

EPA does not anticipate that the approval of Oklahoma's hazardous waste program referenced in today's notice will result in annual costs of \$100 million or more.

Today's rule contains no Federal mandates for State, local or tribal governments or the private sector. The Act excludes from the definition of a "Federal mandate" duties that arise from participation in a voluntary Federal program, except in certain cases where a "federal intergovernmental mandate" affects an annual federal entitlement program of \$500 million or more that are not applicable here. Oklahoma's request for approval of a hazardous waste program is voluntary; if a state chooses not to seek authorization for administration of a hazardous waste program under RCRA Subtitle C, RCRA regulation is left to EPA.

The EPA has determined that this rule does not contain a Federal mandate that may result in expenditures \$100 million or more for state, local, and tribal governments in the aggregate, or the private sector in any one year. The EPA does not anticipate that the approval of Oklahoma's hazardous waste program referenced in today's notice will result in annual costs of \$100 million or more. The EPA's approval of state programs generally may reduce, not increase, compliance costs for the private sector since the State, by virtue of the approval, may now administer the program in lieu of the EPA and exercise primary enforcement. Hence, owners and operators of treatment, storage, or disposal facilities TSDFs generally no longer face dual federal and state compliance requirements, thereby reducing overall compliance costs. Thus, today's rule is not subject to the requirements of sections 202 and 205 of the UMRA.

#### *Certification Under the Regulatory Flexibility Act*

The EPA has determined that this authorization will not have a significant economic impact on a substantial number of small entities. The EPA recognizes that small entities may own and/or operate TSDFs that will become subject to the requirements of an approved state hazardous waste program. However, since such small entities which own and/or operate TSDFs are already subject to the requirements in 40 CFR Parts 264, 265 and 270, this authorization does not impose any additional burdens on these small entities. This is because EPA's authorization would result in an administrative change (i.e., whether the Environmental Protection Agency or the

state administers the RCRA Subtitle C program in that state), rather than result in a change in the substantive requirements imposed on small entities. Once EPA authorizes a state to administer its own hazardous waste program and any revisions to that program, these same small entities will be able to own and operate their TSDFs under the approved state program, in lieu of the federal program. Moreover, this authorization, in approving a state program to operate in lieu of the federal program, eliminates duplicative requirements for owners and operators of TSDFs in that particular state.

Therefore, EPA provides the following certification under the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act. Pursuant to the provisions of 5 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 Oklahoma's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

#### *Submission to Congress and the General Accounting Office*

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, the EPA submitted a report containing this rule and other required information to the U.S. Senate, the U. S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

#### List of Subjects in 40 CFR Part 271

Environmental protection, 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 document 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: September 26, 1996.

Jerry Clifford,

*Deputy Regional Administrator.*

[FR Doc. 96-25791 Filed 10-8-96; 8:45 am]

BILLING CODE 6560-50-P

#### **40 CFR Part 300**

[FRL-5632-5]

#### **National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List**

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

**ACTION:** Notice of Deletion for Chemet Company Superfund Site, Fayette County, Tennessee, from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 4 announces the deletion of the Chemet Company Superfund Site from the National Priorities List (NPL), (Appendix B of 40 CFR Part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP)). EPA and the State have determined that all appropriate Fund-financed responses under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, have been implemented and that no further cleanup is appropriate. Moreover, EPA and the State have determined that remedial actions conducted at the site to date have been protective of public health, welfare and the environment. This deletion does not preclude future action under Superfund.

**EFFECTIVE DATE:** September 30, 1996.

**FOR FURTHER INFORMATION CONTACT:** Robert West, Remedial Project Manager, U.S. Environmental Protection Agency, Region 4, North Site Management Branch, 100 Alabama Street, S.W., Atlanta, Georgia 30303, (404) 562-8806.

**SUPPLEMENTARY INFORMATION:** The Site to be deleted from the NPL is: Chemet Company Superfund Site in Fayette County, Tennessee.

A Notice of Intent to Delete for this site was published on August 21, 1996, 61 FR 43205 (FR-5556-4). The closing date for comments on the Notice of Intent to Delete was September 20, 1996. EPA received no comments.

EPA identifies sites that appear to present a significant risk to the public health, welfare and the environment and it maintains the NPL as the list of those sites. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the future. Section 300.425(e)(3) of the NCP states that

Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 25, 1996.

Michael V. Peyton,

*Acting Deputy Regional Administrator, U.S. EPA Region 4.*

For reasons set out in the preamble, 40 CFR Part 300 is amended as follows:

#### **PART 300—[AMENDED]**

The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

#### Appendix B—[Amended]

2. Table 1 of appendix B to part 300 is amended by removing the site for the Chemet Company, Moscow, Tennessee.

[FR Doc. 96–25795 Filed 10–8–96; 8:45 am]

BILLING CODE 6560–50–P

#### **40 CFR Part 300**

[FRL–5632–6]

#### **National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Deletion of Gold Coast Oil Corporation Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region IV announces the deletion of the Gold Coast Oil Corporation Site, Dade County, Florida, from the National Priorities List (NPL). The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended. EPA and the State of Florida Department of Environmental Protection (FDEP) have determined that the Site

poses no significant threat to public health or the environment and therefore, further response measures pursuant to CERCLA are not appropriate.

**EFFECTIVE DATE:** October 9, 1996.

**ADDRESSES:** Richard D. Green, Acting Director, Waste Management Division, U.S. Environmental Protection Agency, 100 Alabama St., SW., Atlanta, Georgia 30303. Comprehensive information on this Site is available through the Region IV public docket, which is available for viewing at the Gold Coast Oil Corporation Site information repositories at two locations. Locations and phone numbers are: USEPA Record Center, 100 Alabama Street SW., Atlanta, Georgia 30303, (404) 562–8862, and Florida International University, University Park Campus Library, Rm. AT–235, Miami, Florida, 33199. Appointments can be scheduled to review the documents locally by contacting the library at (305) 348–2463.

**SUPPLEMENTARY INFORMATION:** The Gold Coast Oil Corporation Site in Dade County, Florida, is being deleted from the NPL.

A Notice of Intent to Delete for this site was published on August 21, 1996 (61 FR 43203). The closing date for comments on the Notice of Intent to Delete was September 20, 1996. EPA received no comments and therefore did not prepare a Responsiveness Summary.

The EPA identifies sites which appear to present a significant risk to public health welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund-financed) remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 301.425(e)(3) of the NCP, states that Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous Waste, Intergovernmental relations, Penalties, Reporting and record keeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 27, 1996.

A. Stanley Meiburg,

*Acting Regional Administrator, USEPA Region IV.*

40 CFR part 300 is amended as follows:

#### **PART 300—[AMENDED]**

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp. p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp. p. 193.

#### Appendix B—[Amended]

2. Table 1 of appendix B to part 300 is amended by removing the Site for “Gold Coast Oil Corporation, Miami, Florida”.

[FR Doc. 96–25793 Filed 10–8–96; 8:45 am]

BILLING CODE 6560–50–P

#### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 1**

[GC Docket No. 96–101, FCC 96–376]

#### **Implementation of Section 34(a)(1) of the Public Utility Holding Company Act of 1935, as Added by the Telecommunications Act of 1996**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This Report & Order (R&O) adopts regulations which implement new section 34(a)(1) of the Public Utility Holding Company Act of 1935 (PUHCA), 15 U.S.C. 79 *et seq.*, as added by section 103 of the Telecommunications Act of 1996. Under new section 34, registered public utility holding companies may now enter the telecommunications industry without prior Securities and Exchange Commission (“SEC”) approval by acquiring or maintaining an interest in an “exempt telecommunications company” (“ETC”). Moreover, exempt public utility holding companies, by owning or acquiring an interest in an ETC, may now acquire a “safe harbor” from potential SEC regulation under PUHCA section 3(a). Section 34(a)(1) requires the Commission to promulgate rules implementing procedures for determining ETC status within one year of the date of enactment of the Telecommunications Act of 1996.

**EFFECTIVE DATE:** November 8, 1996.

**FOR FURTHER INFORMATION CONTACT:** Lawrence J. Spiwak, Competition