

(d) *Indirect or inadvertent residues.*
[Reserved]

1. Section 180.294 is amended by adding a heading to paragraph (a), by adding entries alphabetically to the table in paragraph (a) for "raisins," "tomato products, concentrated," "citrus, dried pulp," and "rice, hulls," by redesignating paragraph (b) as paragraph (c), by adding a paragraph heading to newly designated paragraph (c), and by adding and reserving new paragraphs (b) and (d) with headings to read as follows.

§ 180.294 Benomyl; tolerance for residues.
(a) *General.* * * *

Commodity	Parts per million
* * * *	*
Citrus, dried pulp	50
Raisins,	50
Rice, hulls	20
Tomoto products, concentrated	50

(b) *Section 18 emergency exemptions.*
[Reserved]

(c) *Tolerances with regional registrations.* * * *

(d) *Indirect or inadvertent residues.*
[Reserved]

PART 185—[AMENDED]

2. In part 185:

a. The authority citation for part 185 continues to read as follows:
Authority: 21 U.S.C. 346a and 348.

§§ 185.100, 185.350, 185.600, 185.2750 and 185.5550 [Removed]

b. Sections 185.100, 185.350, 185.600, 185.2750 and 185.5550 are removed.

§ 185.1750 [Partially Redesignated and Removed]

c. Section 185.1750 is amended by redesignating the text into § 180.153 as follows:

1. By designating the introductory text as paragraph (a)(2), and by redesignating existing paragraphs (a), (a)(1), (a)(2), (a)(3), and (a)(4) as (a)(2)(i), (a)(2)(i)(A), (a)(2)(i)(B), (a)(2)(i)(C), (a)(2)(i)(D), respectively, and by redesignating paragraph (b) as (a)(2)(ii).

2. By removing the remainder of § 185.1750.

PART 186—[AMENDED]

3. In part 186:

a. The authority citation for part 186 continues to read as follows:
Authority: 21 U.S.C. 342, 348, and 371.

§ 186.1750 [Partially Redesignated and Removed]

b. Section 186.1750 is amended by redesignating the text into § 180.153 as follows:

1. By designating the introductory text as paragraph (a)(3), and by redesignating existing paragraphs (a), (a)(1), (a)(2), (a)(3), and (a)(4) as (a)(3)(i), (a)(3)(i)(A), (a)(3)(i)(B), (a)(3)(i)(C), (a)(3)(i)(D), respectively, and by redesignating paragraph (b) as (a)(3)(ii).

2. By removing the remainder of § 186.1750.

§§ 186.100, 186.350, 186.1950, 186.2550, 186.2750, 186.3375, 186.4750, 186.5350, and 186.5550 [Removed]

3. Sections 186.100, 186.350, 186.1950, 186.2550, 186.2750, 186.3375, 186.4750, 186.5350, and 186.5550 are removed.

[FR Doc. 98-927 Filed 1-13-98; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL-5948-2]

Florida: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule; authorization of State-initiated changes.

SUMMARY: Florida has revised its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed Florida's changes to its program and has made a decision, subject to public review and comment, that Florida's hazardous waste program revisions satisfy all of the requirements necessary to qualify for final authorization. Unless adverse written comments are received during the review and comment period provided for public participation in this process, EPA intends to approve Florida's hazardous waste program revisions. Florida's program revisions are available for public review and comment.

DATES: Final authorization for Florida's program revisions shall be effective March 16, 1998, unless EPA publishes a prior **Federal Register** action withdrawing this immediate final rule. All comments on Florida's program revisions must be received by the close of business February 13, 1998.

ADDRESSES: Written comments should be sent to Narindar Kumar, RCRA Programs Branch, Waste Division, Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street, Atlanta, Georgia 30303. Telephone number is 404-562-8440.

FOR FURTHER INFORMATION CONTACT: Narindar Kumar, RCRA Programs Branch, Waste Division, Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street, Atlanta, Georgia 30365. Telephone number is 404-562-8440.

SUPPLEMENTARY INFORMATION:

I. Authorization of State Initiated Changes

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. 6926(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") allow 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.

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 through 266, 268, 270, 273, and 279.

B. Florida

Florida initially received final authorization to implement its hazardous waste program on January 29, 1985, effective February 12, 1985 (see 50 FR 3908). Florida received final authorization for revisions to its program in notices published in the **Federal Register** on December 1, 1987, effective January 30, 1988 (see 52 FR 45634); on September 8, 1988, effective October 30, 1988 (see 53 FR 34759); on December 16, 1988, effective January 3, 1989 (see 53 FR 50529); on December 14, 1990, effective February 12, 1991

(see 55 FR 51416); on February 5, 1992, effective April 6, 1992 (see 57 FR 4370 and 57 FR 4371); on February 7, 1992, effective April 7, 1992 (see 57 FR 4738); on May 20, 1992, effective July 20, 1992 (see 57 FR 21351); on November 9, 1993, effective January 10, 1994 (see 58 FR 59367); on July 11, 1994, effective September 9, 1994 (see 59 FR 35266); on August 16, 1994, effective October 17, 1994 (see 59 FR 41979); on October 26, 1994, effective December 27, 1994 (see 59 FR 53753); and on April 1, 1997, effective June 2, 1997 (see 62 FR 15407). With respect to today's notice, Florida has made conforming changes to make its regulations internally consistent relative to the revisions made for the above listed authorizations. Florida has also changed its regulations to make

them more consistent with the Federal requirements.

EPA has reviewed these changes and has made an immediate final decision, in accordance with 40 CFR 271.21(b)(3), that Florida's hazardous waste program revisions satisfy all of the requirements necessary to qualify for final authorization. Consequently, EPA intends to grant final authorization for the additional program modifications to Florida's hazardous waste program. The public may submit written comments on EPA's immediate final decision until February 13, 1998. Copies of Florida's program revisions are available for inspection and copying at the locations indicated in the ADDRESSES section of this notice.

Approval of Florida'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.

Florida will be authorized to carry out, in lieu of the Federal program, the following State-initiated changes to provisions of the State's program, which are analogous to the indicated Resource Conservation and Recovery Act (RCRA) provisions found at Title 40 of the Code of Federal Regulations or in RCRA.

State provision	Federal provision
119.011 (2), (3)(c)5, (3)(d)2, (4), Florida Statutes (FS) 1993	RCRA 3006(f).
119.07 (1) (a)-(c), (3) (a)-(j), (3)(k)1 first sentence, (3)(n), (3)(o), (3)(p) 5th and 6th sentences, (5), FS 1993.	RCRA 3006(f), 40 CFR 2.104(b).
119.14 FS 1993	RCRA 3006(f).
120.53 FS 1993	40 CFR 124.10 (c)&(e).
120.57 FS 1993	40 CFR 124.12, 124.17.
120.59 FS 1993	40 CFR 124.17.
120.68 FS 1993	RCRA 3006(f), 40 CFR part 2, subpart A.
403.087(1), second & third sentences FS 1993	RCRA 3005 (a)&(d).
403.091 FS 1993	RCRA 3007(a).
403.703(3) FS 1993	RCRA 1004(13).
403.703(9) FS 1993	RCRA 1004(22).
403.703(13) FS 1993	40 CFR 260.10, 261.2.
403.703(18) FS 1993	40 CFR 270.2.
403.703(21) FS 1993	RCRA 1004(5), 40 CFR 261.3.
403.703(24) FS 1993	40 CFR 260.10.
403.724(1) (except corrective action clause) FS 1993	RCRA 3004(t)(1).
403.724 (2), (3), FS 1993	RCRA 3004(t)(1).
403.726(2) FS 1993	40 CFR 264.4.
403.726 (4)-(7) FS 1993	40 CFR 270.61.
62-103.150 & .155 Florida Administrative Code (F.A.C.) as amended October 20, 1996.	40 CFR 124.10 (c)&(e).
62-730.021(1)(b) F.A.C. as amended September 7, 1995	40 CFR 260.21.
62-730.021(1)(c) F.A.C. as amended September 7, 1995	40 CFR 260.40 and 40 CFR 260.41.
62-730.160(4) F.A.C. as amended September 7, 1995	40 CFR part 262, Appendix instructions.
62-730.160(5) F.A.C. as amended September 7, 1995	40 CFR 262.41(a).
62-730.170(1) F.A.C. as amended September 7, 1995	40 CFR part 263.
62-730.180(3) F.A.C. as amended September 7, 1995	40 CFR 264.112(c) (1)&(2), 264.118(d) (1)&(2), 264.141, 264.147, 264.151, 265.112(c) (3)&(4), 265.118(d) (3)&(4), 265.141, 265.147.
62-730.180(7) F.A.C. as amended September 7, 1995	40 CFR 264.75 introductory paragraph, 40 CFR 265.75 introductory paragraph.
62-730.200(4) F.A.C. as amended September 7, 1995	40 CFR 265.1 (a)&(b).
62-730.200(6) F.A.C. as amended September 7, 1995	40 CFR 270.1(c)(4).
62-730.210(2)(c) F.A.C. as amended September 7, 1995	40 CFR 270.2.
62-730.220(4) F.A.C. as amended September 7, 1995	40 CFR 124.3 (c)&(d).
62-730.220(6) F.A.C. as amended September 7, 1995	40 CFR 270.11.
62-730.231(1) F.A.C. as amended September 7, 1995	40 CFR 270.70(a).
62-730.231(3) F.A.C. as amended September 7, 1995	40 CFR 270.71(b).
62-730.231(6) F.A.C. as amended September 7, 1995	40 CFR 270.70(c).
62-730.240(2) F.A.C. as amended September 7, 1995	40 CFR 270.73(d).
62-730.250(1) F.A.C. as amended September 7, 1995	40 CFR 270.10(f)(1).
62-730.260(6) F.A.C. as amended September 7, 1995	40 CFR 264.115.
62-730.270(1)(c)(2) F.A.C. as amended September 7, 1995	40 CFR 270.1(c)(1) and 270.60(b)(2).
62-730.270(3) F.A.C. as amended September 7, 1995	40 CFR 270.1(c)(2).
62-730.300(2) F.A.C. as amended September 7, 1995	40 CFR 270.72(a)(4); 270.40(b).
62-730.310 F.A.C. as amended September 7, 1995	40 CFR 260.2.

In addition to the above listed changes, EPA is authorizing changes to the following State provisions. These provisions do not have a direct analog in the Federal RCRA regulations. However, none of these provisions are considered broader in scope than the Federal program. This is so because these provisions were either previously authorized as part of Florida's base authorization or have been added to make the State's regulations internally consistent with changes made for the other authorizations listed in the first paragraph of this section. EPA has reviewed these provisions and has determined that they are consistent with and no less stringent than the Federal requirements.

Additionally, this authorization does not affect the status of State permits and those permits issued by EPA because no new substantive requirements are a part of these revisions.

State Provision

119.041(2) Florida Statutes (FS) 1993
 403.021 (1)-(9) FS 1993
 403.051 (1)-(2) FS 1993
 403.087(4) FS 1993
 403.161 (1)(d), (4), FS 1993
 403.702(2) (i)-(p) FS 1993
 403.703 (2), (5), (6), (8), (10), (11), (14), (16), (17), (30), (32), (34), (36), (40), (42)-(44), FS 1993
 403.7031 FS 1993
 403.74 (1), (3)-(5) FS 1993
 403.751(1) FS 1993
 403.7545 FS 1993
 62-4.070(5) Florida Administrative Code (F.A.C.) as amended July 4, 1995
 62-730.001 F.A.C. as amended September 7, 1995
 62-730.020(4) F.A.C. as amended September 7, 1995
 62-730.030(2), except (2)(c), F.A.C. as amended September 7, 1995
 62-730.140 F.A.C. as amended September 7, 1995
 62-730.150 (5)&(6), F.A.C. as amended September 7, 1995
 62-730.171 (1), (2) introductory paragraph, (2)(c), and (2)(d), F.A.C. as amended September 7, 1995
 62-730.180(5) F.A.C. as amended September 7, 1995
 62-730.200 (1), (5), F.A.C. as amended September 7, 1995
 62-730.210 (2)(b), (2)(d), F.A.C. as amended September 7, 1995
 62-730.220 (2), (5), (7), (8), (10), (11), F.A.C. as amended September 7, 1995
 62-730.231 (2), (5), (8), (9)-(12), F.A.C. as amended September 7, 1995
 62-730.250 (2), (3), (6), (7), F.A.C. as amended September 7, 1995
 62-730.260(2) F.A.C. as amended September 7, 1995
 62-730.320 F.A.C. as amended September 7, 1995

62-730.900, except (4)(a), (b)&(d), F.A.C. as amended September 7, 1995

Some portions of Florida's revised program are broader in scope than the Federal program, and thus, are not Federally enforceable. These broader-in-scope provisions are 403.78 through 403.7893 FS 1993 and 403.7895 FS 1993.

Florida is not authorized to operate the Federal program on Indian lands. This authority remains with EPA.

C. Decision

I conclude that Florida's program revisions meet all of the statutory and regulatory requirements established by RCRA. Accordingly, Florida is granted final authorization to operate its hazardous waste program as revised.

Florida 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. Florida also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under Section 3007 of RCRA and to take enforcement actions under Section 3008, 3013 and 7003 of RCRA.

D. Incorporation by Reference

EPA uses Part 272 for codification of the decision to authorize Florida's program and for incorporation by reference of those provisions of Florida statutes and regulations that EPA will enforce under Sections 3008, 3013 and 7003 of RCRA. Therefore, EPA is reserving amendment of 40 CFR Part 272, (Subpart K) until a later date.

The incorporation by reference of State authorized programs in the CFR should substantially enhance the public's ability to discern the current status of the authorized State program and clarify the extent of Federal enforcement authority. This will be particularly true as more State program revisions to adopt HSWA provisions are authorized.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104-4, establishes requirements for Federal agencies to assess the effects of certain regulatory actions on State, local, and tribal governments and the private sector. Under Sections 202 and 205 of the UMRA, EPA generally must prepare a written statement of economic and regulatory alternatives analyses for proposed and final rules with Federal mandates, as defined by the UMRA, that may result in expenditures to State,

local, and tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any one year. The Section 202 and 205 requirements do not apply to today's action because it is not a "Federal mandate" and because it does not impose annual costs of \$100 million or more.

Today's rule contains no Federal mandates for State, local or tribal governments or the private sector for two reasons. First, today's action does not impose new or additional enforceable duties on any State, local or tribal governments or the private sector because it merely makes federally enforceable existing requirements with which regulated entities must already comply under State law. Second, the Act also generally excludes from the definition of a "Federal mandate" duties that arise from participation in a voluntary Federal program. The requirements being codified today are the result of Florida's voluntary participation in accordance with RCRA Subtitle C.

Even if today's rule did contain a Federal mandate, this rule will not result in annual expenditures of \$100 million or more for State, local, and/or tribal governments in the aggregate, or the private sector because today's action merely codifies an existing State program that EPA previously authorized. Thus, today's rule is not subject to the requirements of Sections 202 and 205 of the UMRA.

The requirements of Section 203 of UMRA also do not apply to today's action. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, section 203 of the UMRA requires EPA to develop a small government agency plan. This rule contains no regulatory requirements that might significantly or uniquely affect small governments. The Agency recognizes that although small governments may be hazardous waste generators, transporters, or own and/or operate TSDFs, this codification incorporates into the Code of Federal Regulations Florida's requirements which have already been authorized by EPA under 40 CFR Part 271 and, thus, small governments are not subject to any additional significant or unique requirements by virtue of this codification.

Certification Under the Regulatory Flexibility Act

EPA has determined that this codification will not have a significant economic impact on a substantial number of small entities. Such small

entities which are hazardous waste generators, transporters, or which own and/or operate TSDFs are already subject to the State requirements authorized by EPA under 40 CFR Part 271. EPA's codification does not impose any additional burdens on these small entities. This is because EPA's codification would simply result in an administrative change, rather than a change in the substantive requirements imposed on small entities.

Therefore, EPA provides the following certification under the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act. Pursuant to the provision at 5 U.S.C. 605(b), I hereby certify that this codification will not have a significant economic impact on a substantial number of small entities. This codification incorporates "State's" requirements which have been authorized by EPA under 40 CFR Part 271 into the Code of Federal Regulations. 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, 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).

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.

Paperwork Reduction Act

Under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, Federal agencies must consider the paperwork burden imposed by any information request contained in a proposed rule or a final rule. This rule will not impose any information requirements upon the regulated community.

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste transportation, Hazardous waste, Incorporation by reference, Indian lands,

Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of Sections 2002(a), 306 and 704(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: December 30, 1997.

Phyllis Harris,

Acting Regional Administrator, Region IV.

[FR Doc. 98-942 Filed 1-13-98; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 24

[WT Docket No. 97-82, FCC 98-2]

Installment Payment Financing for Personal Communications Services (PCS) Licensees

AGENCY: Federal Communications Commission.

ACTION: Final rule; establishing a deadline.

SUMMARY: The Commission previously established January 15, 1998 as the deadline for broadband Personal Communications Services (PCS) C block licensees to elect to continue under their existing installment payment plan or to elect one of the three options. The Commission believes that moving the election date will serve the public interest by permitting licensees to submit their election after final disposition of arguments raised on reconsideration and provides regulatory stability so that C block licensees and potential bidders can proceed with their plans to finance their business.

DATES: Effective January 14, 1998.

ADDRESSES: Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: David Shiffrin, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau, at (202) 418-0660.

SUPPLEMENTARY INFORMATION: This is a synopsis of an Order in WT Docket No. 97-82, FCC 98-2 which was adopted on January 7, 1998 and released on January 7, 1998. A copy of the complete item is available for inspection and copying during normal business hours in the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. 20554. The complete text may be purchased from the Commission's copy contractor, International Transcription Service,

Inc., 1231 20th Street, N.W., Washington, D.C. 20036, (202) 857-3800. The complete Order also is available on the Commission's Internet home page (<http://www.fcc.gov>).

Summary of Action

I. Background

1. On September 25, 1997, the Commission adopted the Second Report and Order and Further Notice of Proposed Rule Making, 62 FR 55348, October 24, 1997 ("Second Report and Order"), establishing January 15, 1998 as the deadline for broadband Personal Communications Services (PCS) C block licensees to elect to continue under their existing installment payment plan or to elect one of the three options. C block licensees must file a written notice of their election with the Wireless Telecommunications Bureau on or before January 15, 1998. Second Report and Order at para. 70. The requirements for the contents of the election notice vary depending upon which election is made. *Id.* at paras. 72-76. For licensees electing the prepayment option, any new monies that will be applied toward the prepayment of retained licenses must be submitted with the election notice on the election date. *Id.* at para. 75.

2. Pursuant to section 1.3 of the Commission's rules, the Commission hereby changes the election date from January 15, 1998 to February 26, 1998. 47 CFR 1.3. Moving the election date will serve the public interest by permitting licensees to submit their election after final disposition of arguments raised on reconsideration. We believe that it is important to provide regulatory stability so that C block licensees and potential bidders can proceed with their plans to finance their business. Licensees are cautioned that this change in the election date is in no way an indication that the Commission plans to depart in any material way from the decisions set forth in the Second Report and Order. We are changing the election date solely in the interest of fairness to all parties.

3. We take this opportunity to announce that the C block reauction will begin on September 29, 1998. At the appropriate time, we will announce the reauction procedures. We also take this opportunity to clarify that our delegation of authority to the Chief of the Wireless Telecommunications Bureau "to prescribe and set forth procedures for the implementation of the provisions" that were adopted in the Second Report and Order includes the authority to provide for electronic filing of an election notice specified in