

1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866 review.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Note: Incorporation by reference of the State Implementation Plan for the State of California was approved by the Director of the Federal Register on July 1, 1982.

Dated: March 24, 1996.

Felicia Marcus,
Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart F—California

2. Section 52.220 is amended by adding paragraph (c)(227) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *
(227) New regulation for the following APCD was submitted on October 18, 1995, by the Governor's designee.

(i) Incorporation by reference.

(A) San Joaquin Valley Unified Air Pollution Control District.

(J) Rule 2530, adopted on June 15, 1995.

[FR Doc. 96–10383 Filed 4–25–96; 8:45 am]

BILLING CODE 6560–50–W

40 CFR Part 241

[FRL–5462–7]

Solid Waste Programs; Removal of Legally Obsolete Guidelines

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: In response to the President's Regulatory Reform Initiative, the Environmental Protection Agency (EPA) has conducted a review of the regulations it administers and has

identified the guidelines pertaining to solid waste management as obsolete. These guidelines, which are being removed from the Code of Federal Regulations (CFR) today, are no longer necessary because they have been addressed by more recent regulations. Deleting these guidelines from the CFR will have no impact on solid waste management.

EFFECTIVE DATE: This final rule takes effect on April 26, 1996.

ADDRESSES: Supporting materials are available for viewing in the RCRA Information Center (RIC), located at Crystal Gateway I, First Floor, 1235 Jefferson Davis Highway, Arlington, VA. The Docket Identification Number is F–96–LOGF–FFFFF. The RIC is open from 9 a.m. to 4 p.m., Monday through Friday, excluding federal holidays. To review docket materials, it is recommended that the public make an appointment by calling 703 603–9230. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost \$0.15/page.

FOR FURTHER INFORMATION CONTACT:

Deborah Gallman (703) 308–7276, Office of Solid Waste, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C., 20460, or the RCRA Superfund Hotline, phone (800) 424–9346 or (703) 412–9810 in the Washington, D.C., metropolitan area.

SUPPLEMENTARY INFORMATION:

I. Introduction

On March 4, 1995, the President directed all Federal agencies and departments to conduct a comprehensive review of the regulations they administer and to identify those rules that are obsolete or unduly burdensome. EPA has conducted a review of its rules and guidelines, including those issued under the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 9601 et seq.). Based on this review, EPA is today eliminating the following obsolete RCRA guidelines from the CFR: 40 CFR, Part 241, "Guidelines for the Land Disposal of Solid Wastes". The guidelines, promulgated on August 14, 1974, are no longer necessary because they have been included in and/or addressed by the Criteria for Classification of Solid Waste Disposal Facilities and Practices, 40 CFR Part 257, promulgated on September 13, 1979 (44 FR 53460) and the Criteria for Municipal Solid Waste Landfills, 40 CFR Part 258, promulgated on October 9, 1991 (56 FR 50978). The removal of these rules from the CFR because they are obsolete is not intended to affect the

status of any civil or criminal actions that were initiated prior to the date of publication of this notice or which may be initiated in the future to redress violations of the rules that occurred when the rules were still legally in effect.

II. Obsolete Rule

40 CFR Part 241—Guidelines for the Land Disposal of Solid Waste

On August 14, 1974, EPA issued guidelines for the land disposal of all solid waste materials, excluding hazardous, agricultural, and mining wastes. These guidelines were intended to ensure that design, construction, and operation of land disposal sites for non-hazardous or municipal solid wastes met specified health and environmental standards. These guidelines were required to be followed by federal agencies and recommended to state and local governmental agencies. All guideline requirements contained in 40 CFR Part 241 are now included in and/or addressed by the Criteria for Classification of Solid Waste Disposal Facilities and Practices (40 CFR Part 257) and the Criteria for Municipal Solid Waste Landfills (40 CFR Part 258). These criteria must be followed by federal agencies. 42 U.S.C. 6961(a). Accordingly, EPA is removing the Part 241 guidelines from the CFR.

III. Good Cause Exemption From Notice-and-Comment Rulemaking Procedures

The Administrative Procedure Act generally requires agencies to provide prior notice and opportunity for public comment before issuing a final rule. 5 U.S.C. 553(b). Rules are exempt from this requirement if the issuing agency finds for good cause that notice and comment is unnecessary. 5 U.S.C. 553(b)(3)(B). EPA has determined that providing prior notice and opportunity for comment on the deletion of the 40 CFR Part 241 guidelines from the CFR is unnecessary. For the reasons discussed in Sections I and II, these guidelines are covered/addressed by 40 CFR Parts 257 and 258. Thus, withdrawing them from the CFR will have no impact on current Federal and state solid waste management practices. For the same reasons, EPA believes there is good cause for making the removal of these guidelines from the CFR immediately effective. See 5 U.S.C. 553(d).

IV. Analysis under Executive Order (E.O.) 12866, the Unfunded Mandates Reform Act of 1995, the Regulatory Flexibility Act and the Paperwork Reduction Act

Because the withdrawal of these rules from the CFR merely reflects their current obsolescence and thus has no regulatory impact, this action is not a "significant" regulatory action within the meaning of E.O. 12866, and does not impose any Federal mandate on State, local, or tribal governments or the private sector within the meaning of the Unfunded Mandates Reform Act of 1995. For the same reasons, pursuant to the Regulatory Flexibility Act, I certify that this action would not have a significant economic impact on a substantial number of small entities. Finally, because these guidelines have been replaced or addressed by 40 CFR Parts 257 and 258, their deletion from the CFR does not affect requirements under the Paperwork Reduction Act.

List of Subjects in 40 CFR Part 241

Waste treatment and disposal.

Dated: April 17, 1996.

Elliott P. Laws,

Assistant Administrator.

For the reasons set out in the preamble, and under the authority of 42 U.S.C. 6907 and 6912, Title 40, Chapter I of the Code of Federal Regulations is amended as follows:

Part 241—[REMOVED]

1. Part 241 is removed.

[FR Doc. 96-10388 Filed 4-25-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 271

[5461-1]

South Carolina; Final Authorization of Revisions to State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: South Carolina has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). South Carolina's revisions consist of the provisions contained in certain rules promulgated between April 24, 1984, and September 2, 1988. These requirements are listed in Section B of this notice. The Environmental Protection Agency (EPA) has reviewed South Carolina's application and has

made a decision, subject to public review and comment, that South Carolina's hazardous waste program revisions satisfy all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve South Carolina's hazardous waste program revisions. South Carolina's applications for program revisions are available for public review and comment.

DATES: Final authorization for South Carolina's program revisions shall be effective June 25, 1996 unless EPA publishes a prior Federal Register action withdrawing this immediate final rule. All comments on South Carolina's program revision application must be received by the close of business, May 28, 1996.

ADDRESSES: Copies of South Carolina's program revision applications are available during normal business hours at the following addresses for inspection and copying: South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201; U.S. EPA Region 4, Library, 345 Courtland Street, NE, Atlanta, Georgia 30365; (404) 347-4216. Written comments should be sent to Al Hanke at the address listed below.

FOR FURTHER INFORMATION CONTACT: Al Hanke, Chief, State Programs Section, Waste Programs Branch, Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365; (404) 347-2234.

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under Section 3006(b) of the Resource Conservation and Recovery Act ("RCRA" or "the Act"), 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program.

In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Pub. L. 98-616, November 8, 1984, hereinafter "HSWA") allows States to revise their programs to become substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority. States exercising the latter option receive "interim authorization" for the HSWA requirements under Section 3006(g) of RCRA, 42 U.S.C. 6926(g), and later apply for final authorization for the HSWA requirements.

Revisions to State hazardous waste programs are necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, State program revisions are necessitated by changes to EPA's regulations in 40 CFR Parts 260-268 and 124 and 270.

B. South Carolina

South Carolina initially received final authorization for its base RCRA program effective on November 22, 1985. South Carolina most recently received authorization for revisions to its program effective October 16, 1995, (60 FR 42046, August 15, 1995). Today, South Carolina is seeking approval of additional program revisions in accordance with 40 CFR 271.21(b)(3).

EPA has reviewed South Carolina's applications and has made an immediate final decision that South Carolina's hazardous waste program revisions satisfy all of the requirements necessary to qualify for final authorization. Consequently, EPA intends to grant final authorization for the additional program modifications to South Carolina. The public may submit written comments on EPA's immediate final decision up until May 28, 1996.

Copies of South Carolina's application for these program revisions are available for inspection and copying at the locations indicated in the "Addresses" section of this notice.

Approval of South Carolina's program revisions shall become effective June 25, 1996, unless an adverse comment pertaining to the State's revisions discussed in this notice is received by the end of the comment period.

If an adverse comment is received EPA will publish either (1) a withdrawal of the immediate final decision or (2) a notice containing a response to comments which either affirms that the immediate final decision takes effect or reverses the decision.

EPA shall administer any RCRA hazardous waste permits, or portions of permits that contain conditions based upon the Federal program provisions for which the State is applying for authorization and which were issued by EPA prior to the effective date of this authorization. EPA will suspend issuance of any further permits under the provisions for which the State is being authorized on the effective date of this authorization.

South Carolina is today seeking authority to administer the following Federal requirements: