

subject to the authority retained by EPA in accordance with the Hazardous and Solid Waste Amendments (HSWA) of 1984. Oklahoma's application for program revision is available for public review and comment.

DATES: This final authorization for Oklahoma shall be effective April 27, 1995 unless EPA publishes a prior **Federal Register (FR)** action withdrawing this Immediate Final Rule. All comments on Oklahoma's program revision application must be received by the close of business February 27, 1995.

ADDRESSES: Copies of the Oklahoma program revision application and the materials EPA used in evaluating the revision are available for inspection and copying from 8:30 a.m. to 4 p.m. Monday through Friday at the following addresses: State of Oklahoma Department of Environmental Quality, 1000 Northeast Tenth Street, Oklahoma City, Oklahoma 73117-1212, phone (405) 271-5338 and EPA, Region 6 Library, 12th Floor, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202, phone (214) 665-6444. Written comments, referring to Docket Number OK-95-1, should be sent to Dick Thomas, Region 6 RCRA Authorization Coordinator, Grants and Authorization Section (6H-HS), RCRA Programs Branch, U.S. EPA Region 6, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202, phone (214) 665-8528.

FOR FURTHER INFORMATION CONTACT: Dick Thomas, Region 6 RCRA Authorization Coordinator, Grants and Authorization Section (6H-HS), RCRA Programs Branch, U.S. EPA Region 6, First Interstate Bank Tower at Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202, phone (214) 665-8528.

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under Section 3006(b) of RCRA 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. 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 124, 260-268, and 270.

B. Oklahoma

Oklahoma initially received final authorization on January 10, 1985 (see 49 FR 50362), to implement its base hazardous waste management program. Oklahoma received authorization for revisions to its program on June 18, 1990 (see 55 FR 14280), November 27, 1990 (see 55 FR 39274), June 3, 1991 (see 56 FR 13411), November 19, 1991 (see 56 FR 47675) and December 21, 1994, (see 59 FR 51116). The authorized Oklahoma RCRA program was incorporated by reference into the Code of Federal Regulations effective December 13, 1993. On December 1, 1994, Oklahoma submitted a final complete program revision application for additional program approvals. Today, Oklahoma is seeking approval of its program revision in accordance with 40 CFR 271.21(b)(3).

Specific statutory language which addressed adoption of Federal regulations by reference was formerly found at 63 Oklahoma Statutes (O.S.), Supp. 1992 § 1-2005. This section was repealed by Oklahoma House Bill 1002, effective July 1, 1993. Adoption by reference was continued through the general rule making language of 27A

O.S. Supp. 1993 § 2-7-106. To clarify the adoption by reference abilities of the DEQ, 27A O.S. Supp. § 2-2-104 was enacted. Rules 252:200-3-2 through 252:200-3-6 adopt the Federal requirements by reference.

EPA reviewed the DEQ's application, and made an immediate final decision that DEQ's hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Consequently, EPA intends to grant final authorization for the additional program modifications to Oklahoma. The public may submit written comments on EPA's final decision until February 27, 1995. Copies of Oklahoma's application for program revision are available for inspection and copying at the locations indicated in the **ADDRESSES** section of this notice.

Approval of DEQ's program revision shall become effective 75 days from the date this notice is published, unless an adverse written comment pertaining to the State's revision discussed in this notice is received by the end of the comment period. If an adverse written comment is received, EPA will publish either (1) a withdrawal of the immediate final decision or (2) a notice containing a response to the comment that either affirms that the immediate final decision takes effect or reverses the decision.

Oklahoma's program revision application includes State regulatory changes that are equivalent to the rules promulgated in the Federal RCRA implementing regulations in 40 CFR Parts 124, 260-262, 264, 265, 266, and 270 that were published in the FR through June 30, 1993. This proposed approval includes the provisions that are listed in the chart below. This chart also lists the State analogs that are being recognized as equivalent to the appropriate Federal requirements.

Federal citation	State analog
1. Used Oil Filter Exclusion; Technical Correction, [57 FR 29220] July 1, 1992. (Checklist 107).	Oklahoma Hazardous Waste Management Act (OHWMA), as amended, 27A Oklahoma Statutes (O.S.), Supp. 1993, §§ 2-2-104, 2-7-106, and 2-7-107(A)(5) effective July 1, 1993; and Oklahoma Administrative Code (OAC) Rules 252:200-3-1 through 252:200-3-6, effective May 26, 1994.
2. Toxicity Characteristics Revision; Technical Corrections, [57 FR 30657] July 10, 1992. (Checklist 108).	OHWMA, as amended, 27A O.S., Supp. 1993, §§ 2-2-104 and § 2-7-106, effective July 1, 1993; and OAC Rules 252:200-3-1 through 252:200-3-6, effective May 26, 1994.
3. Land Disposal Restrictions for Newly Listed Wastes and Hazardous Debris, [57 FR 37194] August 18, 1992. (Checklist 109).	OHWMA, as amended, 27A O.S., Supp. 1993, §§ 2-2-104, 2-7-106, and 2-7-107(A)(10) effective July 1, 1993; and OAC Rules 252:200-3-1 through 252:200-3-6, effective May 26, 1994.
4. Coke By-Product Listings, [57 FR 37284] August 18, 1992. (Checklist 110).	OHWMA, as amended, 27A O.S., Supp. 1993, §§ 2-2-104 and § 2-7-106, effective July 1, 1993; and OAC Rules 252:200-3-1 through 252:200-3-6, effective May 26, 1994.
5. Burning of Hazardous Waste in Boilers and Industrial Furnaces; Technical Amendment III, [57 FR 38558] August 25, 1992. (Checklist 111).	OHWMA, as amended, 27A O.S., Supp. 1993, §§ 2-2-104 and § 2-7-106, effective July 1, 1993; and OAC Rules 252:200-3-1 through 252:200-3-6, effective May 26, 1994.