### Ohio–Ozone

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<td>Columbus Area</td>
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<td>Delaware County</td>
<td>April 1, 1996</td>
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¹This date is November 15, 1990, unless otherwise noted.

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**Montana; Final Approval of State Underground Storage Tank Program**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of final determination on State of Montana application for final approval.

**SUMMARY:** The State of Montana has applied for final approval of its underground storage tank program under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed the Montana application and has reached a final determination that Montana’s underground storage tank (UST) program satisfies all of the requirements necessary to qualify for final approval. Thus, EPA is granting final approval to the State to operate its program in lieu of the Federal program.

**EFFECTIVE DATE:** Final approval for Montana shall be effective at 1:00 pm Eastern Time on March 4, 1996.

**FOR FURTHER INFORMATION CONTACT:** Kris Knutson, U.S. EPA, Region 8, Montana Office, DWR 10096, 301 South Park, Helena, Montana 59626–0096, phone: (406) 441–1130, extension 225.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Section 9004 of the Resource Conservation and Recovery Act (RCRA) enables EPA to approve state underground storage tank programs to operate in the State in lieu of the Federal underground storage tank (UST) program. Program approval is granted by EPA if the Agency finds that the State program: (1) is “no less stringent” than the Federal program in all seven elements, and includes notification requirements of section 9004(a)(8), 42 U.S.C. 6991c(a)(8); and (2) provides for adequate enforcement of compliance with UST standards (section 9004(a), 42 U.S.C. 6991c(a)).

The Environmental Protection Agency has reviewed the Montana UST program. The State of Montana has demonstrated adequate authority to operate its underground storage tank program in lieu of the Federal program. Program approval is granted to Montana if the State program satisfies all of the requirements necessary to qualify for final approval. Thus, EPA is granting final approval to the State to operate its underground storage tank program in lieu of the Federal program.

### Appalachian Ozone Transport Study Project

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[FR Doc. 96–1933 Filed 1–31–96; 8:45 am]
BILLING CODE 6560–50–P

40 CFR Part 281

[FRL–5406–6]

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40 CFR Part 281

[FRL–5406–6]
justifying such approval, based upon its understanding of the relevant principles of Federal Indian law and sound administrative practice. The State may wish to consider EPA's discussion of the related issue of tribal jurisdiction found in the preamble to the Indian Water Quality Standards Regulation (see 56 FR 64876, December 12, 1991). Montana also has primary enforcement responsibility, although EPA retains the right to conduct inspections under section 9005 of RCRA 42 U.S.C. 6991d and to take enforcement actions under section 9006 of RCRA 42 U.S.C. 6991e.

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 approval will not have a significant economic impact on a substantial number of small entities. The approval effectively suspends the applicability of certain Federal regulations in favor of Montana's program, thereby eliminating duplicative requirements for owners and operators of underground storage tanks 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 281
Environmental protection, Administrative practice and procedure, Hazardous materials, State program approval, Underground storage tanks.

Authority: This notice is issued under the authority of sections 2002(a), 7004(b), and 5000(f) of the Solid Waste Disposal Act as authority of sections 2002(a), 7004(b), and 5000(f) of the Solid Waste Disposal Act as amended, 42 U.S.C. 6921(a), 6974(b), and 6991(c).


Jack McGraw,
Acting Regional Administrator.

[FR Doc. 96–2142 Filed 1–31–96; 8:45 am]
BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION
47 CFR Parts 15 and 90
[ET Docket 93–235; FCC 95–486]

Additional Frequencies for Cordless Telephones
AGENCY: Federal Communications Commission.

ACTION: Final Rule; petition for reconsideration.

SUMMARY: By this action, the Commission denies the Petition for Reconsideration filed by the American Petroleum Institute (API). The cordless telephone rules are intended to improve the operation and convenience of cordless telephones. The Commission finds that API presents no new information in its petition that would justify a further change in our requirements for cordless telephones.

FOR FURTHER INFORMATION CONTACT: Anthony Serafini, Office of Engineering and Technology, (202) 418–2456.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Memorandum Opinion and Order, in ET Docket 93–235, Adopted December 1, 1995 and released December 12, 1995. The complete Memorandum Opinion and Order is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C., and also may be purchased from the Commission's duplication contractor, International Transcription Service, (202) 857–3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037.

1. On June 5, 1995, the American Petroleum Institute (API) filed a Petition for Reconsideration requesting that the Commission amend its cordless telephone rules adopted in the Report and Order, 60 FR 21984 (May 4, 1995), on April 5, 1995. API stated that the rules do not fully protect against interference to PLMRS and requested changes to the requirements for automatic channel selection in cordless telephones. Alternately, API requested that cordless telephones operating on the new frequencies be required to place a 2-inch by 3-inch label on both the exterior packaging and the actual equipment. The label, which would include specific language proposed by API, would warn consumers of possible interference from the PLMRS and inform them that they must accept interference.

2. In the Report and Order, the Commission found that it was neither necessary nor desirable to impose specific design standards for the automatic channel selection mechanism, and the Commission permitted manufacturers the flexibility to implement the requirement in a manner that best suits the design of their equipment. API has presented no new information in this regard, and we continue to believe that the concerns of API have been addressed. Commenters opposed API’s petition stating that the concerns raised by API have already been adequately addressed by the Commission and that any further action is unnecessary. Regarding API’s alternative request for additional labelling, we note that our existing Part 15 rules already require cordless telephones to be labelled regarding potential interference.

3. Based on the comments, the Commission adopted the Memorandum Opinion and Order denying API’s petition for reconsideration.

Accordingly, IT IS ORDERED that the petition for reconsideration filed by the American Petroleum Institute IS DENIED. This action is taken pursuant to the authority contained in Sections 4(i), 302, 303(e), 303(f), and 303(r) of the Communications Act of 1934, as amended.

List of Subjects
47 CFR Part 15
Communications equipment.

47 CFR Part 90
Communications equipment.

Federal Communications Commission.

William F. Caton,
Acting Secretary.

[FR Doc. 96–2168 Filed 1–31–96; 8:45 am]
BILLING CODE 6712–01–P

DEPARTMENT OF DEFENSE
48 CFR Parts 228 and 252
Defense Federal Acquisition Regulation Supplement; Alternatives to Miller Act Bonds

AGENCY: Department of Defense (DoD).

ACTION: Interim rule with request for comment.

SUMMARY: The Director of Defense Procurement is amending the Defense Federal Acquisition Regulation Supplement (DFARS) to revise the interim rule which was published in the Federal Register on August 31, 1995, providing alternative payment protections for construction contracts between $25,000 and $100,000.

DATES: Effective Date: February 1, 1996.

Comments Date: April 1, 1996.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Ms. Amy Williams, PDUSD(A&T)/DP(DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301–3062. Telefax number (703) 502–0350. Please cite DFARS Case 95–D305 in all correspondence related to this issue.