

| Federal citation  | State analog  |
|---|---|
| 6. Burning of Hazardous Waste in Boilers and Industrial Furnaces, Amendment IV, (57 FR 44999-45001) September 30, 1992. (Checklist 114).                                    | NMSA 1978, §§ 74-4-4A and 74-4-4E (Repl. Pamp. 1993); 20 NMAC 4.1.101, Subparts I, II, V, VI and VII, .102, .201, .501, .502, .601, .602 and .701 as amended September 23, 1994, effective September 23, 1994.            |
| 7. Chlorinated Toluene Production Waste Listing, (57 FR 47376-47386) October 15, 1992. (Checklist 115).   | NMSA 1978, §§ 74-4-4A(1) and 74-4-4E (Repl. Pamp. 1993); 20 NMAC 4.1.201 as amended September 23, 1994, effective September 23, 1994.   |
| 8. Hazardous Soil Case-By-Case Capacity Variance, (57 FR 47772-47776) October 20, 1992. (Checklist 116).  | NMSA 1978, §§ 74-4-4A and 74-4-4E (Repl. Pamp. 1993); 20 NMAC 4.1.801 as amended September 23, 1994, effective September 23, 1994.  |
| 9. Toxicity Characteristic Amendment, (57 FR 23062-23063) June 1, 1992. (Checklist 117B).   | NMSA 1978, §§ 74-4-4A(1) and 74-4-4E (Repl. Pamp. 1993); 20 NMAC 4.1.201 Subparts II, V, VI, and VIII, .201, .501, .502, .601, .602 and .801 as amended September 23, 1994, effective September 23, 1994.                 |
| 10. Liquids in Landfills II, (57 FR 54452-54461) November 18, 1992. (Checklist 118).  | NMSA 1978, §§ 74-4-4A and 74-4-4E (Repl. Pamp. 1993); 20 NMAC 4.1.101, Subparts I, II, V, and VI, .102, .501, .502, .601, and .602 as amended September 23, 1994, effective September 23, 1994.                           |
| 11. Wood Preserving; Amendments to Listings and Technical Requirements, (57 FR 61492-61505) December 24, 1992. (Checklist 120).   | NMSA 1978, §§ 74-4-4A, 74-4-4A(1) and 74-4-4E (Repl. Pamp. 1993); 20 NMAC 4.1.201 and 4.1.301, Subparts II, III, V, and VI, .201, .501, .502, .601, and .602 as amended September 23, 1994, effective September 23, 1994. |
| 12. Land Disposal Restrictions; Renewal of the Hazardous Waste Debris Case-By-Case Capacity Variance, (58 FR 28506-28511) May 14, 1993. (Checklist 123).                    | NMSA 1978, §§ 74-4-4A and 74-4-4E (Repl. Pamp. 1993); 20 NMAC 4.1.801 as amended September 23, 1994, effective September 23, 1994.  |
| 13. Land Disposal Restrictions for Ignitable and Corrosive Characteristic Wastes Whose Treatment Standards Were Vacated, (58 FR 29860-29887) May 24, 1993. (Checklist 124). | NMSA 1978, §§ 74-4-4A and 74-4-4E (Repl. Pamp. 1993); 20 NMAC 4.1.801 as amended September 23, 1994, effective September 23, 1994.  |

New Mexico is not authorized to operate the Federal program on Indian lands. This authority remains with EPA.

**C. Decision**

I conclude that New Mexico's application for a program revision meets the statutory and regulatory requirements established by RCRA. Accordingly, New Mexico is granted authorization to operate its hazardous waste program as revised. New Mexico now has responsibility for permitting treatment, storage, and disposal facilities within its borders and for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the HSWA. New Mexico also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under sections 3008, 3013, and 7003 of RCRA.

**D. Codification in Part 272**

EPA uses 40 CFR part 272 for codification of the decision to authorize New Mexico's program and for incorporation by reference of those provisions of New Mexico's Statutes and regulations that EPA will enforce under section 3008, 3013, and 7003 of RCRA. Therefore, EPA is reserving amendment of 40 CFR part 272, subpart GG until a later date.

**Compliance With Executive Order 12866**

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12866.

**Certification Under the Regulatory Flexibility Act**

Pursuant to the provisions of 4 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. This authorization effectively suspends the applicability of certain Federal regulations in favor of New Mexico's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. This authorization 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, 6974(b).

Dated: April 17, 1995.

**A. Stanley Meiburg,**

*Acting Regional Administrator.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**43 CFR Public Land Order 7136**

[OR-943-1430-01; GP5-083; OR-49219]

**Withdrawal of Public Lands for the Galice Creek Recreation Area; Oregon**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order withdraws 290.02 acres of Revested Oregon and California Railroad Grant Lands from surface entry and mining for a period of 20 years for the Bureau of Land Management to protect the Galice Creek Recreation Area located in Josephine County. The lands have been and remain open to mineral leasing.

**EFFECTIVE DATE:** April 25, 1995.

**FOR FURTHER INFORMATION CONTACT:** Linda Sullivan, BLM Oregon/ Washington State Office, P.O. Box 2965, Portland, Oregon 97208-2965, 503-952-6171.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and