(c) Within 30 days after completion, Form MMS–125, Well Summary Report, including a schematic of the tubing and subsurface equipment, shall be submitted to the District Supervisor.

(d) Public information copies of Form MMS–125 shall be submitted in accordance with § 250.17.

7. Section 250.103 is amended by revising paragraph (d) to read as follows:

§ 250.103 Approval and reporting for well-workover operations.

* * * * *

(d) Within 30 days after completing the well-workover operation, except routine operations, Form MMS–124, Sundry Notices and Reports on Wells, shall be submitted to the District Supervisor, showing the work as performed. In the case of a well-workover operation resulting in the initial recompletion of a well into a new zone, a Form MMS–125, Well Summary Report, shall be submitted to the District Supervisor and shall include a new schematic of the tubing subsurface equipment if any subsurface equipment has been changed.

§ 250.111 [Amended]

8. In § 250.111, the introductory text, second sentence, is amended by removing the words "Form MMS–332, Notice of Intent/Report of Well Abandonment" and adding, in their place, the words "Form MMS–124, Sundry Notices and Reports on Wells."

§ 250.114 [Amended]

9. In § 250.114, paragraph (b) is amended by removing the words "with Form MMS–332" and adding in their place, the words "on Form MMS–124."

10. In § 250.172, paragraphs (a)(2), (a)(3), (a)(6), (a)(7), and (a)(8) are amended by removing the words "Form MMS–1866" each time they appear and adding, in their place, the words "Form MMS–127"; paragraphs (a)(1), (b)(2), (b)(3), (b)(5), and (b)(6) are revised; and paragraphs (a)(9), (b)(8), and (b)(9) are added to read as follows:

§ 250.172 Oil and gas production rates.

(a) * * *

(1) The lessee shall submit a proposed MER for each producing sensitive reservoir on Form MMS–127, Request for Reservoir Maximum Efficient Rate (MER), along with appropriate supporting information to the Regional Supervisor within 45 days after discovering that a reservoir is sensitive.

* * * * *

(9) Public information copies of Form MMS–127 shall be submitted in accordance with § 250.17.

(b) * * *

(2) The lessee shall conduct a well-flow potential test within 30 days of the date of first continuous production on all new, recompleted, and reworked well completions. Within 15 days after the end of the test period, the lessee shall submit a proposed MPR with well potential test for the individual well completion on Form MMS–126, Well Potential Test Report and Request for Maximum Production Rate (MPR). The initial MPR shall not exceed 110 percent of the test rate submitted and shall be effective on the first day of the month following the end of the test period if approved by the Regional Supervisor. During the 30-day period allowed for testing, the lessee may produce a new, recompleted, or reworked completion at rates necessary to establish the MPR. After the 30-day period and prior to approval of the initial MPR, a well completion may be produced at a rate not to exceed the proposed rate. The lessee shall report the total production obtained during the test period and shall identify all other wells completed in the reservoir on Form MMS–126.

(3) At least one well test shall be conducted during a calendar half for producing oil-well and gas-well completions and results submitted on Form MMS–128, Semiannual Well Test Report. Well tests shall be submitted within 45 days of the day the test was conducted.

* * * * *

(5) When a well test is not submitted during a calendar half for a producing oil-well or gas-well completion, the MPR will be automatically canceled effective on the first day of the appropriate following calendar half.

(6) When the results of a semiannual well test for an oil-well or gas-well completion cannot be submitted within the specified time, the lessee shall request an extension of time for submitting those test results. The extension must be approved in advance by the Regional Supervisor to continue production under the last approved MPR.

* * * * *

(8) Public Information copies of Form MMS–126 shall be submitted in accordance with § 250.17.

(9) Public information copies of Form MMS–128 shall be submitted in accordance with § 250.17.

* * * * *

§ 250.282 [Amended]

11. In § 250.282, paragraph (c)(1) is amended by removing the words "Form MMS–330" and adding, in their place, the words "Form MMS–125."

§§ 250.65, 250.66, 250.83, 250.85, 250.103, 250.105, 250.121, 250.273, 250.274, and 250.282 [Amended]

12. In addition to the amendments set forth above in 30 CFR Part 250, remove the words "Form MMS–331" and add, in their place, the words "Form MMS–124" in the following places:

(a) Section 250.65(a), (b) (twice), and (c);

(b) Section 250.66 (b) and (e);

(c) Section 250.83 (a) and (b);

(d) Section 250.85(a);

(e) Section 250.103(a), (b) introductory text, and (c) introductory text;

(f) Section 250.105(a);

(g) Section 250.121(h)(1);

(h) Section 250.273(a), (b), and (c);

(i) Section 250.274(b); and

(j) Section 250.282(a), (b), and (c)(2).

§§ 250.66, 250.103, and 250.274 [Amended]

13. In addition to the amendments set forth above in 30 CFR Part 250, remove the words "Form MMS–330, Well (Re)Completion Report" and add, in their place, the words "Form MMS–125, Well Summary Report" in the following places:

(a) Section 250.66(b);

(b) Section 250.103(d); and

(c) Section 250.274(b).

§§ 250.83, 250.85, 250.260, 250.272 and 250.282 [Amended]

14. In addition to the amendments set forth above, in 30 CFR part 250 remove the words "Form MMS–331C" and add, in their place, the words "Form MMS–123" in the following places:

(a) Section 250.83 (a) and (b) introductory text;

(b) Section 250.85(a);

(c) Section 250.260(b)(3);

(d) Section 250.272 (a) and (c) introductory text; and

(e) Section 250.282(b) introductory text.

[FR Doc. 93–23445 Filed 9–23–93; 8:45 am]

BILLING CODE 4310–MR–M

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 946

Virginia Regulatory Program Amendment

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of amendment.

SUMMARY: OSM is announcing the approval of a proposed program amendment to the Virginia regulatory

program (hereinafter referred to as the Virginia program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendment filed by Virginia on May 6, 1993 (Administrative Record No. VA–823), consists of House Bill (HB) 1687 which contains changes to Sections 45.1–243 and 45.1–258 of the Code of Virginia as enacted by the Virginia General Assembly during its 1993 session. The changes are being proposed to bring the Virginia program into compliance with changes to SMCRA resulting from the Energy Policy Act of 1992 (Pub. L. 102–486).

EFFECTIVE DATE: September 24, 1993.

FOR FURTHER INFORMATION CONTACT: Mr. Robert A. Penn, Director, Big Stone Gap Field Office, Office of Surface Mining Reclamation and Enforcement, P.O. Drawer 1217, Powell Valley Square Shopping Center, Room 220, Route 23, Big Stone Gap, Virginia 24219, Telephone (703) 523–4303.

SUPPLEMENTARY INFORMATION:

I. Background on the Virginia Program.
II. Submission of Amendment.
III. Director's Findings.
IV. Summary and Disposition of Comments.
V. Director's Decision.
VI. Procedural Determinations.

I. Background on the Virginia Program

The Secretary of the Interior conditionally approved the Virginia program on December 15, 1981. Information pertinent to the general background and revisions to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval can be found in the December 15, 1981, **Federal Register** (46 FR 61085–61115). Subsequent actions concerning the conditions of approval and proposed amendments are identified at 30 CFR 946.12, 946.13, 946.15, and 946.16.

II. Submission of Amendments

By letter dated May 6, 1993 (Administrative Record No. VA–823), Virginia submitted a proposed program amendment consisting of House Bill 1687, enacted during the 1993 session of the Virginia General Assembly. The amendment contains revisions to Sections 45.1–243 and 45.1–258 of the Code of Virginia.

OSM announced receipt of the proposed amendment in the May 25, 1993, **Federal Register** (58 FR 30005), and in the same notice opened the public comment period and provided opportunity for a public hearing on the adequacy of the proposed amendment. The comment period closed on June 24, 1993.

III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17 are the Director's findings concerning the proposed amendment to the Virginia program.

Revisions not specifically discussed below concern nonsubstantive wording changes, or revised cross-references and paragraph notations to reflect organizational changes resulting from this amendment.

A. Revisions to Section 45.1–243 of the Code of Virginia

1. HB 1687 revises § 45.1–243A. by adding a reference to section 720(a)(1) of SMCRA, which now requires that Virginia promulgate regulations embodying the requirements of 720(a)(1) of SMCRA. The Director finds this to be in accordance with 720(b) of SMCRA which requires OSM to promulgate regulations to implement 720(a) of SMCRA. HB 1687 also adds the statement that "[N]othing in Section 720(a)(1) of the Federal act shall be construed to prohibit or interrupt underground coal mining operations." This sentence is substantively identical to the last sentence of 720(a) of SMCRA.

2. HB 1687 revises § 45.1–243B. to correct a typographical error by replacing the phrase "major implements" with "major impoundments". The Director finds that, with this correction, Section 45.1–243B. of the Code of Virginia substantively identical to section 516(c) of SMCRA.

B. Revisions to Section § 45.1–258 of the Code of Virginia

HB 1687 revises § 45.1–258 by adding new subsections B., C., D., and E. which contain the following provisions.

1. Subsection B. provides for the replacement of water supplies adversely affected by underground coal mining conducted after October 24, 1992, and further provides that nothing in the subsection shall be construed to prohibit or interrupt underground coal mining operations. The Director finds these provisions to be substantively identical to and, therefore, no less stringent than the Federal provisions at section 720(a) of SMCRA. In addition, Subsection B. allows for the issuance of guidelines, pursuant to Section 45.1–230A.1 of the Code of Virginia, regarding water replacement, until such time as Virginia issues permanent regulatory provisions. In a letter dated July 30, 1993 (Administrative Record No. VA–826), OSM expressed its concern that such guidelines might exceed the criteria of § 45.1–230.A.1, and would have to be submitted to OSM for review and approval as a program amendment. Virginia responded (Administrative Record No. VA–827) by pointing out that the guidelines are not enforceable, and that any enforcement actions taken would be consistent with the statute and existing regulations. The State further explained that any guidelines issued could not be submitted as program amendments, since to do so would go beyond the intent of § 45.1–230.A.1, which provides that such guidelines shall be solely for purposes of public information and education, and shall not have the force of regulations under chapter 17 or under any other provision of the Code of Virginia. While there is no direct Federal counterpart, the Director finds that this proposal, as clarified, will not render Virginia's program inconsistent with any requirements of SMCRA or the Federal regulations.

2. Subsection C. requires the underground coal mine operator to maintain mine maps reflecting, at a minimum, information on the daily progress of mining operations conducted after October 24, 1992. The maps are to be maintained at the mine site or in the company office until completion of mining and are to be submitted upon completion of mining, or upon request, to the regulatory authority. While there is no direct Federal counterpart, the Director finds that the proposal is within the regulatory authority's discretion and is not inconsistent with the requirements of SMCRA and the Federal regulations.

3. Subsection D. provides that an order to replace the water supply, made pursuant to proposed Subsection B., shall not be overturned without clear and convincing evidence where the operator fails to provide the maps required under proposed Subsection C. In addition, where water replacement is not ordered after an investigation, and reasonable access for pre-mining survey was denied, the determination not to replace shall not be overturned without clear and convincing evidence to the contrary. While there is no direct Federal counterparts, the Director finds that the proposal will not render Virginia's program inconsistent with any requirements of SMCRA or the Federal regulations.

4. Subsection E. provides that the underground coal mine operator shall provide a certificate certifying that he has, in force, a public liability insurance policy which provides protection adequate to replace any water supply as required by proposed Subsection B. The

policy must be maintained in full force for the term of the permit, including renewals, and including the liability period necessary to complete all required reclamation operations. The provisions of proposed Subsection E. expire on the date the Secretary approves the program amendment containing Virginia's regulations implementing the provisions of proposed Subsection B. of this section. In a letter dated August 10, 1993 (Administrative Record Number VA-827), which was submitted in response to a request for clarification from OSM (Administrative Record Number VA-826), Virginia pointed out that the General Assembly could not anticipate how the future OSM rules would provides for bond or insurance to ensure that water supplies could be replaced. As a temporary remedy, the Virginia General Assembly created § 45.1-258(E). However, the Virginia General Assembly did not want to create a provision inconsistent with the future Federal requirement. Therefore, they stipulated that this provision would cease when the State regulations were amended to incorporate whatever financial assurance standards OSM promulgated. The Director finds that the proposal, as clarified by Virginia, is consistent with the general requirements for liability insurance provided for in section 507(f) of SMCRA and 30 CFR 800.60.

IV. Summary and Disposition of Comments

Public Comments

The public comment period and opportunity to request a public hearing was announced in the May 25, 1993, **Federal Register** (58 FR 30005). The public comment period closed on June 24, 1993. No comments were filed and no one requested an opportunity to testify at the scheduled public hearing so no hearing was held.

Agency Comments

Pursuant to section 503(b) of SMCRA and the implementing regulations at 30 CFR 732.17(h)(11)(i), comments were solicited from various government agencies with an actual or potential interest in the Virginia program. No responses were received from the agencies solicited.

V. Director's Decision

Based on the above findings, the Director is approving the program amendment submitted by Virginia on May 6, 1993.

The Federal regulations at 30 CFR part 946 codifying decisions concerning the Virginia program are being amended to implement this a decision. The Director is approving these proposed statutes with the understanding that they be promulgated in a form identical to that submitted to OSM and reviewed by the public. Any differences between these statutes and the State's final promulgated statutes will be processed as a separate amendment subject to public review at a later date. This final rule is being made effective immediately to expedite the State program amendment process and to encourage the State to conform its program with the Federal standards without delay. Consistency of State and Federal standards is required by SMCRA.

Environmental Protection Agency (EPA) Concurrence

Under 30 CFR 732.17(h)(11)(ii), the Director is required to obtain the written concurrence of the Administrator of the Environmental Protection Agency (EPA) with respect to any provisions of a State program amendment that relate to air or water quality standards promulgated under the authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or the Clean Air Act (42 U.S.C. 7401 *et seq.*). The Director has determined that this amendment contains no provisions in these categories and that EPA's concurrence is not required.

VI. Procedural Determinations

Executive Order 12291

On July 12, 1984, the Office of Management and Budget (OMB) granted the Office of Surface Mining Reclamation and Enforcement (OSM) an exemption from sections 3, 4, 7 and 8 of Executive Order 12291 for actions related to approval or conditional approval of State regulatory programs, actions and program amendments. Therefore, preparation of a regulatory impact analysis is not necessary and OMB regulatory review is not required.

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of the Surface Mining Control and Reclamation Act (SMCRA) (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15 and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR parts 730, 731 and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by the Office of Management and Budget under the Paperwork Reduction Act, 44 U.S.C. 3507 *et seq.*

Regulatory Flexibility Act

The Department of the Interior has determined that this rule 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.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Hence, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 946

Intergovernmental relations, Surface mining, Underground mining.

Carl C. Close,

Assistant Director, Eastern Support Center.

For the reasons set forth in the preamble, title 30, chapter VII, subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 946—VIRGINIA

1. The authority citation for part 946 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. 30 CFR 946.15, is amended by adding a new paragraph (gg) to read as follows:

§946.15 Approval of regulatory program amendments.

* * * * *

(gg) The following amendment submitted to OSM on May 6, 1993, effective September 24, 1993. The amendment consists of the following modifications to the Virginia program:

Revisions to §§45.1–243 and 45.1–258 of the Code of Virginia, as set forth in House Bill 1687 as enacted during the 1993 session of the Virginia General Assembly.

[FR Doc. 93–23412 Filed 9–23–93; 8:45 am]

BILLING CODE 4310–05–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[OR–33–1–5973; FRL–4734–1]

Designation of Areas for Air Quality Planning Purposes; Oregon

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: Pursuant to section 107(d)(3) of the Clean Air Act (Act), the Environmental Protection Agency (EPA) is taking final action to redesignate Lakeview, Oregon, from an unclassifiable to a moderate nonattainment area for PM–10 (particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers). The boundary of the nonattainment area is defined by Lakeview's Urban Growth Boundary (UGB).

EFFECTIVE DATE: October 25, 1993.

FOR FURTHER INFORMATION CONTACT: Rindy Ramos, Air Programs Development Section (AT–082), U.S. Environmental Protection Agency, Region 10, Seattle, Washington 98101, (206) 553–6510.

SUPPLEMENTARY INFORMATION:

I. Background

On July 1, 1987, EPA revised the National Ambient Air Quality Standard (NAAQS) for particulate matter (52 FR 24634), replacing total suspended particulates as the indicator for particulate matter with a new indicator called PM–10 that includes only those particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers. At the same time, EPA set forth regulations for implementing the revised particulate matter standards and announced EPA's State implementation plan (SIP) development policy elaborating PM–10 control strategies necessary to assure attainment and maintenance of the PM–10 NAAQS (see generally 52 FR 24672).

The 24-hour PM–10 NAAQS is 150 micrograms per cubic meter (ug/m^3). The standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 ug/m^3 is equal to or less than one (see 40 CFR 50.6(a)). The annual PM–10 NAAQS is 50 ug/m^3 and the standard is attained when the expected annual arithmetic mean concentration is less than or equal to 50 ug/m^3 (see 40 CFR 50.6(b)). Conversely, an area is not in attainment with the 24-hour PM–10 NAAQS if the expected number of days per calendar year with a 24-hour average concentration above 150 ug/m^3 is greater than one. Additionally, an area is not in attainment with the annual PM–10 NAAQS if the expected annual arithmetic mean concentration is greater than 50 ug/m^3.

The EPA is authorized to redesignate areas (or portions thereof) as nonattainment for PM–10 pursuant to section 107(d)(3) of the Act, on the basis of air quality data, planning and control considerations, or any other air quality-related considerations that the Administrator deems appropriate.

On December 29, 1992, the Governor of the State of Oregon notified EPA that the ambient PM–10 monitoring site in the City of Lakeview, Oregon, had recorded an exceedance of the 24-hour PM–10 NAAQS on January 9, 1992. Because the area had recorded three exceedances of the PM–10 NAAQS in 1991 (January 4, 14, and 16), this exceedance in 1992 resulted in the expected number of days per calendar year to be greater than one indicating that the area is in violation of the PM–10 NAAQS. At the same time, the Governor of the State of Oregon requested that the area within Lakeview's Urban Growth Boundary (UGB) be redesignated as nonattainment for PM–10.

II. Response to Comments

EPA received no comments on its June 25, 1993 (58 FR 34403) **Federal Register** proposal to redesignate Lakeview from unclassifiable to a moderate PM–10 nonattainment area.

III. Significance of Today's Action

The Lakeview, Oregon, PM–10 nonattainment area will be subject to the applicable requirements of part D, title I of the Act and will be classified as moderate by operation of law (see section 188(a) of the Act). Within 18 months of the designation, the State of Oregon is required to submit to EPA an implementation plan for the area containing, among other things, the following requirements: (1) Provisions to assure that reasonably available control measures (including reasonably available control technology) are implemented within 4 years of the redesignation; (2) a permit program meeting the requirements of section 173 governing the construction and operation of new and modified major stationary sources of PM–10; (3) quantitative milestones which are to be achieved every 3 years until the area is redesignated attainment and which demonstrates reasonable further progress, as defined in section 171(1) toward timely attainment; and (4) either a demonstration (including air quality modeling) that the plan will provide for attainment of the PM–10 NAAQS as expeditiously as practicable, but no later than the end of the sixth calendar year after the area's designation as nonattainment, or a demonstration that attainment by such date is impracticable (see, e.g., sections 188(c), 189(a), 189(c), and 172(c) of the Act). The EPA has issued detailed guidance on the statutory requirements applicable to moderate PM–10 nonattainment area (see 57 FR 13498 (April 16, 1992), and 57 FR 18070 (April 28, 1992)).

The State is also required to submit contingency measures, pursuant to section 172(c)(9) of the Act, which are to take effect without further action by the State or EPA, upon a determination by EPA that an area has failed to make reasonable further progress or attain the PM–10 NAAQS by the applicable attainment date (see 57 FR 13510–13512, 13543–13544). The EPA is establishing the schedule for submission of contingency measures as called for in section 172(b) of the Act. The State of Oregon is to submit contingency measures for the Lakeview nonattainment area within 18 months of designation.

IV. Administrative Review

This action has been classified as a Table 3 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. EPA has submitted a request for a permanent waiver for table 2 and

3 SIP revisions. The OMB has agreed to continue the temporary waiver until such time as it rules on EPA's request.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et. seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities (5 U.S.C. 603 and 604). Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities (5 U.S.C. 605(b)). Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

Redesignation of an area to nonattainment under section 107(d)(3) of the Act does not impose any new requirements on small entities. Redesignation is an action that affects the status of a geographical area and does not impose any regulatory requirements on sources. To the extent that an affected State must adopt new regulations, based on an area's nonattainment status, EPA will review the effect that those actions have on small entities at the time the State submits those regulations. I certify that the redesignation action announced today will not have a significant economic impact of a substantial number of small entities.

List of Subjects in 40 CFR Part 81

Air pollution control, Environmental Protection, National parks, Wilderness areas.

Dated: September 14, 1993.

Gerald A. Emison,

Acting Regional Administrator.

Part 81, chapter 1, title 40 of the Code of Federal Regulations is amended as follows:

PART 81—[AMENDED]

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. Section 81.338 is amended in the table for Oregon-PM–10 nonattainment areas by adding an entry for Lake County to read as follows:

§ 81.338 Oregon.

* * * * *

OREGON—PM–10 NONATTAINMENT AREAS

Designated area	Designation		Classification	
	Date	Type	Date	Type
* *	*	*	*	* *
Lake County (part):				
Lakeview: The Urban Growth boundary area.	[Insert date 30 days from date of publication].	Nonattainment.	[Insert date 30 days from date of publication].	Moderate

[FR Doc. 93–23202 Filed 9–23–93; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 271

[FRL–4735–9]

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

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: Alabama has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). Alabama's revisions consist of the provisions contained in HSWA Cluster II. Alabama submitted a program revision application for the requirements in HSWA Cluster II, and a separate application was submitted for the Organic Air Emission Standards, a HSWA Cluster II provision. These requirements are listed in section B of this notice. The Environmental Protection Agency (EPA) has reviewed Alabama's applications and has made a decision, subject to public review and comment, that the Alabama hazardous waste program revisions satisfy all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Alabama's hazardous waste program revisions. Alabama's applications for program revisions are available for public review and comment.

DATES: Final authorization for Alabama's program revisions shall be effective November 23, 1993, unless EPA publishes a prior **Federal Register** action withdrawing this immediate final rule. All comments on Alabama's program revision application must be received by the close of business, October 25, 1993.

ADDRESSES: Copies of Alabama's program revision applications are available during normal business hours at the following addresses for inspection and copying: Alabama Department of Environmental Management, 1751 Congressman W.L. Dickinson Drive, Montgomery, Alabama 36130; U.S. EPA Region IV, Library, 345 Courtland Street, NE., Atlanta, Georgia 30365; (404) 347–4216. Written comments should be sent to Leonard W. Nowak at the address listed below.

FOR FURTHER INFORMATION CONTACT: Leonard W. Nowak, Acting 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