

which certifies that the seven transportation control measures approved in the SIP have been implemented. The TCMs include:

1. Improve bus speed.
2. Subsidize employee transit costs.
3. Variable work hours.
4. Study of transit fare structure.
5. Two cent gasoline tax equivalent.
6. Traffic flow improvements.
7. Ride sharing program.

For a more detailed discussion, please refer to the Technical Support Document which is available for inspection at the EPA Region IV office.

Final Action

EPA is today approving the redesignation of the Metropolitan-Davidson County CO nonattainment area to attainment on the basis of eight quarters of air quality data and on a fully implemented control strategy approved by EPA.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial action and anticipates no adverse comments. This action will be effective November 24, 1990 unless, within 30 days of its publication, notice is received that adverse or critical comments will be submitted.

If such a notice is received, this action will be withdrawn before the effective date by publishing two subsequent notices. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period. If no such comments are received, the public is advised that this action will be effective November 24, 1990.

Under section 5 U.S.C. 605(b), I certify that this request will not have significant impact on a substantial number of small entities. (See 46 FR 8709).

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 24, 1990. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225). On January 6, 1989, the Office of Management and Budget waived Table 2 and 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a period of two years.

Nothing in this action shall be construed as permitting or allowing or

establishing a precedent for any future request for a revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical economic and environmental factors and in relation to relevant statutory and regulatory requirements.

List of Subjects in 40 CFR Part 61

Air pollution control, National parks, Wilderness areas.

Dated: September 17, 1990.
Winston A. Smith,
Acting Regional Administrator.

PART 61—[AMENDED]

Part 61 of chapter I, title 40, Code of Regulations, is amended as follows:

Subpart C—Section 107 Attainment Status Designations

1. The authority citation for part 61 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. In § 61.343 the attainment status table titled "Tennessee—CO" is amended by removing the entry for Davidson County. As revised, the table reads as follows:

§ 61.343 Tennessee.

* * * * *

TENNESSEE—CO

Designated area	Does not meet primary standards	Cannot be classified or better than national standards
That portion of Shelby County located in downtown Memphis.	X	
Rest of State.....		X

* * * * *

[FR Doc. 90-22550 Filed 9-21-90; 8:45 am]
 BILLING CODE 6560-50-M

40 CFR Part 271

[FRL-3833-6]

Georgia; Final Authorization of Revisions to State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: Georgia has applied for final authorization for revisions to its hazardous waste program under the Resource Conservation and Recovery

Act (RCRA). The Environmental Protection Agency (EPA) has reviewed Georgia's application and has made a decision, subject to public review and comment, that Georgia's hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Georgia's hazardous waste program revision. Georgia's application for program revision is available for public review and comment.

DATES: Final authorization for Georgia's program revision shall be effective November 24, 1990 unless EPA publishes a prior Federal Register action withdrawing this immediate final rule. All comments on Georgia's program revision application must be received by the close of business October 24, 1990.

ADDRESSES: Copies of Georgia's program revision application are available during 8 a.m.-4 p.m. at the following addresses for inspection and copying: Georgia Department of Natural Resources, Land Protection Branch, room 1154, 205 Butler Street SE., Floyd Towers East, Atlanta, Georgia 30334; (404) 656-2833; U.S. EPA Headquarters Library, PM 211A, 401 M Street SW., Washington, DC 20460, Phone: (202) 382-5926; U.S. EPA Region IV, Library, 345 Courtland Street NE., Atlanta, Georgia 30365; (404) 347-4216. Written comments should be sent to Narindar Kumar at the address listed below.

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

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under section 3006(b) of the Resource Conservation and Recovery Act ("RCRA" or "the Act"), 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Pub. L. 98-616, November 8, 1984, hereinafter "HSWA") allows States to revise their programs to become substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority. States exercising the latter option receive "interim authorization" for the HSWA requirements under section

3006(g) of RCRA, 42 U.S.C. 6926(g), and later apply for final authorization for the HSWA requirements.

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

B. Georgia

Georgia initially received final authorization for its base RCRA program effective on August 21, 1984. Georgia received authorization for revisions to its program effective on September 18, 1986. Georgia also received authorization for revisions to

its program on September 24, 1990. On July 31, 1990, Georgia submitted a program revision application for additional program approval. Today, Georgia is seeking approval of its program revision in accordance with 40 CFR 271.21(b)(3).

EPA has reviewed Georgia's application, and has made an immediate final decision that Georgia's hazardous waste program satisfies all of the requirements necessary to qualify for final authorization. Consequently, EPA intends to grant final authorization for the additional program modifications to Georgia. The public may submit written comments on EPA's immediate final decision until October 24, 1990. Copies of Georgia's application for program revision are available for inspection and

copying at the locations indicated in the "Addresses" section of this notice.

Approval of Georgia's program revision shall become effective November 24, 1990 unless an adverse comment pertaining to the State's revision discussed in this notice is received by the end of the comment period. If an adverse comment is received EPA will publish either (1) a withdrawal of the immediate final decision or (2) a notice containing a response to comments which either affirms that the immediate final decision takes effect or reverses the decision.

Georgia is today seeking authority to administer the following Federal requirement promulgated on April 22, 1988 for Non-HSWA Cluster III.

Federal requirement	FR reference	Federal promulgation date	State authority
Technical Correction; Identification and Listing of Hazardous Waste.....	52 FR 13382.....	4/22/88	391-3-11-.02(2) 391-3-11-.07(1)

Georgia is not authorized to operate the Federal program on Indian Lands. This authority remains with EPA unless provided otherwise in a future statute or regulation.

C. Decision

I conclude that Georgia's application for program revision meets all of the statutory and regulatory requirements established by RCRA. Accordingly, Georgia is granted final authorization to operate its hazardous waste program as revised.

Georgia now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out other aspects of the RCRA program, subject to the limitations of its program revision application and previously approved authorities. Georgia also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under section 3008, 3013 and 7003 of RCRA.

Compliance With Executive Order 12291

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. 604(b), I hereby certify that this

authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of Georgia's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice 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, 697(b)).

Dated: September 5, 1990.

Joe R. Franzmathes,
Acting Regional Administrator.

[FR Doc. 90-22549 Filed 9-21-90; 8:45 am]
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40 CFR Part 761

[OPTS-66008J; FRL 3801-7]

Polychlorinated Biphenyls (PCB's): Manufacturing, Processing, and Distribution in Commerce, Technical Amendment.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Technical Amendment.

SUMMARY: Section 6 of the Toxic Substances Control Act (TSCA) generally prohibits the manufacture, processing and distribution in commerce of polychlorinated biphenyls (PCB's). It also provides a procedure where persons may petition the Administrator, for good cause shown, for an exemption from these prohibitions. EPA published the Polychlorinated Biphenyls (PCB's) Exemption Rule in the *Federal Register* (55 FR 21023) on May 22, 1990. This is a technical amendment to add paragraphs for class exemptions and automatic renewals which were inadvertently omitted in the codified section of that PCB Exemption Rule.

EFFECTIVE DATE: This technical amendment is effective as of September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460

Telephone: (202) 554-1404, TDD: (202) 554-0551.

ADDRESSES: The official record for the PCB exemptions is located in the TSCA Public Docket Office, Rm. NE-G004, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. The record is available for copying and inspection from 8 a.m. to 12 noon, and from 1 p.m. to 4:30 p.m. Monday through Friday, excluding holidays.

SUPPLEMENTARY INFORMATION: EPA is issuing a technical amendment to § 761.80 to reinsert text that was inadvertently omitted from the codified section of the May 22, 1990 Exemptions Rule. The technical amendment will, thus, reinstate the automatic renewals and class exemptions into the codified section of the PCB Exemption Rule. To clarify any confusion within the regulated community, the entire codified section has been reprinted in this technical amendments.

Dated: September 9, 1990.

Charles L. Elkins,
Director, Office of Toxic Substances.

Therefore, 40 CFR part 761 is amended as follows:

PART 761—[AMENDED]

1. The authority citation for part 761 continues to read as follows:

Authority: 15 U.S.C. 2605, 2607, 2611, 2614 and 2616.

2. Section 761.80 is correctly revised to read as follows:

§ 761.80 Manufacturing, processing and distribution in commerce exemptions.

(a) The Administrator grants the following petitioner(s) an exemption for 1 year to process and distribute in commerce PCBs for use as a mounting medium in microscopy:

(1) McCrone Accessories Components, Division of Walter C. McCrone Associates, Inc., 2820 South Michigan Avenue, Chicago, IL 60616.

(2) [Reserved]

(b) The Administrator grants the following petitioner(s) an exemption for 1 year to process and distribute in commerce PCBs for use as a mounting medium in microscopy, an immersion oil in low fluorescence microscopy and an optical liquid:

(1) R.P. Cargille Laboratories, Inc., 55 Commerce Road, Cedar Grove, N.J. 07009.

(2) [Reserved]

(c) The Administrator grants the following petitioner(s) an exemption for 1 year to export PCBs for use in small quantities for research and development:

(1) Accu-Standard, New Haven, CT. 06503.

(2) [Reserved]

(d) The Administrator grants the following petitioner(s) an exemption for 1 year to import (manufacture) into the United States, small quantities of existing PCB fluids from electrical equipment for analysis:

(1) Unison Transformer Services, Inc., Tarrytown, N.Y. 10591, provided each of the following conditions are met:

(i) The samples must be shipped in 5.0 ml or less, hermetically sealed vials.

(ii) The exemption is limited to no more than 250 total samples per year.

(iii) Unison makes quarterly inspections of its laboratories to ensure that proper safety procedures are being followed.

(iv) Unison annually notifies and describes to EPA its attempts to have samples analyzed abroad.

(2) [Reserved]

(e) [Reserved]

(f) The Administrator grants the following petitioner(s) an exemption for 1 year to manufacture PCBs for use in small quantities for research and development:

(1) California Bionuclear Corp., Sun Valley, CA 91352 (ME-13).

(2) Foxboro Co., North Haven, CT 06473 (ME-6).

(3) ULTRA-Scientific, Inc., Hope, RI 02831 (ME-99.1).

(4) Midwest Research Institute, Kansas City, MO 64110 (ME-70.1).

(5) Pathfinder Laboratories, St. Louis, MO 63146 (A division of Sigma Aldridge Corporation, St. Louis, MO, 63178 (ME-76).

(6) Radian Corp., Austin, TX 78766 (ME-81.2).

(7) Wellington Sciences USA, College Station, TX 77840 (ME-104.1).

(8) Accu-Standard, 25 Science Park, New Haven, CT. 06503.

(g) The Administrator grants a class exemption to all processors and distributors of PCBs in small quantities for research and development provided that the following conditions are met:

(1) All processors and distributors must maintain records of their PCB activities for a period of 5 years.

(2) Any person or company which expects to process or distribute in commerce 100 grams (.22 lb) or more PCBs in 1 year must report to EPA identifying the sites of PCB activities and the quantity of PCBs to be processed or distributed in commerce.

(h) The Administrator grants the following petitioner(s) a class exemption to its members for 1 year to process and distribute in commerce non-porous transformer component parts which have been decontaminated of PCB

residues and to buy and sell PCB Transformers or PCB-Contaminated Transformers to which only double-rinsed, non-porous component parts have been added:

(1) Electrical Apparatus Service Association, 1331 Baur Boulevard, St. Louis, MO. 63123.

(2) [Reserved]

(i)-(l) [Reserved]

(m) The Administrator grants the following petitioner(s) an exemption for 1 year to process and export small quantities of PCBs for research and development:

(1) Chem Service, Inc., West Chester, PA 19380 (PDE-41).

(2) Foxboro Co., North Haven, CT 06473 (ME-6).

(3) PolyScience Corp., Niles, IL 60648 (PDE-178).

(4) ULTRA-Scientific, Inc., Hope, RI 02831 (PDE-282.1).

(5) Supelco, Inc., Bellefonte, PA 16823-0048 (PDE-41.2).

(6) Radian Corp., Austin, TX 78766 (PDE-182.1).

(n) The 1-year exemption granted to petitioners in paragraphs (a) through (f) and (m) of this section shall be renewed automatically unless a petitioner notifies EPA of any increase in the amount of PCBs to be processed and distributed, imported (manufactured), or exported; or of any change in the manner of processing and distributing, importing (manufacturing), or exporting of PCBs and unless EPA initiates rulemaking to terminate the exemption. Until EPA acts on the petition, the petitioner will be allowed to continue the activities for which it requests exemption.

(o) The 1-year class exemption granted to all processors and distributors of PCBs in small quantities for research and development in paragraph (g) of this section shall be renewed automatically unless information is submitted affecting EPA's conclusion that the class exemption, or the activities of any individual or company included in the exemption, will not pose an unreasonable risk of injury to health or the environment. EPA will evaluate the information, issue a proposed rule for public comment, and issue a final rule affecting the class exemption or individuals or companies included in the class exemption. Until EPA issues a final rule, individuals and companies included in the class exemption will be allowed to continue processing and distributing PCBs in small quantities for research and development.

[FR Doc. 90-22554 Filed 9-21-90; 8:45 am]

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