reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions; and

(i) Geological and geophysical information and data (including maps) concerning wells.

§ 212.42 Exemption from 5 U.S.C. 552.

Whenever a request is made which involves access to records described in paragraph (g) of § 212.41 and the investigation or proceedings involves a possible violation of criminal law; and there is reason to believe that the subject of the investigation or proceeding is not aware of its pendency, and disclosure of the existence of the records could reasonably be expected to interfere with enforcement proceedings, the Agency may, during only such time as that circumstances continues, treat the records as not subject to the requirements of 5 U.S.C. 552 and this subpart.

Subpart F—Opening of Records for Nonofficial Research Purposes

§ 212.51 General policy.

(a) The Agency will open its records on an equitable basis to all individuals engaged in private research as soon as such action may be taken without adversely affecting the national security, the maintenance of friendly relations with other nations, the efficient operation of the Agency, or the administrative feasibility of servicing requests for access to such records.

(b) Access for research purposes to the classified foreign policy records in the Agency's custody will be governed by the regulations of the Department of State with respect thereto, as set forth in part 6, chapter II of title II of the Code of Federal Regulations. Application for such access may be made to the Chief, Customer Outreach and Oversight Staff, at the address listed in § 212.33(a) of this part. That officer, or his/her designee, in consultation with the Director, Historical Office, Department of State, or his/her designee, will determine the action to be taken and will so advise the researcher.

Dated: July 31, 1996.

Willette L. Smith,

Public Affairs Specialist, Office of Admin. Services.

[FR Doc. 96–20880 Filed 8–19–96; 8:45 am]

BILLING CODE 6116–01–M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Parts 19 and 20

RIN 2900–AI11

Appeals Regulations, Rules of Practice: Hearings Before the Board of Veterans' Appeals at Department of Veterans Affairs Field Facilities

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the Appeals Regulations for the Board of Veterans' Appeals (Board) to shorten from 60 days to 30 days the minimum notice the Department of Veterans Affairs (VA) must give an appellant of the date and place of a hearing before the Board at a VA field facility. This change will help reduce the number of ''no shows'' at field hearings.

This document also amends the Board's Rules of Practice to change, from the initiation of an appeal to the perfection of the appeal, the event beginning the period during which an appellant may request a hearing before the Board at a VA field facility. This change would reduce the number of hearings scheduled for appellants who never perfect their appeals.

The Board adjudicates appeals of denials of claims for veterans' benefits.

EFFECTIVE DATE: August 20, 1996.

FOR FURTHER INFORMATION CONTACT: Steven L. Keller, Chief Counsel, Board of Veterans' Appeals, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 (202–565–5978).

SUPPLEMENTARY INFORMATION: Former 38 CFR 19.76 generally required VA to notify an appellant and his or her representative of the time and place of a hearing before the Board at a VA field facility at least 60 days before the hearing. The Board has consistently experienced a high rate of ''no shows'' at such hearings—sometimes as high as 60 percent—which we believe is due, at least in part, to the relatively long time between notice of the hearing and the hearing. VA believes that 30 days' notice to appellants and their representatives is sufficient and may help reduce the rate of ''no shows'' at field hearings. We have therefore changed § 19.76 accordingly.

Former 38 CFR 20.703 permitted an appellant to request a hearing before the Board at a VA field facility any time after filing a notice of disagreement, which initiates an appeal to the Board. A substantive appeal (VA Form 9) must be filed to perfect an appeal. 38 CFR 20.200. Historically, fewer than 65% of VA claimants who initiated an appeal perfected it. By allowing an appellant to request a hearing before perfecting the appeal, VA expended resources scheduling hearings for appellants who never perfected their appeals. We therefore have changed § 20.703 to permit an appellant to request a hearing before the Board at a field facility only when or after filing a substantive appeal.

This final rule concerns agency procedure or practice and, consequently, pursuant to 5 U.S.C. 553, is exempt from notice and comment requirements.

The Secretary hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. This rule will affect VA beneficiaries and will not affect small businesses. Therefore, pursuant to 5 U.S.C. 605(b), this final rule is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

List of Subjects

38 CFR Part 19

Administrative practice and procedure, Claims, Veterans.

38 CFR Part 20

Administrative practice and procedure, Claims, Lawyers, Legal services, Veterans.

Approved: June 28, 1996.

Jesse Brown,

Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR parts 19 and 20 are amended as set forth below:

PART 19—BOARD OF VETERANS' APPEALS: APPEALS REGULATIONS

1. The authority citation for part 19 continues to read as follows:

Authority: 38 U.S.C. 501(a).

Subpart D—Hearings Before the Board of Veterans' Appeals at Department of Veterans Affairs Field Facilities

§ 19.76 [Amended]

2. Section 19.76 is amended by removing ''60 days'' each time it appears and adding, in its place, ''30 days''.

PART 20—BOARD OF VETERANS' APPEALS: RULES OF PRACTICE

3. The authority citation for part 20 continues to read as follows:

Authority: 38 U.S.C. 501(a).

Subpart H—Hearings on Appeal

4. Section 20.703 is revised to read as follows:

§ 20.703 Rule 703. When a hearing before the Board of Veterans' Appeals at a Department of Veterans Affairs field facility may be requested.

An appellant, or an appellant's representative, may request a hearing before the Board of Veterans' Appeals at a Department of Veterans Affairs field facility when submitting the substantive appeal (VA Form 9) or anytime thereafter, subject to the restrictions in Rule 1304 (§ 20.1304 of this part). Requests for such hearings before a substantive appeal has been filed will be rejected.

(Authority: 38 U.S.C. 7105(a), 7107)

[FR Doc. 96–21125 Filed 8–19–96; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL–5552–5]

Indiana: Final Authorization of Revisions to State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: Indiana has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act of 1976 as amended (hereinafter RCRA). The Environmental Protection Agency (EPA) has reviewed Indiana's application and has made a decision, subject to public review and comment, that Indiana's hazardous waste program revisions satisfy all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Indiana's hazardous waste program revisions, subject to authority retained by EPA under the Hazardous and Solid Waste Amendments of 1984 (hereinafter HSWA). Indiana's application for program revision is available for public review and comment.

EFFECTIVE DATE: Final authorization for Indiana shall be effective October 21, 1996 unless EPA publishes a prior Federal Register action withdrawing this immediate final rule. All comments on Indiana's program revision application must be received by the close of business September 19, 1996.

ADDRESSES: Copies of Indiana's program revision application are available for inspection and copying, from 9 a.m. to 4 p.m., at the following addresses: Indiana Department of Environmental Management, 100 North Senate, P.O. Box 6015, Indianapolis, Indiana 46206–6015, contact: Lynn West (317) 232–3593; U.S. EPA, Region 5, DR–7J, 77 W. Jackson Blvd., Chicago, Illinois 60604, contact: Gary Westefer (312) 886–7450. Written comments should be sent to Mr. Gary Westefer, Indiana Regulatory Specialist, U.S. EPA, Office of RCRA, DR–7J, 77 W. Jackson Blvd., Chicago, Illinois 60604, phone 312/886–7450.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Westefer, U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. Phone: 312/886–7450.

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. 6929(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.

In accordance with 40 CFR 271.21, 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 124, 260–266, 268, 270, 273 and 279.

B. Indiana

Indiana initially received final authorization for its program effective January 31, 1986. (51 FR 3955, January 30, 1986.) Indiana received authorization for revisions to its program effective on December 31, 1986 (51 FR 39752, October 31, 1986), January 19, 1988 (53 FR 128, January 5, 1988), September 11, 1989 (54 FR 29557, July 13, 1989), September 23, 1991 (56 FR 33717, July 23, 1991), September 23, 1991 (56 FR 33866, July 24, 1991), September 27, 1991 (56 FR 35831, July 29, 1991), and September 30, 1991 (56 FR 36010, July 30, 1991). On September 23, 1992, Indiana submitted a program revision application for an additional revision to its authorized program. This program revision is due to an Indiana Legislative Services requirement that the Indiana Department of Environmental Management (IDEM) recodify its hazardous waste management rules in order to incorporate by reference their Federal equivalent. The IDEM became the State agency responsible for administering the authorized RCRA hazardous waste management program in Indiana as of April 1, 1986. Those rules that were codified as title 329 of the Indiana Administrative Code, Article 3 (329 IAC 3) were recodified as title 329 of the Indiana Administrative Code Article 3.1 (329 IAC 3.1). This program revision reflects the recodified rules that became effective February 24, 1992. The recodified rules effectively continue the original 329 IAC 3 rules and in no way alter the State's regulatory and statutory equivalence to the Federal RCRA program. On August 5, 1992, the Indiana Attorney General certified that the recodification of Indiana's hazardous waste management rules does not affect the IDEM's authority to implement the State's authorized RCRA program.

EPA has reviewed Indiana's application, and has made an immediate final decision that Indiana's hazardous waste program revision does reflect the State's equivalency with the Federal program and satisfies all of the requirements necessary to qualify for final authorization. Consequently, EPA intends to grant final authorization to Indiana for its additional program modification. The public may submit written comments on EPA's immediate final decision up until September 19, 1996. Copies of Indiana's application for program revision are available for inspection and copying at the locations indicated in the **ADDRESSES** section of this notice.

Approval of Indiana's program revision shall become effective in 60 days 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.