]

### Underground Storage Tank Program: Approved State Program for New Mexico

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

**ACTION:** Immediate final rule.

**SUMMARY:** The Resource Conservation and Recovery Act of 1976, as amended (RCRA), authorizes the U.S. Environmental Protection Agency (EPA) to grant approval to states to operate their underground storage tank programs in lieu of the federal program. 40 CFR part 282 codifies EPA's decision to approve state programs and incorporates by reference those provisions of the state statutes and regulations that will be subject to EPA's inspection and enforcement authorities under sections 9005 and 9006 of RCRA subtitle I and other applicable statutory and regulatory provisions. This rule codifies in part 282 the prior approval of New Mexico's underground storage tank program and incorporates by reference appropriate provisions of state statutes and regulations.

**DATES:** This regulation is effective March 18, 1996, unless EPA publishes a prior Federal Register notice withdrawing this immediate final rule. All comments on the codification of New Mexico's underground storage tank program must be received by the close of business February 20, 1996. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register, as of March 18, 1996, in accordance with 5 U.S.C. 552(a).

**ADDRESSES:** Comments may be mailed to the Docket Clerk, Underground Storage Tank Program, 6H-A, U.S. EPA Region 6, 1445 Ross Avenue, Dallas, TX 75202-2733. Comments received by EPA may be inspected in the public docket, located in the EPA Region 6 Library (12th floor) from 8 a.m. to 4:30 p.m., Monday through Friday, excluding federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Gary Fisher, Underground Storage Tank Program, 6H-A, U.S. EPA Region 6, 1445 Ross Avenue, Dallas, TX 75202-2733. Phone: (214) 665-8048.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 9004 of the Resource Conservation and Recovery Act of 1976, as amended, (RCRA), 42 U.S.C. 6991c, allows the U.S. Environmental Protection Agency to approve state

underground storage tank programs to operate in the state in lieu of the federal underground storage tank program. EPA published a Federal Register document announcing its decision to grant approval to New Mexico on August 21, 1990 (55 FR 38064). Approval was effective on November 16, 1990.

EPA codifies its approval of State programs in 40 CFR part 282 and incorporates by reference therein the state statutes and regulations that will be subject to EPA's inspection and enforcement authorities under sections 9005 and 9006 of subtitle I of RCRA, 42 U.S.C. 6991d and 6991e, and other applicable statutory and regulatory provisions. Today's rulemaking codifies EPA's approval of the New Mexico underground storage tank program. This codification reflects the state program in effect at the time EPA granted New Mexico approval under section 9004(a), 42 U.S.C. 6991c(a) for its underground storage tank program. Notice and opportunity for comment were provided earlier on the Agency's decision to approve the New Mexico program, and EPA is not now reopening that decision nor requesting comment on it.

This effort provides clear notice to the public of the scope of the approved program in each state. By codifying the approved New Mexico program and by amending the Code of Federal Regulations whenever a new or different set of requirements is approved in New Mexico, the status of federally approved requirements of the New Mexico program will be readily discernible. Only those provisions of the New Mexico underground storage tank program for which approval has been granted by EPA will be incorporated by reference for enforcement purposes.

To codify EPA's approval of New Mexico's underground storage tank program, EPA has added section 282.81 to title 40 of the CFR. Section 282.81 incorporates by reference for enforcement purposes the State's statutes and regulations. Section 282.81 also references the Attorney General's Statement, Demonstration of Adequate Enforcement Procedures, the Program Description, and the Memorandum of Agreement, which are approved as part of the underground storage tank program under subtitle I of RCRA.

The Agency retains the authority under sections 9005 and 9006 of subtitle I of RCRA, 42 U.S.C. 6991d and 6991e, and other applicable statutory and regulatory provisions to undertake inspections and enforcement actions in approved states. With respect to such an enforcement action, the Agency will rely on federal sanctions, federal inspection authorities, and federal