

located at PCA's facility in Wayne County, Ohio.

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40 CFR Part 52

[A-9-FRL 2529-3]

Approval and Promulgation of Implementation Plans; California and Nevada CO Plan Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final rulemaking.

SUMMARY: This notice approves the California and Nevada State Implementation Plan (SIP) revisions for the Lake Tahoe Air Basin and incorporates these revisions into the respective SIPs. The California Plan was submitted in response to EPA requirements for a 1982 SIP in areas which requested an extension to 1987 for demonstrating attainment of the standards. The Nevada revisions were submitted to satisfy conditions placed on the approval of the 1979 plan which demonstrated attainment by December 1982. This notice also takes final action removing the conditions of approval on the 1979 California nonattainment area plan for the Basin.

EFFECTIVE DATE: March 26, 1984.

ADDRESS: Copies of today's revisions to the California and Nevada SIPs are located at:

Public Information Reference Unit,
Environmental Protection Agency, 401
M Street, SW., Washington, D.C.
20460

Office of the Federal Register, 1100 L
Street, NW, Room 8401, Washington,
D.C. 20408

FOR FURTHER INFORMATION CONTACT:

David P. Howekamp, Director, Air
Management Division, Environmental
Protection Agency, Region 9, 215
Fremont Street, San Francisco, CA
94105. Attn: Wallace Woo (415) 974-
7634.

SUPPLEMENTARY INFORMATION: This portion of the notice is divided into five sections. The "Background" section briefly summarizes the proposed actions on the plan revision from each State and discusses EPA's parallel processing rulemaking procedure. The "Supplementary Revisions" section discusses EPA's evaluation of the pertinent SIP revisions submitted to EPA after the proposed rulemaking notice. The "Public Comments" section describes public comment on the proposed rulemaking notice and

contains EPA's response on substantive issues. The section on "EPA Actions" details EPA's final actions on the plans. The "Regulatory Process" section contains procedures for judicial review of this action.

Background

California

On February 3, 1983 (48 FR 5074) EPA proposed to approve the 1982 CO SIP revision for the California portion of the Lake Tahoe Air Basin. A correction notice which noted an error in the "Proposed Actions" section of the February 3, 1983 proposal notice was published on April 18, 1983 (48 FR 16508).

EPA's proposed approval was conditioned upon correction of the following deficiencies prior to final rulemaking:

1. The plan lacked evidence of local agency commitment to the recommended control measures, and
2. The plan lacked an adequate demonstration of reasonable further progress (RFP).

These deficiencies along with other minor deficiencies in the plan were discussed in detail in the Technical Support Document (TSD) for the 1982 California CO SIP revisions.

The TSD also noted outstanding conditions to correct deficiencies in the 1979 California CO SIP revision for the Lake Tahoe Basin. The area was required to revise the New Source Review (NSR) rules to satisfy the requirements of section 172(b)(6) of the Clean Air Act. In addition there were other outstanding conditions related to the requirements for annual emission reduction estimates and commitments to control measures. Since satisfaction of these outstanding conditions is a requirement for overall plan approval, they are discussed in the "Supplementary Revisions" and "Public Comments" sections of the notice.

The February 3, 1983 notice also proposed to remove outstanding conditions on the 1979 SIP revisions including the condition requiring schedules and commitments for the transportation control measures (TCMs) and the conditions requiring a commitment of resources and a commitment to public transportation needs. EPA did not receive any adverse comments regarding these proposed actions.

EPA's February 3, 1983 proposed rulemaking for the California's 1982 CO plan revision was based on the review of a plan which had not been formally submitted as a SIP revision and which is termed here as a draft plan. By

processing the draft 1982 SIP revision concurrently with State and local level action to adopt and submit the final SIP, EPA intended to expedite the rulemaking process. Final action on the 1982 SIPs submitted to EPA after the proposed rulemaking was made contingent upon the final plans being substantively the same as the draft plans, except where remedies to deficiencies noted in the proposal notice were included in the final plan.

The February 3, 1983 notice of proposed rulemaking provided for a 45 day comment period ending on March 21, 1983. On March 21, 1983 EPA extended the public comment period an additional 45 days to May 5, 1983 for plans proposed to be disapproved (see 48 FR 11725). On April 8, 1983 (48 FR 15273) EPA also extended the comment period to May 5, 1983 for the 1982 California SIP revisions proposed for approval, which included the Lake Tahoe Air Basin.

Nevada

On November 16, 1983 (48 FR 52093), EPA proposed to remove the four conditions of approval concerning the Nevada 1979 plan for the Lake Tahoe Basin. These conditions were the submittals of:

(1) Annual emission reduction estimates for the control measures; (2) a documented modeling analysis, (3) written estimates of commitment to the control measures and (4) evidence of resources allocated to the implementation of the control strategy. The State submitted revisions on December 9 and 16, 1982, January 31, 1983 and May 5, 1983 to satisfy these conditions. Approval of these Nevada submittals as proposed in the November 16, 1983 Federal Register would reaffirm the rescission of the Indirect Source Review regulations from the Nevada SIP.

Supplementary Revisions

California

The final 1982 CO nonattainment area plan for the California portion of the Lake Tahoe Air Basin was submitted to EPA by the governor's designee, the California Air Resources Board (ARB) on December 20, 1982.

The final plan was substantively identical to the draft plan which was reviewed for the February 3, 1983 proposal notice, except for certain changes to correct deficiencies noted in the SIP. The TSD noted both major and minor deficiencies in the 1982 SIP revisions, and the major deficiencies were noted in the proposal notice. In

support of this final rulemaking notice, EPA has prepared an addendum to the TSD for the California portion of the Lake Tahoe Air Basin which notes changes between the draft and final plans and evaluates these changes relative to the requirements for 1982 CO SIP revisions. EPA's evaluation of the final California plan is submitted below.

The final plan addresses the two major deficiencies identified by EPA requiring: (1) Local agency commitment to the plan and (2) RFP documentation. The final plan included the lead agency's ordinance adopting the air quality plan and also the RFP documentation for attaining the standard at the Basin's CO hotspots. These revisions were sufficient to remedy the two major deficiencies. In addition, these revisions are sufficient to satisfy the outstanding conditions of approval for the 1979 CO plan which required annual emission reduction estimates and commitments to the control measures. Therefore, today's notice will take action removing these conditions.

The State also submitted information to address other deficiencies involving the attainment demonstration for the North Shore and the Travel Lodge site, a control measure implementation monitoring program and contingency provisions. EPA also finds that these portions of the plan are approvable and adequately address the noted deficiencies. A detailed evaluation of these changes is included in the TSD addendum. The necessity for a revised NSR rule for the Lake Tahoe Air Basin is discussed in the "Response to Comments" section of the notice.

Nevada

There were no additional submittals of proposed SIP Revisions for the Nevada portion of the Lake Tahoe Basin after the four that were noticed in the November 16, 1983 *Federal Register*.

Public Comments

The detailed response to comments for each State is incorporated by reference as part of this final rulemaking notice. The following is a summary of the comments and EPA's response to substantive issues which relate to EPA's proposed actions on these two plans.

California

Comments were received from the ARB and the Nevada Division of Environmental Protection (NDEP). The ARB pointed out that the final plan contained information to satisfy all of the major and many of the minor deficiencies which were discussed in detail in the TSD. (See the

"Supplementary Revisions" section of this notice). The State and regional agencies committed to address the remaining minor deficiencies in the Tahoe Regional Plan update, and to submit these portions of the update as a SIP revision. These deficiencies concern population projections, conformity, and commitments to basic transportation needs.

The ARB commented that the lack of approved NSR rules should not affect the approval of the Tahoe plan since the Tahoe Bi-State compact and the Tahoe Regional Planning Agency (TRPA) land use ordinance provide an equivalent level of review. Based on documentation provided by ARB and TRPA, EPA finds that presently no major stationary source of CO could be permitted in the Basin. The TRPA Governing Body passed a resolution on August 26, 1983, and extended that resolution on November 26, 1983, providing that all project reviews and approvals would be suspended pending adoption of the new regional plan and implementing ordinances. This amounts to a current ban on major source construction. Consequently, the Tahoe plan is currently approvable despite the lack of approved NSR rules. Therefore, EPA is taking action as part of today's notice to remove this outstanding condition of plan approval. However, the TRPA resolution provides for a growth moratorium only until TRPA adopts the new plan and ordinances. EPA would require a ban that continues until EPA has reviewed and approved the new plan and ordinances. If TRPA removes the construction ban prior to EPA approval of the new regional plan and ordinances, the Tahoe plan would be deficient with respect to NSR requirements. EPA is therefore approving the Tahoe plan only for the time period during which the plan provides for a growth moratorium. EPA is however disapproving the plan for any future time period during which TRPA may remove the construction ban prior to EPA approval of the new regional plan and ordinances. EPA encourages TRPA to structure its new plan and ordinances to provide for a continuing growth ban until EPA approves the plan and ordinances.

The NDEP claimed that certain of the inputs to the California modeling analysis were not realistic conditions in the Basin. EPA does not find fault with the ARB interpretation of what are worst case conditions for the California portion of the Basin. A conservative estimate of required reductions would result in the CO standard being attained earlier than expected.

Nevada

EPA received three comments on the November 16, 1983 proposal to remove the conditions for full approval of the Nevada SIP for the Lake Tahoe Basin. They were sent by NDEP, and the law firm of Shute, Mihaly and Weinberger on behalf of the League to Save Lake Tahoe, and the State of California.

NDEP strongly supported an expeditious final rulemaking approving the Nevada SIP revisions. This *Federal Register* notice contains such EPA approval. The State also commented that the December 9 and 16, 1982 submittals met the EPA modeling requirements for the 1979 SIP Revisions. EPA disagrees. The state incorrectly calibrated the models used for demonstrating 1982 attainment in the December submittals. However, the January 28, and May 5, 1983 submittals contained approvable modeling analysis that fully documented attainment of the CO standard by December, 1982.

The League to Save Lake Tahoe commented that the Nevada SIP should not be approved because the conditions had not been met. The League asserted that EPA should not find that Nevada had demonstrated attainment in 1982 because recent monitoring and modeling data submitted by the State of California showed that the California side of the basin is still experiencing violations of the CO standard. EPA, however, does not believe that the data from California discredit Nevada's demonstration of attainment. As noted in EPA's November 16, 1983 proposal, 1983 monitoring data from the Nevada side of the basin confirm that the Nevada portion of the nonattainment area is not experiencing violations. Moreover, since CO is the most localized of all the criteria pollutants, EPA would not expect CO concentrations to be identical in all portions of the basin. The two plans show differences in source characteristics that could help explain the difference in CO levels. For example, Nevada's recent SIP submittals use a higher average vehicle speed than California's submittal. Nevada documented this higher average with a traffic survey.

The League claimed that there were deficiencies in the Nevada modeling analysis because Nevada used low altitude emission factors which could underpredict CO concentrations. However, as explained in the November 16 proposal, EPA modeled Nevada's emissions using high altitude factors and found that the model did not predict violations of the CO standards. The

League also claimed that Nevada ignored actual air quality and meteorological data that indicated that Nevada should have used a different atmospheric stability factor, again supposedly resulting in an underprediction of CO levels. The League, however, did not identify the data which it believes Nevada ignored, and EPA is not aware of any data that would show that Nevada's stability factors were inappropriate. In fact, Nevada's submittals show that Nevada used actual air quality and meteorological data to support its stability factors.

Another comment by the League centered on whether the SIP successfully demonstrated maintenance of the standard. EPA has determined that the SIP does address maintenance. The Nevada SIP includes additional control measures beyond those needed to demonstrate attainment.

The State also committed to regularly assess growth and the effectiveness of adopted control strategies to ensure continued maintenance of the standards.

Finally, the League commented that, under section 110(a)(2)(E) of the Clean Air Act (CAA), EPA must take into account interstate pollution effects and assure that air pollution generated in Nevada does not disrupt California's efforts to meet the standards. The League was primarily concerned about potential CO emissions resulting from increased vehicle traffic and congestion. EPA has satisfied its obligations under section 110(a)(2)(E) of the CAA and the regulations and case law interpreting and implementing that subsection. Section 110(a)(2)(E) requires that a SIP submission contain adequate provisions prohibiting any stationary source within a state from emitting any air pollutants in amounts which will interfere with the attainment or maintenance of ambient standards, prevention of significant deterioration, or visibility requirements, in a neighboring state. The SIP must also insure compliance with Section 126, which requires notification to neighboring states of new and existing major stationary sources which will have a significant effect on the air quality in neighboring states, and establishes additional permitting procedures for such major stationary sources.

No major stationary sources of carbon monoxide are located in the Nevada portion of the Tahoe Basin. Nevada's new source review rules, approved by EPA on April 14, 1981, (46 FR 51758), ensure that new stationary sources will meet the section 110(a)(2)(E) requirements.

The State of California submitted comments after the close of the comment period that indicated concern that an approval of the Nevada SIP could have an adverse impact on air quality in the California side of the basin, and asserted that the Nevada SIP does not adequately address maintenance of the CO standard. The States also said that it would submit supplemental comments elaborating on these issues. EPA believes that it has already addressed these issues. Since Nevada's plan appears to have provided for attainment of the CO standard, EPA does not believe that it will have adverse effects in California. Also, as discussed above, EPA has found that Nevada's plan adequately addresses maintenance. If California submits any supplemental comments, EPA will treat them as a petition for reconsideration.

EPA Actions

Based on EPA's review of the data and final SIP revision and consideration of public comments, EPA takes final action in approving the following plans under Part D of the CAA and incorporating them into the California and Nevada SIPs under section 110 of the CAA:

California

Lake Tahoe Air Basin CO Plan submitted on December 20, 1982.

Nevada

Lake Tahoe Air Basin CO Plan revisions submitted on December 9, 1982, December 16, 1982, January 28, 1983, and May 5, 1983. The modeling analysis in the January 28, 1983 and May 5, 1983 revisions supercede those contained in the December submittals.

EPA also takes final action to rescind the following conditions of approval for the 1979 CO Plans for the Lake Tahoe Air Basin as set forth in 40 CFR 52.232 and 52.1474:

Lake Tahoe Air Basin

- Resource commitments to implement the plan (California and Nevada)
- Commitment to basic transportation needs (California)
- TCM commitments (California)
- NSR rule revision (California)
- Annual emission reduction estimates (California and Nevada)
- Commitment to measures (California and Nevada)
- Modeling analysis (Nevada)

Regulatory Process

This action is effective March 26, 1984. Under the CAA, any petitions for judicial review of this action must be filed in the United States Court of

Appeals for the appropriate circuit by April 24, 1984. This action may not be challenged later in procedures to enforce its requirements.

The Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities. The Office of Management and Budget has exempted this rulemaking from the requirements of section 3 of Executive Order 12291.

Authority: Sec. 110, 129, 171-178 and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7410, 7429, 7501 to 7508 and 7601(a)).

List of Subjects in 40 CFR Part 52

Air pollution control, Particulate matter, Ozone, Sulfur oxide, Nitrogen oxides, Hydrocarbons, Carbon monoxide, Incorporation by reference.

Dated: February 15, 1984.

William D. Ruckelshaus,
Administrator.

(Incorporation by reference was approved by the Director of the Federal Register on July 1, 1982.)

PART 52—[AMENDED]

Subparts F and DD of Part 52 of Chapter I, Title 40 of the Code of Federal Regulations are amended as follows:

Subpart F—California

1. Section 52.220 is amended by adding paragraph (c)(141) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(141) The 1982 CO Air Quality Plan for the Lake Tahoe Air Basin was submitted on December 20, 1982 by the Governor's designee.

* * * * *

2. Section 52.223 is amended by adding a new paragraph (d)(2) to read as follows:

§ 52.223 Approval status.

* * * * *

(d) * * *

(2) EPA approves the CO plan for the Lake Tahoe Basin as meeting the requirements of Part D. This approval includes the resolution of the Lake Tahoe Regional Planning Agency banning new source construction pending the adoption of a new regional plan and ordinances. However, EPA disapproves the plan for any future time during which the Tahoe Regional Planning Agency may remove its construction ban prior to EPA approval of the new regional plan and ordinances.

3. Section 52.232 is amended by removing and reserving paragraph (a)(8) as follows:

§ 52.232 Part D conditional approval.

(a) * * *

(8) [Reserved]

Subpart DD—Nevada

1. Section 52.1470 is amended by adding paragraphs (c) (27), (28), (29) and (30) to read as follows:

§ 52.1470 Identification of plan.

(c) * * *

(27) The following amendments to the plan were submitted on December 9, 1982, by the State:

(i) Emission reduction estimates and/or changes in vehicular activity for the adopted control measures.

(ii) A modeling analysis indicating 1982 attainment.

(iii) Documentation of the modeling analysis including air quality, traffic and meteorological data:

(iv) Evidence of implementation and/or future commitments for the adopted control measures.

(v) Appendix of previous reports, measured data and other official correspondence including:

(A) Resource commitments from the responsible agencies for implementing the RFP.

(B) 1979 and 1980 Annual Reports for the Lake Tahoe Air Basin, and

(C) 1981 Nevada Air Quality Report.

(28) The following amendments to the plan were submitted on December 16, 1982 by the State:

(i) Additional evidence of commitment to the control evidence by the responsible state and/or local agencies.

(ii) Additional supporting documentation for the 1982 attainment modeling analysis which included revised technical data on measured and modeled CO traffic volumes, and a revised narrative on the calibration constant and the impacts to the model.

(29) The following amendments to the plan were submitted on January 28, 1983 by the State:

(i) Response to EPA's preliminary evaluation, specifying documentation for calibrating the model, the mobile source emission factors, and additional traffic data.

(ii) Conversion factors for the model.

(iii) A revised 1982 attainment modeling analysis and supporting documentation including:

(A) 1979, 1980-82 traffic data for the Stateline Area, (Appendix A);

(B) Stateline Cold Start/Hot Start Analysis, (Appendix B);

(C) Portions of the Highway 50 Corridor Study, June 1979 (Appendix C);

(D) Reference from Transportation and Traffic Engineering Handbook, (1979), (Appendix D); and

(E) Revised Caline 3 and Mobile 2 modeling analysis using both 27% and 50% cold start factors, (Appendix E).

(30) The following amendments to the plan were submitted on May 5, 1983 by the State:

(i) "Stateline, Nevada, 1983 Carbon Monoxide Study"—a traffic, ambient air monitoring and predictive modeling report, and

(ii) A revised analysis of the Caline 3 model verifying 1982 attainment, based on data collected in February and March 1983.

2. Section 52.1474 is amended by removing and reserving paragraphs (a)(4) (i)-(iv) as follows:

§ 52.1474 Part D conditional approval.

(a) * * *

(4) [Reserved]

(i)-(iv) [Reserved]

[FR Doc. 84-4834 Filed 2-23-84; 8:45 a.m.]

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40 CFR Part 271

[SW-4-FRL 2531-6]

Hazardous Waste Management Programs; Florida; Interim Authorization Phase II, Component C

AGENCY: Environmental Protection Agency.

ACTION: Approval of State Hazardous Waste Management Program.

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

EFFECTIVE DATE: Interim Authorization Phase II, Component C, for Florida shall become effective on February 24, 1984.

FOR FURTHER INFORMATION CONTACT: James H. Scarbrough, Chief, Residuals Management Branch, Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia 30365, Telephone (404) 881-3016.

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. The Act (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 agency 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. The Phase I regulations include the identification and listing of hazardous wastes, standards for generators and transporters of hazardous waste, standards for owners and operators of treatment, storage and disposal facilities, and requirements for State Programs. The Phase II regulations cover the procedures for issuing permits under RCRA and the standards that will be applied to treatment, storage, and disposal facilities in preparing permits. In the July 26, 1982, Federal Register (47 FR 32373), the Environmental Protection Agency announced that States could apply for Component C of Phase II of Interim Authorization. Component C published in the Federal Register July 26, 1982 (47 FR 32274), contains standards for permitting facilities that dispose of hazardous waste in waste piles, surface impoundments, land treatment, and landfills.

A full description of the requirements and procedures for State Interim Authorization is included in 40 CFR Part 271, Subpart B, (48 FR 14249) April 1, 1983.

The State of Florida received Interim Authorization for Phase I on May 19, 1982, and Interim Authorization for Phase II, Components A & B, on December 29, 1983.

Draft Application

The State of Florida submitted its draft application for Phase II, Component C, Interim Authorization on July 25, 1983. After detailed review, EPA identified minor concerns and transmitted comments to the State on September 28, 1983, for its consideration. Some of the issues raised by EPA follow.

EPA requested clarification in the Attorney General's statement that Florida can impose permit requirements substantially equivalent to 40 CFR 270.1(c), a statement demonstrating a rational factual basis for the State's ban on new hazardous waste landfills, agreement to issue emergency landfill permits using the procedures outlined in 40 CFR 270.61, and approval of a revised MOA. Other EPA comments were minor and involved correct citations to the RCRA regulations and additions to the State's permit form when it is revised.

State officials resolved these issues by a letter on October 10, 1983, that demonstrated the ban on new landfills is consistent with 40 CFR 271.4(b) and has a basis in protection of human health and the environment, and by submittal of the Final Phase II C application on October 24, 1983, which included the requested revisions in the Attorney General's Statement and the MOA.

Final Application

On October 24, 1983, Florida submitted to EPA a Final Application for Interim Authorization, Phase II, Component C, under RCRA. An EPA review team consisting of both Headquarters and Regional personnel made a detailed analysis of Florida's Hazardous Waste Management Program.

EPA comments were forwarded to the State on December 19, 1983. No major questions were raised in the comments. The comments requested minor changes in the MOA and additions to the State's permit form.

The State responded satisfactorily by approving the revised MOA on December 22, 1983, and agreeing to consider EPA's additions to the permit form when it is revised.

Public Hearing and Comment Period

As noticed in the Federal Register on November 23, 1983 (48 FR 52952), EPA gave the public until December 12, 1983,

to comment on the State's application. EPA issued a public notice for a hearing in Tallahassee, Florida on December 29, 1983, if significant public interest was expressed.

The public hearing was not held as scheduled since neither Florida nor EPA received a request for the hearing, in accordance with procedures under 40 CFR 271.135.

Decision

EPA has reviewed Florida's complete application for Interim Authorization Phase II, Component C, and has determined that the State program is substantially equivalent to Phase II, Component C, of the Federal program as defined in 40 CFR Part 271, Subpart B, as amended at 48 FR 14249 (April 1, 1983). In accordance with Section 3006(c) of RCRA and implementing regulations, Florida is hereby granted Interim Authorization for Phase II, Component C, to operate the State's hazardous waste program for permitting the construction and operation of facilities that dispose of hazardous waste in lieu of the Federal program.

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 Sections 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), EPA Delegation 8-7.

Dated: January 19, 1984.

Charles R. Jeter,

Regional Administrator.

[FR Doc. 84-4917 Filed 2-23-84; 8:45 am]

BILLING CODE 6560-50-M

GENERAL SERVICES ADMINISTRATION

41 CFR Ch. 1

[FPR Temp. Reg. 77]

Small Purchase Procedures

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Temporary regulation.

SUMMARY: This FPR Temporary Regulation revises the ceiling for the use of small purchase procedures from \$10,000 to \$25,000 and makes related regulatory revisions. The basis for the regulation is Pub. L. 98-191 which amended Section 302(c)(3) of the Federal Property and Administrative Services Act of 1949 to permit purchases and contracts to be negotiated without formal advertising if the aggregate amount involved does not exceed \$25,000. The intended effect of the revisions is to extend the use of simplified small purchase procedures to a greater number of procurements.

DATES: Effective date: February 24, 1984.

Expiration date: January 31, 1986.

FOR FURTHER INFORMATION CONTACT:

Mr. Frank Van Lierde, Office of Federal Acquisition and Regulatory Policy (VR), Office of Acquisition Policy (202-523-3781).

SUPPLEMENTARY INFORMATION:

Authority: Sec. 205(c) 63 Stat. 390; 40 U.S.C. 486(c).

CHAPTER 1—[AMENDED]

In 41 CFR Chapter 1, the following temporary regulation is added to the appendix at the end of the chapter to read as follows:

[FPR Temp. Reg. 77]

Small Purchase Procedures

February 16, 1984.

1. *Purpose.* This temporary regulation implements Pub. L. 98-191, December 1, 1983.

2. *Effective date.* This regulation is effective February 24, 1984.

3. *Expiration date.* This regulation expires January 31, 1986.

4. *Background.*

a. Pub. L. 98-191, the "Office of Federal Procurement Policy Act Amendments of 1983," in addition to