

1993 and has not been reviewed by the Office of Management and Budget. As required by the Regulatory Flexibility Act, it is hereby certified that this rule will not have a significant impact on small entities.

**List of Subjects in 36 CFR Part 1258**

Archives and records.

**PART 1258—FEES**

Accordingly, the interim final rule amending 36 CFR part 1258 which was published at 60 FR 5579 on January 30, 1995, is adopted as a final rule without change.

Dated: May 11, 1995.

**Trudy Huskamp Peterson,**

*Acting Archivist of the United States.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 264, 265, 270, and 271**

[FRL-5206-9]

RIN 2060-AB94

**Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of postponed effective date.

**SUMMARY:** This document postpones the effective date of the final rule on Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers until December 6, 1995.

**EFFECTIVE DATE:** The final rule will be effective as of December 6, 1995. The EPA specified in the final rule a schedule that established the compliance dates by which different requirements of the rule must be met. These compliance dates and requirements are explained further in the final rule (59 FR 62896, December 6, 1994) under **SUPPLEMENTARY INFORMATION.** This document only changes the June 5, 1995 effective date to December 6, 1995; all other compliance dates for the final rule remain as published in the final rule (59 FR 62896, December 6, 1994.)

**ADDRESSES:** Docket. The supporting information used for the final rule is

available for public inspection and copying in the RCRA docket. The RCRA docket numbers pertaining to the final rule are F-91-CESP-FFFFF, F-92-CESA-FFFFF, F-94-CESF-FFFFF, and F-94-CE2A-FFFFF. The docket is available for inspection at the EPA RCRA Docket Office (5305), Room 2616, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** For information about this postponement contact the RCRA Hotline at (800) 424-9346 toll-free, or (703) 920-9810.

**SUPPLEMENTARY INFORMATION:** This document announces the postponement of the effective date for the final Air Emission Standards published under the Resource Conservation and Recovery Act. These final standards were published on December 6, 1994 (59 FR 62896) and were originally scheduled to become effective as of June 5, 1995. Since promulgation, the EPA has become aware that certain provisions of the final standards may require clarification, and plans to publish a subsequent **Federal Register** document to clarify such provisions. This process may result in compliance options that facilities do not now realize are available. To ensure that all options are clear to affected facilities, and to ensure that all affected facilities have time to make any such alterations in their compliance plan prior to the effective date of the standards, EPA is postponing the effective date of the final rule for six months. The EPA considers a postponement of six months to be adequate time to allow for affected facilities to make any such necessary adjustments. The EPA also believes that it would be inequitable not to postpone the effective date in light of the possibility of increased compliance flexibility, so that a modest postponement is justified. See 5 U.S.C. 705 ("when an agency finds that justice so requires, it may postpone the effective date of action taken by it, pending judicial review"). Therefore, the effective date of the final rule will be postponed until December 6, 1995. The final rule text affected by this change is amended as follows.

**List of Subjects**

**40 CFR Part 264**

Environmental protection, Air pollution control, Hazardous waste, Insurance, Packaging and containers, Reporting and recordkeeping requirements, Security measures, Surety bonds.

**40 CFR Part 265**

Air pollution control, Hazardous waste, Insurance, Packaging and containers, Reporting and recordkeeping requirements, Security measures, Surety bonds, Water supply.

**40 CFR Part 271**

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

Dated: May 8, 1995.

**Mary D. Nichols,**

*Assistant Administrator Office of Air and Radiation.*

For the reasons set out in the preamble, title 40, chapter I, parts 264, 265, and 271 of the Code of Federal Regulations are amended as follows:

**PART 264—STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

1. The authority citation for part 264 continues to read as follows:

**Authority:** 42 U.S.C. 6905, 6912(a), 6924 and 6925.

**Subpart CC—Air Emission Standards for Tanks, Surface Impoundments, and Containers**

2. Section 264.1080 is amended by revising paragraphs (b)(1) and (c) to read as follows:

**§ 264.1080 Applicability.**

\* \* \* \* \*

(b) \* \* \*  
(1) A waste management unit that holds hazardous waste placed in the unit before December 6, 1995, and in which no hazardous waste is added to the unit on or after this date.

\* \* \* \* \*

(c) For the owner and operator of a facility subject to this subpart and who received a final permit under RCRA section 3005 prior to December 6, 1995, the requirements of this subpart shall be incorporated into the permit when the permit is reissued in accordance with the requirements of § 124.15 of this chapter or reviewed in accordance with the requirements of § 270.50(d) of this chapter. Until such date when the owner and operator receives a final permit incorporating the requirements of this subpart, the owner and operator is subject to the requirements of 40 CFR part 265 subpart CC.

**PART 265—INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

3. The authority citation for part 265 continues to read as follows:

**Authority:** 42 U.S.C. 6905, 6912(a), 6924, 6925, and 6935.

**Subpart CC—Air Emission Standards for Tanks, Surface Impoundments, and Containers**

4. Section 265.1080 is amended by revising paragraph (b)(1) and paragraph (c) introductory text to read as follows:

**§ 265.1080 Applicability.**

\* \* \* \* \*

(b) \* \* \*

(1) A waste management unit that holds hazardous waste placed in the unit before December 6, 1995, and in which no hazardous waste is added to the unit on or after this date.

\* \* \* \* \*

(c) For the owner and operator of a facility subject to this subpart who has received a final permit under RCRA

section 3005 prior to December 6, 1995, the following requirements apply:

\* \* \* \* \*

5. Section 265.1082 is amended by revising paragraphs (a) introductory text, paragraph (a)(1), (a)(2), introductory text, (a)(2)(iii), and (a)(2)(iv) to read as follows:

**§ 265.1082 Schedule for implementation of air emission standards.**

(a) Owners or operators of facilities existing on December 6, 1995, and subject to subparts I, J, and K of this part shall meet the following requirements:

(1) Install and begin operation of all control equipment required by this subpart by December 6, 1995, except as provided for in paragraph (a)(2) of this section.

(2) When control equipment required by this subpart cannot be installed and in operation by December 6, 1995, the owner or operator shall:

(i) \* \* \*

(ii) \* \* \*

(iii) For facilities subject to the recordkeeping requirements of § 265.73 of this part, the owner or operator shall enter the implementation schedule specified in paragraph (a)(2)(ii) of this

section in the operating record no later than December 6, 1995.

(iv) For facilities not subject to § 265.73 of this part, the owner or operator shall enter the implementation schedule specified in paragraph (a)(2)(ii) of this section in a permanent, readily available file located at the facility no later than December 6, 1995.

\* \* \* \* \*

**PART 271—REQUIREMENTS FOR AUTHORIZATION OF STATE HAZARDOUS WASTE PROGRAMS**

6. The authority citation for part 271 continues to read as follows:

**Authority:** 42 U.S.C. 6905, 6912(a), and 6926.

**Subpart A—Requirements for Final Authorization**

7. Section 271.1(j) is amended by adding the promulgation date, **Federal Register** reference, and effective date to the following entry in Table 1 to read as follows:

**§ 271.1 Purpose and scope.**

\* \* \* \* \*

(j) \* \* \*

TABLE 1.—REGULATIONS IMPLEMENTING THE HAZARDOUS AND SOLID WASTE AMENDMENTS OF 1984

Promulgation date	Title of regulation	Federal Register reference	Effective date
Dec. 6, 1994	Air Emission Standards for Tanks, Surface Impoundments, and Containers	59 FR 62896–62953	Dec. 6, 1995.

8. Section 271.1(j) is amended by revising the effective date and adding the **Federal Register** reference to the

following entry in Table 2 to read as follows:

**§ 271.1 Purpose and scope.**

\* \* \* \* \*

(j) \* \* \*

TABLE 2.—SELF-IMPLEMENTING PROVISIONS OF THE HAZARDOUS AND SOLID WASTE AMENDMENTS OF 1984

Effective date	Self-implementing provision	RCRA citation	Federal Register reference
Dec. 6, 1995	Air Emission Standards for Tanks, Surface Impoundments, and Containers	3004(n)	59 FR 62896–62953.

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Children and Families**

**45 CFR Parts 1355 and 1356**

RIN 0970–AB38

**Statewide Automated Child Welfare Information Systems**

**AGENCY:** Office of Information Systems Management (OISM), ACF, HHS.

**ACTION:** Final rule.

**SUMMARY:** These final rules implement section 13713 of the Omnibus Budget Reconciliation Act of 1993 (Pub. L. 103–66). Under section 13713, funding is made available for the planning, design, development and installation of statewide automated child welfare information systems. Such systems must be comprehensive in that they must meet the requirements for an Adoption and Foster Care Analysis and Reporting