

§ 402.8 [Corrected]

	Tolls			
	Montreal to or from Lake Ontario		Lake Ontario to or from Lake Erie (Welland Canal)	
	1982	1983	1982	1983
(a)				
(3) A charge in dollars per passenger per lock	1.00	1.00	1.00	1.00
(4) A charge in dollars per lock for complete or partial transit of the Welland Canal in either direction by cargo or passenger vessels, which may be shared by vessels in tandem:				
(i) loaded: Per Lock	NA	NA	150.00	250.00
(ii) in ballast: Per Lock	NA	NA	75.00	167.50

Issued at Massena, New York on
September 21, 1983.

Saint Lawrence Seaway Development
Corporation.

William H. Kennedy,
Associate Administrator.

[FR Doc. 83-26702 Filed 9-29-83; 8:45 am]

BILLING CODE 4910-61-M

POSTAL SERVICE

39 CFR Part 111

Amendment of Regulations on Mailing Unsolicited Advertisements for Contraceptives

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: Postal regulations dealing with nonmailable written, printed, and graphic matter currently reflect the provisions of 39 U.S.C. 3001(e)(2), a statute prohibiting the mailing of certain advertisements for contraceptives (123.434, Domestic Mail Manual). A recent Supreme Court decision held the statute unconstitutional. The revision necessitated by this decision deletes the current provisions, notes the reason therefor, and advises addressees who find such mail objectionable of an alternative remedy.

EFFECTIVE DATE: September 30, 1983.

FOR FURTHER INFORMATION CONTACT: John F. Ventresco, (202) 245-5898.

SUPPLEMENTARY INFORMATION: On August 18, 1983, the Postal Service published in the Federal Register, 48 FR 37439, a notice of a proposed rule to amend the postal regulations referred to in the Summary above, and invited public comments. No comments were received. Accordingly, the Postal Service hereby adopts, without change, the following amendment of the Domestic Mail Manual, which is incorporated by reference in the Federal Register. See 39 CFR 111.1 (1982).

List of Subjects in 39 CFR Part 111
Postal Service.

Part 123—Nonmailable Matter—Written, Printed, and Graphic

Revise 123.434 to read as follows:
434 The statute making unsolicited advertisements for contraceptives nonmailable to consumers (39 U.S.C. 3001(e)(2)) has been held unconstitutional by the U.S. Supreme Court. Any addressee of such an advertisement sent through the mails, who considers the matter which it offers for sale to be "erotically arousing or sexually provocative," may seek a prohibitory order to prevent receipt of any further mail from the sender (See 123.6).

A transmittal letter making this change in the pages of the Domestic Mail Manual will be published and will be transmitted to subscribers automatically. Notice of issuance of the transmittal letter will be published in the Federal Register as provided in 39 CFR 111.3.

(39 U.S.C. 401)

W. Allen Sanders,

Associate General Counsel, Office of General Law and Administration.

[FR Doc. 83-26772 Filed 9-29-83; 8:45 am]

BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

(FRL-2443-3)

Decision To Exclude the Printing and Publishing Point Source Category From Regulation Under the Clean Water Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of decision to exclude the Printing and Publishing Point Source Category from regulation under the Clean Water Act and availability of documents.

SUMMARY: On January 19, 1982, the then Assistant Administrator for Water executed an affidavit which excluded six subcategories of the Printing and

Publishing Point Source Category from nationally applicable effluent limitations guidelines and standards under the Clean Water Act. This action was taken pursuant to the provisions of paragraph 8(a)(iv) of the Settlement Agreement in *Natural Resources Defense Council, Inc. v. Train*, 8 ERC 2120 (D.D.C. 1976), modified, 12 ERC 1833 (D.D.C. 1979).

EPA has recently published a document which explains the basis of our decision and also contains information and data on water usage, toxic pollutant discharge levels, and control and treatment technologies employed in the printing and publishing industry. This document is now available to the public.

DATES: The decision not to establish national regulations was effective on January 19, 1982.

ADDRESSES: Copies of the document supporting EPA's decision to exclude the printing and publishing industry from regulation under the Clean Water Act may be obtained by writing to Gregory N. Aveni, Effluent Guidelines Division (WH-552), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. The title of the document is: "Summary of Available Information on the Levels and Control of Toxic Pollutant Discharges in the Printing and Publishing Point Source Category", U.S. EPA, September 1983.

FOR FURTHER INFORMATION CONTACT: Gregory N. Aveni at (202) 382-7185 or Robert W. Dellinger at (202) 382-7137.

SUPPLEMENTARY INFORMATION: The printing and publishing point source category includes all manufacturing establishments whose primary line of business falls within Major Group 27 of the 1972 *Standard Industrial Classification Manual*. EPA divided the printing and publishing industry into eight subcategories based on process considerations:

Art and Copy Preparation and Composition.

Photoprocessing (printing and/or publishing facilities engaged in internal photoprocessing operations).

Nonmetallic Platemaking.

Metallic Platemaking.

Gravure Cylinder Preparation.

Pressroom (Nonwater-Based Inks).

Pressroom (Water-Based Inks).

Finishing and Binding Operations.

Art and copy preparation and composition operations do not involve the use of water, and finishing and binding operations are essentially dry processes. Because these two subcategories are dry or result in the discharge of very small quantities of toxic wastewater pollutants, they have

been excluded from national regulations under the authority of paragraph 8 (a)(iv) of the Settlement Agreement in *Natural Resources Defense Council, Inc. v. Train*, 8 ERC 2120 (D.D.C. 1976), modified, 12 ERC 1833 (D.D.C. 1979).

Discharge of heavy metals and other toxic pollutants may occur from plants in the photoprocessing, nonmetallic platemaking, pressroom (nonwater-based inks), and pressroom (water-based inks) subcategories. The median discharge volume from individual facilities is between 26 and 50 gallons per day. Even for large plants of which there are few in these subcategories, the total raw wastewater discharge contains less than 1.2 pounds of toxic pollutants per day per plant. Based on our review of all available data, the Agency has excluded these four subcategories from national regulations because the amount and toxicity of the pollutants contained in the raw wastewater discharges do not justify developing national regulations.

The information and data gathered to date regarding the gravure cylinder preparation and metallic platemaking subcategories were not sufficient to make regulatory decisions; however, the data do show that further study of these subcategories is warranted and that these operations are similar to certain metal finishing processes. Therefore, gravure cylinder preparation and metallic platemaking will be further studied in the second phase of the rulemaking effort for the metal finishing point source category.

Dated: September 21, 1983.

Bruce R. Barrett,
Director, Office of Water Enforcement and Permits.

[FR Doc. 83-26738 Filed 9-29-83; 8:45 am]

BILLING CODE 5560-50-M

40 CFR Part 145

[WH-FRL-2432-7]

Wisconsin Department of Natural Resources Underground Injection Control; Program Approval.

AGENCY: Environmental Protection Agency.

ACTION: Approval of State Program.

SUMMARY: The State of Wisconsin has submitted an application under Section 1422 of the Safe Drinking Water Act for the approval of an Underground Injection Control (UIC) program governing Classes I, II, III, IV, and V injection wells. After careful review of the application, the Agency has determined that the State's injection well program for all classes of injection

wells meets the requirements of Section 1422 of the Act, and, therefore, approves it.

EFFECTIVE DATE: This approval is effective October 31, 1983.

FOR FURTHER INFORMATION CONTACT: Richard Traub, Ground Water Section (5WD-26), Environmental Protection Agency, Region V, 230 S. Dearborn Street, Chicago, Illinois 60604. PH: (312) 886-6193.

SUPPLEMENTARY INFORMATION: Part C of the Safe Drinking Water Act (SDWA) provides for an Underground Injection Control (UIC) program. Section 1421 of the SDWA requires the Administrator to promulgate minimum requirements for effective State programs to prevent underground injection which endangers drinking water sources. The Administrator is also to list in the *Federal Register* each State for which, in his judgment, a State UIC program may be necessary. Each State listed shall submit to the Administrator an application which contains a showing satisfactory to the Administrator that the State: (i) Has adopted after reasonable notice and public hearings, a UIC program which meets the requirements of regulations in effect under Section 1421 of the SDWA; and (ii) will keep such records and make such reports with respect to its activities under its UIC program as the Administrator may require by regulations. After reasonable opportunity for public comment, the Administrator shall by rule approve, disapprove or approve in part and disapprove in part, the State's UIC program.

The State of Wisconsin was listed as needing a UIC program on June 19, 1979 (44 FR 35288). The State submitted an application under Section 1422 on December 1, 1982, for a UIC program to be administered by the Wisconsin Department of Natural Resources (WDNR). On February 4, 1983, EPA published notice of receipt of the application, requested public comments, and offered a public hearing on the UIC program submitted by the WDNR (48 FR 6565). A public hearing was held on March 31, 1983, in Madison, Wisconsin. After careful review of the application and the Responsiveness Summary, I have determined that the Wisconsin UIC program for Classes I, II, III, IV, and V injection wells submitted by the WDNR meets the requirements established by the Federal regulations pursuant to Section 1422 of the SDWA and, hereby, approve it.

The terms listed below comprise a complete listing of the thesaurus terms associated with 40 CFR Part 145, which

sets forth the requirements for a State requesting the authority to operate its own permit program of which the Underground Injection Control program is a part. These terms may not all apply to this particular notice.

List of Subjects in 40 CFR Part 145

Indians—land, Reporting and recordkeeping requirements, Intergovernmental relations, Penalties, Confidential business information, Water Supply.

OMB REVIEW

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I certify that approval by EPA under Section 1422 of the Safe Drinking Water Act of the application by the Wisconsin Department of Natural Resources will not have a significant economic impact on a substantial number of small entities, since this rule only approves State actions. It imposes no new requirements on small entities.

Dated: September 27, 1983.

William D. Ruckelshaus,
Administrator.

[FR Doc. 83-26733 Filed 9-29-83; 8:45 am]

BILLING CODE 5560-50-M

40 CFR Part 180

[PP 2F 2728/R600; PH-FRL 2427-8]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Iprodione

Correction

In FR doc. 83-24143 beginning on page 40384 in the issue of Wednesday, September 7, 1983, in the third Column Second full paragraph, Seventh line, "6-Kg" should read "60-Kg".

BILLING CODE 1505-01-M

40 CFR Part 271

[HW-6-FRL 2444-1]

Hazardous Waste Management Program, New Mexico; Interim Authorization Phase I and Phase II, Components A and B

AGENCY: Environmental Protection Agency.

ACTION: Approval of State Hazardous Waste Management Program; extension of Interim Authorization application deadline; termination of permit processing by EPA.

SUMMARY: The State of New Mexico has applied for Interim Authorization, Phase I and Phase II, Components A and B. EPA has reviewed New Mexico's application and has determined that New Mexico's hazardous waste program is substantially equivalent to the Federal program covered in Phase I and Phase II, Components A and B. The State of New Mexico is hereby granted Interim Authorization for Phase I and Phase II, Components A and B, to operate the State's hazardous waste program covered by Phase I and Phase II, Components A and B, in lieu of the Federal program in the State of New Mexico.

New Mexico has submitted a request for an extension of the July 26, 1983, deadline for applying for remaining Components of Phase II, Interim Authorization under the Resource Conservation and Recovery Act (RCRA). EPA is granting the extension to New Mexico for applying for Component C of Phase II, Interim Authorization until July 26, 1984. This extension will avoid the termination of other authorized portions (action taken also in this notice) of the New Mexico program.

EPA and the State of New Mexico have been jointly processing a permit application. With today's announcement, EPA is terminating its processing of the application in favor of the State's authorized procedures.

EFFECTIVE DATE: Interim Authorization for Phase I and Phase II, Components A and B, for New Mexico shall become effective September 30, 1983.

FOR FURTHER INFORMATION CONTACT: H. J. Parr, Hazardous Materials Branch, Air and Waste Management Division, Environmental Protection Agency, 1201 Elm St., Dallas, Texas 75270, Telephone (214) 767-2645.

SUPPLEMENTARY INFORMATION:

Background

In the May 19, 1980, Federal Register (45 FR 33063) the Environmental Protection Agency (EPA) promulgated regulations, pursuant to Subtitle C of the Resource Conservation and Recovery Act of 1976, as amended (RCRA), to protect human health and the environment from the improper management of hazardous waste. RCRA includes provisions whereby a State agency may be authorized by EPA to administer the hazardous waste

program in that State in lieu of a Federally administered program. For a State program to receive Final Authorization, its hazardous waste program must be fully equivalent to and consistent with the Federal program under RCRA. In order to expedite the authorization of State programs, RCRA allows EPA to grant a State Interim Authorization if its program is substantially equivalent to the Federal program. During Interim Authorization, a State can make whatever legislative or regulatory changes that may be needed for the State's hazardous waste program to become fully equivalent to the Federal program. The Interim Authorization program is being implemented in two phases corresponding to the two stages in which the underlying Federal program takes effect.

Phase I regulations were published on May 19, 1980, and became effective on November 19, 1980. Phase I of the program contains standards for persons that generate or transport hazardous waste and Interim Status Standards that persons treating, storing or disposing of hazardous waste must comply with pending the receipt of a permit under Phase II of the program.

In the January 26, 1981 Federal Register (46 FR 7965), the Environmental Protection Agency announced the availability of portions or components of Phase II of Interim Authorization. Component A, published in the Federal Register January 12, 1981 (46 FR 2802), contains standards for permitting containers, tanks, surface, impoundments and waste piles. Component A was subsequently modified on July 26, 1982 (47 FR 14146), to contain standards for permitting the storage of hazardous waste only in tanks and containers. Component B, published in the Federal Register January 23, 1981 (46 FR 7666), contains standards for permitting hazardous waste incinerators.

Draft Application

The State of New Mexico submitted its draft application for Phase I and Phase II, Components A and B, on July 17, 1982. After detailed review, EPA transmitted comments to the State on August 19, 1982, for consideration. Major issues were identified for resolution before the State could be authorized. These issues involved demonstrations by the Attorney General of the State program's substantial equivalence to the federal program and the completeness of the Memorandum of Agreement (MOA).

Complete Application

Each of these issues was resolved at the time of submittal of the complete application. The Attorney General made the necessary demonstrations and a complete MOA was submitted.

On June 22, 1983, New Mexico submitted to EPA an official application for Phase I and Phase II, Components A and B. An EPA review team consisting of both Headquarters and Regional personnel made a detailed analysis of New Mexico's hazardous waste management program.

EPA comments were forwarded to the State on August 3, 1983. No major questions were raised in the comments; however, some minor clarifications were requested. By letter dated August 22, 1983, the State responded to all the issues raised by EPA.

Public Hearing and Comment Period

As noticed in the Federal Register on July 20, 1983, EPA gave the public the opportunity to comment on the State's application. EPA also issued a public notice for a hearing to be held in Albuquerque, New Mexico, on August 24, 1983.

At the hearing, held in two sessions, one in the morning and one in the afternoon, one (1) presentation was made. In addition, Region IV received one (1) written comment on the New Mexico application. At the request of the commenter at the hearing, the comment period was extended by the hearing officer until August 31, 1983, to provide added time to review material the State submitted in clarification of certain points.

All comments, whether presented at the hearing or in writing, were considered before reaching a decision on the New Mexico application for Phase I and Phase II, Components A and B, Interim Authorization.

Neither of the commenters opposed granting the State of New Mexico authorization. One (1) commenter specifically supported the authorization and urged EPA to expeditiously grant the authorization. The other commenter requested clarification of certain parts of the application and requested that the authorization not be granted until EPA had considered his concerns and responded to them. Responses to these concerns can be found in the Responsiveness Summary mentioned below.

A Responsiveness Summary containing a complete summary of the comments made on the New Mexico application, and EPA's response to the comments, may be obtained free of

charge by calling or writing the contact listed above.

Request for Extension

40 CFR 271.122(c)(4) (formerly § 123.122(c)(4); 47 FR 32377, July 26, 1982) requires that States which have received any but not all Phases/Components of Interim Authorization amend their original submission by July 26, 1983, to include all Components of Phase II. 40 CFR 271.137(a) (formerly § 123.137(a); 47 FR 32378, July 26, 1982) further provides that on July 26, 1983, Interim Authorizations terminate except where the State has submitted by that date an application for all Phases/Components of Interim Authorization.

When the authorization (approval) of the State program terminates, EPA is to administer and enforce the Federal program in those States. However, the Regional Administrator may, for good cause, extend the July 26, 1983, deadline for submission of the Interim Authorization application and the deadline for termination of the approval of the State program.

Note: 40 CFR Part 123, including July 26, 1982, amendments (47 FR 32373), was recodified on April 1, 1983, as 40 CFR 271 (48 FR 14248).

New Mexico is receiving Interim Authorization for Phase I and Phase II, Components A and B, today. New Mexico has requested an extension for applying for Component C in order to complete a thorough review of existing State ground water quality regulations and their relation to the Federal land disposal regulations so that the path New Mexico will pursue in approaching the matter of land disposal regulations can be determined. The State will seek Final Authorization in lieu of submitting an application for Phase II, Component C, Interim Authorization.

On June 20, 1983, New Mexico submitted a request for the extension and then reaffirmed this request and made a commitment to the following schedule on August 24, 1983:

January 1, 1984—State submits draft Final Authorization application.
July 26, 1984—State submits official application for Final Authorization.

Joint Permit Processing

Prior to being authorized for a component of Phase II, Interim Authorization, a state may require facilities that treat, store or dispose of hazardous waste obtain a state permit. There are no provisions within RCRA or the federal hazardous waste regulations for designating these preauthorization state permits as RCRA permits. RCRA permits can be issued only by EPA or an

authorized state. Authorization requirements ensure that an authorized state will be using procedures substantially equivalent to the federal permitting procedures (state procedures must meet the requirements of Section 7004(b) of RCRA) and will be requiring facilities to comply with standards providing substantially the same degree of protection as the federal technical standards.

The State of New Mexico and EPA have been jointly processing a permit for New Mexico State University A-Mountain Hazardous Waste Storage Facility in Las Cruces, New Mexico. EPA has determined through review of the Interim Authorization application, that the State's permitting procedures and technical standards are substantially equivalent to the federal procedures and standards.

Since a draft permit has not yet been issued for this facility, EPA is today terminating its processing of this permit application in favor of the State's substantially equivalent processing procedures and technical standards.

Decision

EPA has reviewed New Mexico's complete application for Interim Authorization, Phase I and Phase II, Components A and B, and has determined that the State program is substantially equivalent to Phase I and Phase II, Components A and B, of the Federal program as defined in 40 CFR Part 271, Subpart B, as amended at 47 FR 32373 (July 26, 1982). In accordance with Section 3006(c) of RCRA and implementing regulations, New Mexico is hereby granted Interim Authorization for Phase I and Phase II, Components A and B, to operate the State's hazardous waste program in lieu of the Federal program in New Mexico.

In consideration of the State's efforts and commitment to meet the schedule for Final Authorization contained in this notice, I find that there is good cause to grant the State's request for an extension to the deadline for applying for Phase II, Component C, Interim Authorization. I am granting the extension until July 26, 1984, requiring the State to submit an official application for Final Authorization by that date.

With today's action, I have determined that New Mexico's permitting and technical standards are substantially equivalent to EPA's and thus EPA is terminating the processing of the permit application for New Mexico State University A-Mountain Hazardous Waste Storage Facility in favor of the authorized State processing procedures.

Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. The authorization suspends the applicability of certain Federal regulations in favor of the State program, thereby eliminating duplicative requirements for handlers of hazardous wastes in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

Executive Order 12291

The Office of Management and Budget (OMB) has exempted this rule from the requirements of Section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 271

Hazardous materials, Indians lands, Reporting and recordkeeping requirements, Waste treatment and disposal, Intergovernmental relations, Penalties, Confidential business information.

Authority

This notice is issued under the authority of Secs. 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

Dated: September 9, 1983.

Frances E. Phillips,

Acting Regional Administrator.

[FR Doc. 83-26754 Filed 9-29-83; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF ENERGY

Office of the Secretary

41 CFR Parts 9-4 and 9-51

Amendments to Procurement Regulations; Correction

AGENCY: Energy Department.

ACTION: Final rule; Correction.

SUMMARY: This document corrects two errors in a final rule amending the DOE Procurement Regulations published at 48 FR 16450 on April 15, 1983.

EFFECTIVE DATE: These corrections will be effective September 30, 1983.

ADDRESS: Comments, if any, should be addressed to the Department of Energy, Procurement Policy Branch, MA-421.1, Forrestal Building, Washington, D.C. 20585.