

EPA has reviewed Washington's application, and has made an immediate final decision that the State'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 Washington's hazardous waste program. The public may submit written comments on EPA's immediate final decision up until (insert date at least 30 calendar days after date of publication in Federal Register). Copies of the State of Washington's application for program revision are available for inspection and copying at the locations indicated in the **ADDRESSES** section of this notice.

Approval of the State of Washington'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.

The State of Washington has requested authorization for the following federal rules:

Non-HSWA Rules:

Hazardous Waste Storage and Treatment Tank Systems, 51 FR 25422, 7/14/86 (CL 28);
 Listing of Commercial Chemical Products and Appendix VIII Constituents—Correction, 51 FR 28296, 8/6/86 (CL 29);
 Revised Manual SW-846, 52 FR 8072, 3/16/87 (CL 35);
 Hazardous Waste Tank Systems—Correction, 51 FR 29430, 8/15/86 (CL 28);
 Closure/Post-Closure Care for Interim Status Surface Impoundments, 52 FR 8704, 3/19/87 (CL 36);
 Definition of Solid Waste—Technical Correction, 52 FR 21306, 6/5/87 (CL 37);
 HW Constituents for Ground Water Monitoring (Phase I), 52 FR 25942, 7/9/87 (CL 40);
 Listing of Hazardous Waste—Container/Inner Liner Correction, 52 FR 26012, 7/10/87 (CL 41);
 Liability Requirements for HW Facilities—Corporate Guarantee, 52 FR 44314, 11/18/87 (CL 43);
 Miscellaneous Units, 52 FR 46946, 12/10/87 (CL 45);
 Technical Correction—Listing of Hazardous Waste, 53 FR 13382, 4/22/88 (CL 46);

Treatability Studies Sample Exemption, 53 FR 27290, 7/19/88 (CL 49);
 Storage and Treatment Tank Systems, 53 FR 34079, 9/2/88 (CL 52);
 Listing of Primary Metal Smelter Wastes—Spent Pot Liner, 53 FR 35412, 9/13/88 (CL 53);
 Permit Modifications for HW Management Facilities, 53 FR 37912, 9/28/88 and 53 FR 41649, 10/24/88 (CL 54);
 Statistical Methods for Evaluating Ground Water Monitoring Data, 53 FR 39720, 10/11/88 (CL 55);
 Hazardous Waste Miscellaneous Units, 54 FR 615, 1/9/89 (CL 59);
 Incinerator Permits, 54 FR 4286, 1/30/89 (CL 60);
 Changes to Interim Status Facilities & Modifications to HW Management Permits; Procedures for Post-Closure Permitting, 54 FR 9596, 3/7/89 (CL 61).
HSWA Rules:
 Dioxin Waste Listings, 50 FR 1978, 1/14/85 (CL 14);
 Paint Filter Test, 50 FR 18370, 4/30/85 (CL 16);
 Research and Development Permits, 50 FR 28702, 7/15/85 (CL 17Q);
 Used Oil and HW Burned as Fuels, 50 FR 49164, 11/29/85 and 52 FR 11819, 4/13/87 (CL 19);
 Small Quantity Generator Requirements, 51 FR 10146, 3/24/86 (CL 23);
 Codification Rule, Technical Correction, 51 FR 19176, 5/28/86 (CL 25);
 Listing of EBDC, 51 FR 37725, 10/24/86 (CL 33);
 Toxicity Characteristic Revisions, 55 FR 11798, 3/29/90 and 55 FR 26986, 6/29/90 (CL 74).

The CL numbers reference regulation-specific checklists in the application which identify the specific federal regulation citation and the state regulation analog.

Some portions of Washington's revised program are broader in scope than the federal program, and thus are not federally enforceable. This action does not authorize the identified broader in scope provisions. Some portions of Washington's revised program are more stringent than the federal program. This action makes these more stringent provisions a part of the federally authorized RCRA program. Both the broader in scope and more stringent provisions are identified in the Checklists and discussed in the Attorney General's Statement accompanying the application.

Indian Lands

Washington is not seeking authorization to operate on Indian lands.

Decision

I conclude that the State of Washington's program revision application meets all of the statutory and regulatory requirements established by RCRA. Accordingly, Washington is granted final authorization to operate its hazardous waste program as revised. Washington now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the HSWA. The State of Washington also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under Section 3007 of RCRA, 42 U.S.C. 6927, and to take enforcement actions under Sections 3008, 3013 and 7003 of RCRA, 42 U.S.C. 6928, 6934, and 6973.

Compliance With Executive Order 12866

The Office of Management and Budget has exempted this rule from the requirements of Section 6 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 the State of Washington'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.

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: February 8, 1996.

Chuck Clarke,

Regional Administrator.

[FR Doc. 96-3718 Filed 2-28-96; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 61**

[CC Docket No. 95-155; DA 96-69]

Toll Free Service Access Codes**AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: The Report and Order resolves certain issues essential to the industry opening the 888 toll free service access code ("SAC") on March 1, 1996. The Report and Order adopted by the Common Carrier Bureau of the FCC, identifies which numbers in the 888 Service Access Code ("SAC") will become generally available for reservation on February 10, 1996 and establishes limits on how many 888 and 800 numbers each Responsible Organization ("RespOrg") may reserve so as to not overload the system and interrupt the reservation process. For tariffing purposes, the Report and Order concludes that toll free service using the 888 SAC is functionally equivalent to toll free service that uses the 800 SAC. The introduction of the 888 SAC for toll free calling is determined to be an expansion of the universe of toll free numbers brought on by an increase in the demand for toll free services and is considered to be similar to an increase in network capacity. Local exchange carriers ("LECs") are, therefore, not allowed to treat the costs and investments associated with the introduction of the 888 SAC exogenously under price caps.

EFFECTIVE DATE: January 25, 1996.

FOR FURTHER INFORMATION CONTACT: Irene Flannery, (202) 418-2373; Mary DeLuca (202) 418-2344; Bradley S. Wimmer (202) 418-2351 Network Services Division, Common Bureau.

SUPPLEMENTARY INFORMATION: This document summarizes the Bureau's Report and Order In the Matter of Toll Free Service Access Codes (CC Docket 95-155, adopted January 24, 1996, and released January 25, 1996, DA 96-69). The file is available for inspection and copying during the weekday hours of 9:00 a.m. to 4:30 p.m. in the Commission's Reference Center, room 239, 1919 M Street, N.W., Washington, D.C., or copies may be purchased from the Commission's duplicating contractor, ITS, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, phone (202) 857-3800.

Paperwork Reduction Act

The Report and Order contains no requests for data and, therefore, does not

require review by the Office of Management and Budget under the Paperwork Reduction Act of 1995.

Analysis of Proceeding**Background**

In October 1995, the Commission initiated a rulemaking proceeding to ensure that in the future, toll free numbers are allocated on a fair, equitable and orderly basis. Generally, the Notice sought comment on proposals to: (1) promote the efficient use of toll free numbers; (2) foster the fair and equitable reservation and distribution of toll free numbers; (3) smooth the transition period preceding introduction of a new toll free code; (4) guard against warehousing of toll free numbers; and (5) determine how toll free vanity numbers should be treated. (CC Docket No. 95-155, FCC 95-419, 60 FR 53157, October 12, 1995) That Notice was issued in response to industry reports that the existing pool of toll free numbers were being consumed at a rate that would exhaust the supply of toll free numbers in the 800 Service Access Code ("SAC") before the 888 SAC would be deployed. On January 24, 1996, the Commission released an Order (CC Docket No. 95-155, adopted January 23, 1996, FCC 96-18) that delegated to the Chief of the Common Carrier Bureau ("Bureau") the authority to resolve the issues essential to the industry opening the 888 toll free service access code ("SAC") on schedule. Toll free service using the 888 SAC is currently scheduled to begin on March 1, 1996.

Summary

1. The Report and Order resolves those issues essential to opening the 888 SAC for toll free calling according to schedule. Specifically, the Report and Order defers the issue of what permanent protection, if any, those subscribers with a commercial interest in preventing their 800 number from being replicated in the 888 code will be afforded to the Commission; concludes that RespOrgs should determine which toll free subscribers using the 800 SAC will have their 800 numbers protected from replication in the 888 code during the initial reservation of 888 numbers; sets the date for which initial reservation of 888 numbers will begin; sets limitations on the number of numbers that RespOrgs will be allowed to reserve for both 800 and 888 numbers; and concludes that the costs incurred by LECs regulated under price caps to upgrade the 800 database will not be treated as exogenous.

2. In this Order, the Bureau agrees with the SMS/800 Number

Administration Committee ("SNAC") that RespOrgs should poll their 800 subscribers to determine which numbers subscribers may want replicated in 888. We expect that RespOrgs will continue this polling process until February 1, 1996. We direct Database Management Services, Inc. ("DSMI") to set aside those 888 numbers identified by the RespOrgs by placing these "vanity numbers" in "unavailable" status until we resolve whether these numbers should be afforded any special right or protection on a permanent basis. We also conclude that the entire "888-555" NXX should be designated as "unavailable" until the Commission resolves those issues that will permit competitive toll free directory assistance services.

3. The Bureau concludes that first come, first served remains the most equitable, easily administered, and least expensive means of allocating toll free numbers. The Order sets February 10, 1996 as the date for which reservation of 888 toll free numbers will begin. The 888 numbers will be rationed based on a version of the 800 number conservation plan initiated to delay the complete exhaust of toll free numbers in the 800 SAC until after the 888 SAC is in use for toll free calling. The Bureau implements a conservation plan in order to avoid a system overload that would temporarily interrupt the reservation process. According to the Bureau's conservation plan, up to 120,000 888 numbers per week may be reserved. The Bureau does not, however, at this time discontinue the conservation of 800 numbers but, instead, increases the size of the allocation from 29,000 numbers a week to 73,000 numbers a week for a three week period and then returns to the 29,000 numbers a week allocation plan.

4. For tariffing purposes, the Bureau concludes that toll free service using the 888 SAC is functionally equivalent to toll free service that uses the 800 code. Moreover, the Bureau concludes that the addition of 888 numbers to the universe of toll free numbers is comparable to an increase in network capacity and, therefore, will not allow the costs attributable to the implementation of 888 to be treated as exogenous by carriers regulated under price caps.

Ordering Clauses

Accordingly, IT IS ORDERED that, pursuant to authority contained in Sections 1, 4, 5, and 201-205 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154, 155, and 201-205, Section 0.201(d) of the Commission's rules, 47 C.F.R.

§ 0.201(d), this Report and Order is hereby ADOPTED.

IT IS FURTHER ORDERED that, pursuant to 5 U.S.C. § 554(d) and 47 C.F.R. § 1.103(a), this Report and Order shall take effect upon adoption.

List of Subjects in 47 CFR Part 61

Communication common carriers.

Federal Communications Commission.

John S. Morabito,

*Deputy Chief, Network Services Division,
Common Carrier Bureau.*

[FR Doc. 96-4632 Filed 2-28-96; 8:45 am]

BILLING CODE 6712-01-P

47 CFR Part 73

[MM Docket No. 95-85; RM-8518]

Radio Broadcasting Services; Copeland, KS

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the final regulation document which was published Friday, January 26, 1996 (61 FR 02453).

EFFECTIVE DATE: February 29, 1996.

FOR FURTHER INFORMATION CONTACT: Barbara Chappelle, Publications Branch, (202) 418-0310.

SUPPLEMENTARY INFORMATION:

Need of Correction

As published, the final regulation document contains an error in the window period and closing date.

Correction of Publication

Accordingly, the publication on January 26, 1996 of the final regulations, which were subject of FR Doc. 96-1420 is Corrected as follows:

On page 02453, in the second column, In the **DATES** section, the window period closing date for filing applications should be April 4, 1996 in lieu of March 19, 1996.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-4631 Filed 2-28-96; 8:45 am]

BILLING CODE 6712-01-P

47 CFR Part 73

[MM Docket No. 95-43; RM-8580]

Radio Broadcasting Services; Grand Junction, CO

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the final regulation document which was published Friday, January 26, 1996 (61 FR 02453).

EFFECTIVE DATE: February 29, 1996.

FOR FURTHER INFORMATION CONTACT: Barbara Chappelle, Publications Branch, (202) 418-0310.

SUPPLEMENTARY INFORMATION:

Need of Correction

As published, the final regulation document contains an error in the window period and closing date.

Correction of Publication

Accordingly, the publication on January 26, 1996 of the final regulations, which were the subject of FR Doc. 96-1422 is corrected as follows:

On page 02453, in the third column, in the **DATES** section, the window period closing date for filing applications should be April 4, 1996 in lieu of March 19, 1996.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-4630 Filed 2-28-96; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF DEFENSE

48 CFR Parts 202, 204, 209, 213, 215, 216, 217, 223, 225, 228, 232, 235, 236, 242, 246, 252, 253, and Appendix G to Chapter 2

[Defense Acquisition Circular (DAC) 91-10]

Defense Federal Acquisition Regulation Supplement; Miscellaneous Amendments

AGENCY: Department of Defense (DoD).

ACTION: Final rules.

SUMMARY: Defense Acquisition Circular (DAC) 91-10 amends the Defense Federal Acquisition Regulation Supplement (DFARS) to revise, finalize, or add language on undefinitized contract actions; warranties; institutions of higher education; should cost reviews; construction and architect-engineer contracts; sensitive conventional arms, ammunition, and explosives; international trade agreements; foreign offset agreements; tank and automotive forging items; progress payment rates; research and development contracting; contract administration; and foreign military sales.

EFFECTIVE DATE: February 29, 1996.

FOR FURTHER INFORMATION CONTACT:

Mrs. Susan Buckmaster,
OUSD(A&T)DP(DAR), IMD 3D139, 3062
Defense Pentagon, Washington, DC
20301-3062. Telephone (703) 602-0131.
Telefax (703) 602-0350.

SUPPLEMENTARY INFORMATION:

A. Background

This Defense Acquisition Circular (DAC) 91-10 includes 17 rules and miscellaneous editorial amendments. Three of the rules in the DAC (Items VII, X, and XVII) were published previously in the Federal Register (61 FR 130, January 3, 1996; 61 FR 3600, February 1, 1996; and February 26, 1996; respectively) and thus are not included as part of this rulemaking notice. These three rules are being published in the DAC to conform the loose-leaf edition of DFARS to the previously published revisions.

B. Regulatory Flexibility Act

DAC 91-10, Items IV, XII, XIII, XIV, XV, and XVI

The Regulatory Flexibility Act does not apply because these rules are not significant revisions within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* However, comments from small entities will be considered in accordance with Section 610 of the Act. Please cite the applicable DFARS case number in correspondence.

DAC 91-10, Items I, III, V, VIII, IX, and XI

DoD certifies that these rules will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act because:

Item I—The rule primarily (1) pertains to internal Government considerations regarding use of warranties; and (2) consolidates and standardizes existing regulatory requirements pertaining to undefinitized contract actions.

Item III—Contracts awarded to small entities normally are not subject to program or overhead should-cost reviews.

Item V—The rule merely provides a standard method of implementing security requirements which already exist under DoD 5100.76-M.

Item VIII—The rule retains the policy of acquiring tank and automotive forging items from domestic sources to the maximum extent practicable. The new exception only applies to forging items purchased as tank and automotive spare parts, when the end use of the spare parts is unknown.

Item IX—The rule merely clarifies the scope of offset administrative costs that