

review, under paragraph L49, of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 1.

Neither a Record of Environmental Consideration nor a Memorandum for the Record are required for this rule. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG-2025-0805 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. Also, if you go to the online docket and sign up for email alerts through the “Subscribe” option, you will be notified when comments/updates are posted, or a final rule is published.

Personal information. We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05-1; and DHS Delegation No. 00170.1. Revision No.01.3

■ 2. Revise § 117.735 to read as follows:

§ 117.735 Newark Bay.

(a) The following requirements apply to all bridges across this waterway:

(1) Public vessels of the United States, state or local vessels used for public service, and vessels in distress shall be passed through the draw without delay. The opening signal from these vessels is four or more short blasts of a whistle or horn or a radio request.

(2) The owners of these bridges shall provide and keep in good legible condition two board gages painted white with black figures not less than 12 inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gauges shall be so placed on the bridge that they are plainly visible to operators of vessels approaching the bridge either up or downstream.

(3) Trains and locomotives shall be controlled so that any delay in opening the draw span shall not exceed five minutes. However, if a train moving toward the bridge has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, the train may continue across the bridge and must clear the bridge interlocks before stopping.

(b) The draw of the Lehigh Valley Drawbridge, mile 4.6, between the City of Newark and City of Bayonne, NJ, shall be operated from a remote location at all times, except when it is tended locally.

(1) Closed circuit television cameras shall be operated and maintained at the bridge site to enable the remotely located bridge tender to have a full view of both vessel traffic and the bridge.

(2) Radiotelephone Channel 13/16 VHF-FM shall be maintained and utilized to facilitate communication in both remote and local control locations. A push-to-talk (PTT) will be maintained on VHF-FM channel 13. Vessels may push the PTT button five times while on VHF-FM channel 13 and the remotely located bridge tender will receive and respond to the request and commence opening of the bridge.

(3) The bridge shall also be equipped with directional microphones and horns to receive and deliver signals to vessels

(4) A telephone number will be maintained and posted for mariners to directly contact the remotely located bridge tender.

(5) Whenever the remote control system equipment is partially disabled or fails for any reason, the bridge shall be physically tended and operated by local control as soon as possible, but no more than 60 minutes after malfunction or disability of the remote system. Mechanical bypass and override capability of the remote system shall be provided and maintained.

M.E. Platt,

Rear Admiral, U.S. Coast Guard, Commander, Northeast Guard District.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[EPA-R05-RCRA-2025-1675; FRL-12244-01-R5]

Ohio: Proposed Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Ohio has applied to the Environmental Protection Agency (EPA) for final authorization of changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA), as amended. The EPA has reviewed Ohio’s application and has determined that these changes satisfy all requirements needed to qualify for final authorization. Therefore, we are proposing to authorize the State’s changes. The EPA seeks public comment prior to taking final action.

DATES: Comments must be received on or before December 18, 2025.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA-R05-RCRA-2025-1675, by the following method:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the online instructions for submitting comments.

- **Email:** Daniel Leonard, leonard.daniel@epa.gov.

Instructions: EPA must receive your comments by December 18, 2025.

Docket: All documents in the docket are listed in the <https://www.regulations.gov>.

www.regulations.gov index. Although listed in the index, some information is not publicly available, *e.g.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically at <https://www.regulations.gov>, or in hard copy.

Written comments: EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <https://www.regulations.gov>, including any personal information provided. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The Federal <https://www.regulations.gov> website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. (For additional information about EPA's public docket, visit the EPA Docket Center homepage at <https://www.epa.gov/dockets/commenting-epa-dockets>).

FOR FURTHER INFORMATION CONTACT: Daniel Leonard, Waste Management Permitting Section, Land, Chemicals, and Redevelopment Division, U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, LL-17J, Chicago, IL 60604. Daniel Leonard can be reached by telephone at (312) 886-7089 or via email at leonard.daniel@epa.gov.

SUPPLEMENTARY INFORMATION:

A. Why are revisions to state programs necessary?

States that have received final authorization from EPA under RCRA section 3006(b), 42 U.S.C. 6926(b), must

maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal program. As the Federal program changes, states must change their programs and ask EPA to authorize the changes. Changes to state programs may be necessary when Federal or state statutory or regulatory authority is modified or when certain other changes occur. Most commonly, states must change their programs because of changes to EPA's regulations in Title 40 of the Code of Federal Regulations (CFR) parts 124, 260 through 268, 270, 273, and 279.

New Federal requirements and prohibitions imposed by Federal regulations that EPA promulgates pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA) take effect in authorized states at the same time that they take effect in unauthorized states. Thus, EPA will implement those requirements and prohibitions in Ohio, including the issuance of new permits implementing those requirements, until the State is granted authorization to do so.

B. What decisions has EPA made in this proposed rule?

On June 27, 2023, Ohio submitted a program revision application seeking authorization of changes to its hazardous waste program that correspond to certain Federal rules promulgated between June 21, 1990 and July 7, 2020 (also known as RCRA Clusters II through XXIX). On January 15, 2024, EPA requested further information from the Ohio Attorney General, including information regarding the State's issuance of exemptions that appeared in conflict with a previous statement from the Ohio Attorney General and which might make Ohio's program less stringent than the Federal program. On October 24, 2024, Ohio submitted a response clarifying the Ohio Attorney General's position on these exemptions. On January 17, 2025, EPA responded to Ohio EPA with a letter stating in order to complete the process for authorizing Ohio's application, Ohio should address the existing exemptions by continuing to work with EPA to make final permit decisions on permit applications under review. In addition, EPA requested that Ohio EPA memorialize its commitments to make these permit decisions and to ensure common understanding and efficient coordination for any future proposal to issue an exemption or variance. Ohio EPA has made commitments to EPA and agreed to revise its Memorandum of Agreement required under 40 CFR 271.8 with

formal commitments to this effect. The EPA concludes that Ohio's application to revise its authorized program now meets all of the statutory and regulatory requirements established under RCRA, as set forth in RCRA section 3006(b), 42 U.S.C. 6926(b), and 40 CFR part 271. Therefore, EPA proposes to grant Ohio final authorization to operate its hazardous waste program with the changes described in the authorization application, and as outlined below in Section F of this document.

Ohio has responsibility for permitting treatment, storage, and disposal facilities within its borders (except in Indian country) and for carrying out the aspects of the RCRA program described in its revised program application.

C. What is the effect of this proposed authorization decision?

If Ohio is authorized for the changes described in Ohio's authorization application, these changes will become part of the authorized State hazardous waste program, and will therefore be federally enforceable. Ohio will continue to have primary enforcement authority and responsibility for its State hazardous waste program. The EPA would maintain its authorities under RCRA sections 3007, 3008, 3013, and 7003, including its authority to:

- Conduct inspections, and require monitoring, tests, analyses and reports;
- Enforce RCRA requirements, including authorized State program requirements, and suspend or revoke permits; and
- Take enforcement actions regardless of whether the State has taken its own actions.

This action will not impose additional requirements on the regulated community because the regulations which EPA is proposing to authorize in Ohio are already effective under State law and are not changed by this proposed action.

D. What happens if EPA receives comments that oppose this action?

If EPA receives oppositional comments on this proposed action, we will address all such comments in a later final rule. You may not have another opportunity to comment. If you want to comment on this authorization, you should do so at this time.

E. What has Ohio previously been authorized for?

Ohio initially received final authorization on June 28, 1989, effective June 30, 1989 (54 FR 27170, June 28, 1989) to implement the RCRA hazardous waste management program. Subsequently, the EPA granted

authorization for changes to the Ohio program effective June 7, 1991 (56 FR 14203, April 8, 1991) as corrected June 19, 1991, effective August 19, 1991 (56 FR 28088); effective September 25, 1995 (60 FR 38502, July 27, 1995); effective December 23, 1996 (61 FR 54950, October 23, 1996); effective January 24, 2003 (68 FR 3429, January 24, 2003); effective January 20, 2006 (71 FR 3220, January 20, 2006); effective October 29, 2007 (72 FR 61063, October 29, 2007);

effective March 19, 2012 (77 FR 25966, March 19, 2012); effective February 12, 2018 (83 FR 5948, February 12, 2018); and effective September 26, 2019 (84 FR 50766, September 26, 2019).

F. What changes are we proposing with today's action?

On June 27, 2023, Ohio submitted a final complete program revision application, seeking authorization of changes to its hazardous waste management program in accordance

with 40 CFR 271.21. The EPA proposes to determine, subject to receipt of written comments that oppose this action, that Ohio's hazardous waste program revisions are equivalent to, consistent with, and no less stringent than the Federal program, and therefore satisfy all of the requirements necessary to qualify for final authorization. Therefore, EPA is proposing to authorize Ohio for the following program changes:

Rule checklist ¹	Description of Federal requirement	Federal Register date and page (and/or RCRA statutory authority)	Analogous State Authority (Ohio Admin. Code effective June 12, 2023, unless otherwise specified)
79	Hazardous Waste Treatment, Storage, and Disposal Facilities—Organic Air Emission Standards for Process Vents and Equipment Leaks.	55 FR 25454	3745–50–11, 3745–54–13, 3745–54–15, 3745–54–73, 3745–54–77, 3745–65–73, 3745–65–77, 3745–205–30 through 3745–205–36, 3745–205–50 through 3745–205–65, 3745–256–30 through 3745–256–35, 3745–256–50 through 3745–256–64, 3745–50–44.
87	Organic Air Emission Standards for Process Vents and Equipment Leaks; Technical Amendment.	56 FR 19290	3745–205–30, 3745–205–33, 3745–205–35, 3745–205–52, 3745–65–13, 3745–65–73, 3745–256–30, 3745–256–34, 3745–256–35, 3745–256–52, 3745–256–64, 3745–50–44.
154	Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers.	61 FR 59931	3745–50–11, 3745–50–44, 3745–50–49, 3745–51–06, 3745–54–13, 3745–54–15, 3745–54–73, 3745–54–77, 3745–55–79, 3745–55–100, 3745–56–32, 3745–57–91, 3745–65–01, 3745–65–13, 3745–65–15, 3745–65–73, 3745–65–77, 3745–66–78, 3745–66–102, 3745–67–31, 3745–205–30, 3745–205–33, 3745–205–35, 3745–205–50, 3745–205–55, 3745–205–64, 3745–205–80, 3745–205–82 through 3745–205–90, 3745–256–30, 3745–256–33 through 3745–256–35, 3745–256–30, 3745–256–55, 3745–256–58, 3745–256–64, 3745–256–80 through 3745–256–90.
158	Hazardous Waste Management System; Testing and Monitoring Activities.	62 FR 32452	3745–50–11, 3745–205–34, 3745–205–63, 3745–256–34, 3745–256–63, 3745–266–106, 3745–266–107.
163	Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers.	62 FR 64636	3745–54–15, 3745–54–73, 3745–205–30, 3745–205–31, 3745–205–33, 3745–205–50, 3745–205–60, 3745–205–62, 3745–205–64, 3745–205–80, 3745–205–82 through 3745–205–89, 3745–65–15, 3745–65–73, 3745–256–30, 3745–256–33, 3745–256–50, 3745–256–60, 3745–256–62, 3745–256–64, 3745–256–80 through 3745–256–90.
177	Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers.	64 FR 3381	3745–205–31, 3745–205–80, 3745–205–83, 3745–205–84, 3745–205–86, 3745–256–80, 3745–256–84, 3745–256–85, 3745–256–87.
205	National Emission Standards for Hazardous Air Pollutants (NESHAP); Surface Coating of Automobiles and Light-Duty Trucks.	69 FR 22601	3745–205–50, 3745–256–50.
208	Methods Innovation Rule and SW–846 Update	79 FR 35290	3745–50–11, 3745–50–44, 3745–55–90, 3745–66–90, 3745–205–34, 3745–205–63, 3745–256–34, 3745–256–63, 3745–256–81, 3745–256–84, 3745–266–100, 3745–266–102, 3745–266–103, 3745–266–106, 3745–266–112.
212	National Emission Standards for Hazardous Air Pollutants (NESHAP); Final Standards for Hazardous Waste Combustors (Phase I Final Replacement Standards and Phase II).	70 FR 59402	3745–50–11, 3745–50–44, 3745–50–51, 3745–57–40, 3745–266–100.

¹ Revision Checklists generally reflect changes to Federal regulations pursuant to a particular **Federal Register** publication; EPA publishes these

checklists as aids to states to use for development of their authorization revision application. See EPA's RCRA State Authorization website at <https://www.epa.gov/rcra/state-authorization-under-resource-conservation-and-recovery-act-rcra>.

Rule checklist ¹	Description of Federal requirement	Federal Register date and page (and/or RCRA statutory authority)	Analogous State Authority (Ohio Admin. Code effective June 12, 2023, unless otherwise specified)
213	Burden Reduction Initiative	71 FR 16862	3745–50–10, 3745–50–24, 3745–50–44, 3745–50–51, 3745–54–15, 3745–54–73, 3745–65–15, 3745–65–73, 3745–66–93, 3745–205–61, 3745–205–62, 3745–256–61, 3745–256–62, 3745–266–102, 3745–266–103.
214	Corrections to the Code of Federal Regulations	71 FR 40254	3745–50–10, 3745–50–44, 3745–50–51, 3745–54–01, 3745–54–13, 3745–55–18, 3745–57–91, 3745–65–01, 3745–65–73, 3745–66–17, 3745–66–42, 3745–66–93, 3745–256–33, 3745–256–35, 3745–256–63, 3745–256–73, 3745–256–80, 3745–256–84, 3745–256–85, 3745–256–87, 3745–256–90, 3745–205–30, 3745–205–33, 3745–205–34, 3745–205–35, 3745–205–50, 3745–205–58, 3745–205–64, 3745–205–80, 3745–205–90, 3745–266–80, 3745–266–100, 3745–266–102, 3745–266–103, 3745–266–106, 3745–266–107, 3745–266–112, 3745–273–13, 3745–50–10, 3745–50–49, 3745–266–22, 3745–266–80.
223	Hazardous Waste Technical Corrections and Clarifications.	75 FR 31716	3745–50–24, 3745–50–26, 3745–50–16.
233A	Revisions to the Definition of Solid Waste	80 FR 1694 and 83 FR 24664.	3745–50–10, 3745–50–17.
233B	Revisions to the Definition of Solid Waste	80 FR 1694 and 83 FR 24664.	3745–51–01.
233C	Revisions to the Definition of Solid Waste	80 FR 1694	3745–50–10, 3745–50–15, 3745–50–23, 3745–51–51, 3745–51–140, 3745–51–142, 3745–51–143, 3745–51–147 (effective March 7, 2025), 3745–51–148, 3745–51–400, 3745–51–410, 3745–51–411, 3745–51–420, 3745–51.
233D2	Revisions to the Definition of Solid Waste	80 FR 1694 and 83 FR 24664.	2745–50–10, 3745–51–02, 3745–51–04, 3745–51–170, 3745–51–190, 3745–51–191, 3745–51–193, 3745–51–194, 3745–51–196, 3745–51–197, 3745–51–198, 3745–51–199, 3745–51–200, 3745–51–730, 3745–51–731, 3745–51–732, 3745–51–733, 3745–51–734, 3745–51–735, 3745–51–750, 3745–51–780, 3745–51–781, 3745–51–782, 3745–51–783 (effective March 7, 2025), 3745–51–786, 3745–51–789 (effective March 7, 2025).
233E	Revisions to the Definition of Solid Waste	80 FR 1694	3745–50–10, 3745–50–11, 3745–51–01, 3745–51–04, 3745–51–06, 3745–51–420, 3745–54–01, 3745–54–15, 3745–55–70, 3745–65–01, 3745–65–15, 3745–205–30, 3745–205–50, 3745–256–30, 3745–256–50, 3745–266–80.
237	Hazardous Waste Generator Improvements Rule ..	81 FR 85732	3745–50–10, 3745–50–44, 3745–54–01, 3745–65–01, 2745–273–13, 3745–273–33.
242	Universal Waste Regulations: Addition of Aerosol Cans.	84 FR 67202	3745–50–11, 3745–51–21.
243	Modernizing Ignitable Liquids Determinations	85 FR 40594	

Ohio previously added “non-empty aerosol containers” to their universal waste program, authorized September 26, 2019 (84 FR 50766). Following the February 7, 2020 addition of aerosol cans to the Federal universal waste rules (84 FR 67202, December 9, 2019), EPA determined Ohio’s treatment of non-empty aerosol containers to be functionally equivalent to the Federal aerosol cans rule (84 FR 67206, December 9, 2019, see section III.F. of the preamble). In this application for authorization, Ohio has further harmonized its existing rules to match the Federal program by changing references to the State term “aerosol containers” to the Federal term “aerosol cans” and replacing aerosol-specific

references with provisions from the Federal universal waste standards. As such, EPA no longer considers Ohio’s treatment of aerosol cans to be broader-in-scope.

G. Which revised State rules are different from the Federal rules?

In Ohio Administrative Code 3745–50–10(10)(a), Ohio includes a parenthetical description of the word “permit” as “such as a permit to discharge water or air”. This differs from the Code of Federal Regulations which, in 40 CFR 260.10 “Contained”, adds the word “to”, using the phrase “such as a permit to discharge to water or air.” Despite being in the “definitions” section of the Code, this

parenthetical does not have an effect on the definition of “permit” and the retention of “such as” does not allow this change to affect the definition of “contained”. The EPA considers Ohio’s change to be identical in substance to the Federal program.

In Ohio Administrative Code 3745–51–100, Ohio sets financial assurance requirements specific to certain facilities that enter recyclable materials into a recycling process within seventy-two hours of arrival at the facility. There is no direct analogue of the 72-hour provision in the Code of Federal Regulations, but EPA compared the financial assurance requirements to the analogous Financial Requirements for Management of Excluded Hazardous

Secondary Materials at 40 CFR part 261 Subpart H.

In the submitted copy of Ohio Administrative Code 3745–51–147(G)(2)(b)(ii), a citation is made to the nonexistent rule 3745–51–151(H)(2), which EPA has deemed a mistake intended to cite 3745–51–151(G)(2). Since submission of the state's application for authorization, the state promulgated a correction to its rule, effective March 7, 2025, which removes this error. The EPA considers this typographical error to make Ohio's program no less stringent than the Federal program. Accordingly, with the proposed action, EPA is planning to authorize the corrected edition of Ohio's regulation, effective March 7, 2025, rather than the edition initially applied for.

In the submitted copy of Ohio Administrative Code 3745–51–147(F)(3)(c), Ohio requires a second copy of an independent certified public accountant's report rather than the special report intended to address discrepancies in the preceding two subparagraphs found in 40 CFR 261.147(f)(3)(iii). The EPA has deemed this to be a mistaken duplication of 3745–51–147(F)(3)(b). Since submission of the state's application for authorization, the state promulgated a correction to its rule, effective March 7, 2025, which removes this error. The EPA considers this typographical error to make Ohio's program no less stringent than the Federal program. Accordingly, with the proposed action, EPA is planning to authorize the corrected edition of Ohio's regulation, effective March 7, 2025, rather than the edition initially applied for.

In the submitted copy of Ohio Administrative Code 3745–51–783(C)(4), a citation is made to the nonexistent rule 3745–51–785, which EPA has deemed a mistake intended to cite 3745–51–784(B)(1)(a). Since submission of the state's application for authorization, the state promulgated a correction to its rule, effective March 7, 2025, which removes this error. The EPA considers this typographical error to make Ohio's program no less stringent than the Federal program. Accordingly, with this proposed action, EPA is planning to authorize the corrected edition of Ohio's regulation, effective March 7, 2025, rather than the edition initially applied for.

In the submitted copy of Ohio Administrative Code 3745–51–789(A), a citation is made to the nonexistent rule 3745–51–780(B)(7), which EPA has deemed a mistake intended to cite 3745–51–780. Since submission of the state's application for authorization, the

state promulgated a correction to its rule, effective March 7, 2025, which removes this error. The EPA considers this typographical error to make Ohio's program no less stringent than the Federal program. Accordingly, with this proposed action, EPA is planning to authorize the corrected edition of Ohio's regulation, effective March 7, 2025, rather than the edition initially applied for.

In Ohio Administrative Code 3745–65–73(9) through (15), Ohio requires certain interim status treatment, storage, and disposal facilities to include "the certification if applicable" in their operating records. This differs from the Code of Federal Regulations, which at 40 CFR 265.73(b)(9) through (15) require inclusion of "the certification and demonstration if applicable" in said facilities' operating records. As described at 61 FR 15588 (April 30, 2021), treatment standards for all scheduled wastes were promulgated in the Third rule (55 FR 22520, June 1, 1990); as such, the 40 CFR 268.8 "soft hammer" requirements are no longer necessary. Facilities no longer have a need to produce or retain demonstrations for this purpose, and so EPA considers Ohio's change to be identical in substance to the Federal program.

In Ohio Administrative Code 3745–66–43(D)(8)(b), Ohio requires closure insurance policies to remain in place at interim standards facilities after "a permit is revoked or terminated". This differs from the Code of Federal Regulations, which at 40 CFR 265.143(d)(8)(ii) applies this to when "interim status is terminated or revoked". Because interim status facilities do not, by definition, have permits that can be revoked, EPA deems this to be a copyediting error that does not change the overall meaning or intent of the paragraph. Should interim status be revoked from a facility, it should be considered equivalent to revocation of a permit. The EPA considers this typographical error to make Ohio's program no less stringent than the Federal program.

In Ohio Administrative Code 3745–205–33(L)(2)(b), Ohio requires treatment, storage, and disposal facilities with low-pressure closed-vent systems to perform inspections of said systems "once every calendar year". This differs from the Code of Federal Regulations, which at 40 CFR 264.1033(l)(2)(ii) requires an inspection frequency of "once every year". The EPA considers Ohio's change to be identical in substance to the Federal program.

In Ohio Administrative Code 3745–205–30(C), 3745–205–50(C), and 3745–205–80(C), Ohio requires the air emission standards to be incorporated into certain treatment, storage, and disposal facility permits when said permits are "modified or reissued" where 40 CFR 264.1030(c), 40 CFR 264.1050(c), and 40 CFR 264.1080(c), respectfully, use the term "reissued". The EPA has received a satisfactory explanation from the Ohio Attorney General that these are identical in substance to the Federal program.

In Ohio Administrative Code 3745–256–84(C)(3)(b)(iv), Ohio incorporates by reference ASTM method "ASTM Method D2879–10". This differs from the Code of Federal Regulations, which at 40 CFR 265.1084(c)(3)(ii)(D) incorporates "ASTM Method 2879–92". Ohio's reference is to a more recently-adopted version of the same test method, so EPA considers Ohio's change to be identical in substance to the Federal program.

In Ohio Administrative Code 3745–256–7(H)(1), a citation is made to "method 27 of 40 CFR part 60 appendix". This differs from the Code of Federal Regulations, which at 40 CFR 265.1087(h)(1) makes reference to "Method 27 of 40 CFR part 60, appendix A". No other appendix of 40 CFR part 60 contains a Method 27, so the ambiguity in Ohio's reference is unlikely to cause confusion. The EPA considers this typographical error to make Ohio's program no less stringent than the Federal program.

H. Who handles permits after final authorization takes effect?

When the final authorization takes effect, Ohio will issue permits for all the provisions for which it is authorized and will administer the permits it issues. The EPA will continue to administer any RCRA hazardous waste permits or portions of permits which EPA issued prior to the effective date of the proposed authorization until they expire or are terminated. The EPA will not issue any more new permits or new portions of permits for the provisions listed in the table above, under section F of this document, after the effective date of the authorization. The EPA will continue to implement and issue permits for HSWA requirements for which Ohio is not yet authorized. The EPA has the authority to enforce state-issued permits after the State is authorized.

I. How does today's action affect Indian country (18 U.S.C. 1151) in Ohio?

Ohio is not authorized to carry out its hazardous waste program in Indian

country within the State, which includes:

- All lands within the exterior boundaries of Indian reservations within or abutting the State of Ohio;
- Any land held in trust by the U.S. for an Indian tribe; and
- Any other land, whether on or off an Indian reservation, that qualifies as Indian country.

Therefore, this action has no effect on Indian country. The EPA retains jurisdiction over Indian country and will continue to implement and administer the RCRA program on these lands.

J. What is codification and is EPA codifying Ohio's hazardous waste program as authorized in this rule?

Codification is the process of placing a state's statutes and regulations that comprise a state's authorized hazardous waste program into the Code of Federal Regulations. We do this by referencing the authorized state rules in 40 CFR part 272. The EPA is not proposing to codify the authorization of Ohio's changes at this time. However, EPA reserves the ability to amend 40 CFR part 272, subpart KK for the authorization of Ohio's program changes at a later date.

K. Statutory and Executive Order Reviews

The Office of Management and Budget (OMB) has exempted this action from the requirements of Executive Order 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011). This action proposes to authorize State requirements for the purpose of RCRA section 3006 and imposes no additional requirements beyond those imposed by State law. Therefore, this action is not subject to review by OMB. This action is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because actions such as this proposed authorization of Ohio's revised hazardous waste program under RCRA are exempted under Executive Order 12866. Accordingly, I certify that this action will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this action proposes to authorize pre-existing requirements under State law and does not impose any additional enforceable duty beyond that required by State law, it does not contain any unfunded mandate that significantly or uniquely affects small governments, as described in the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538). For the same reason, this action also does not significantly or uniquely affect the

communities of Tribal governments, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely proposes to authorize State requirements as part of the State RCRA hazardous waste program without altering the relationship or the distribution of power and responsibilities established by RCRA. This action also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant and it does not make decisions based on environmental health or safety risks. This action is not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

Under RCRA section 3006(b), EPA grants a state's application for authorization as long as the state meets the criteria required by RCRA. It would thus be inconsistent with applicable law for EPA, when it reviews a state authorization application, to require the use of any particular voluntary consensus standard in place of another standard that otherwise satisfies the requirements of RCRA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in proposing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. The EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of this action in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). "Burden" is defined at 5 CFR 1320.3(b).

List of Subjects in 40 CFR Part 271

Environmental protection;
Administrative practice and procedure;

Confidential business information; Hazardous materials transportation; Hazardous waste; Indian lands; Intergovernmental relations; Penalties; Reporting and recordkeeping requirements.

Authority: This action is issued under the authority of Sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: October 1, 2025.

Cheryl Newton,
Deputy Regional Administrator, Region 5.
[FR Doc. 2025-20129 Filed 11-17-25; 8:45 am]
BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 25-911; MB Docket No. 25-298; FR ID 316223]

Radio Broadcasting Services; Various Locations

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document proposes to amend the Table of FM Allotments, by substituting Channel 277A for vacant Channel 221A at Hamilton, Alabama; Channel 261B1 for vacant Channel 261B at Coalinga, California; Channel 289A for vacant Channel 291A at Rocksprings, Texas; Channel 261A for vacant Channel 221A at Silverton, Texas; and Channel 281C2 for vacant Channel 260C2 at Spur, Texas. The existing vacant FM channels are not in compliance with the minimum distance separation requirements of the Federal Communications Commission (Commission) rules, and vacant Channel 261B at Coalinga is also not in compliance with the city-grade coverage requirements of the Commission's rules. See Supplementary Information.

DATES: Comments must be filed on or before November 21, 2025, and reply comments on or before December 8, 2025.

ADDRESSES: Secretary, Federal Communications Commission, 45 L Street NE, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418-2054, Rolanda-Faye.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 25-298, adopted September 30, 2025, and released September 30, 2025. The full text of the Commission decision is