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#### 40 CFR Part 281

[FRL-5253-6]

##### Connecticut; Final Approval of State Underground Storage Tank Program

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of final determination on the State of Connecticut's application for final approval.

**SUMMARY:** The State of Connecticut has applied for final approval of its Underground Storage Tank (UST) Program under Subtitle I of the Resource Conservation and Recovery Act. The Environmental Protection Agency (EPA) has reviewed Connecticut's application and has reached a final determination that Connecticut's UST program satisfies all the requirements necessary to qualify for final EPA approval. Thus, EPA is granting final approval to the State of Connecticut to operate its program in lieu of the Federal UST program.

**EFFECTIVE DATE:** Final approval for the State of Connecticut shall be effective at 1:00 p.m. on August 4, 1995.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Walker, Office of Underground Storage Tanks, HPU-CAN7, U.S. EPA, Region I, JFK Federal Building, Boston, MA 02203, (617) 573-9602.

##### SUPPLEMENTARY INFORMATION:

###### A. Background

Section 9004 of the Resource Conservation and Recovery Act (RCRA) enables EPA to approve state underground storage tank programs to operate in a state in lieu of the Federal underground storage tank program. To qualify for final authorization, a state's program must: (1) be "no less stringent" than the Federal program, and (2) provide for adequate enforcement. Section 9004 (a) and (b) of RCRA, 42 U.S.C. 6991c (a) and (b).

On January 19, 1995, as required by 40 CFR 281.50(c), EPA acknowledged receiving from the State of Connecticut a complete official application requesting final approval to administer its underground storage tank program. On May 19, 1995, EPA published a tentative decision announcing its intent to grant Connecticut final approval of its program. See 60 FR 26859 (1995). Further background on EPA's tentative decision to grant approval is included in that decision.

Along with the tentative determination, EPA announced the

availability of the application for public comment and the date of a public hearing on the application. EPA requested advance notice for testimony and reserved the right to cancel for lack of public interest. Since there was no public interest, the public hearing was canceled. No public comments were received regarding EPA's approval of Connecticut's underground storage tank program.

##### B. Decision

I conclude that the State of Connecticut's application for final approval meets all of the statutory and regulatory requirements established by Subtitle I of RCRA. Accordingly, the State of Connecticut is granted final approval to operate its underground storage tank program in lieu of the federal program. The State of Connecticut now has the responsibility for managing all regulated underground storage tank facilities within its borders and carrying out all aspects of the Federal underground storage tank program, except with regard to Indian lands, where EPA will continue to have regulatory authority. The State of Connecticut also has primary enforcement responsibility, although EPA retains the right to conduct inspections under Section 9005 of RCRA, 42 U.S.C. 6991d, and to take enforcement actions under Section 9006 of RCRA, 42 U.S.C. 6991e. EPA will continue to work together with the Connecticut Department of Environmental Protection (DEP) in its ongoing commitment and efforts to address environmental justice concerns in low-income urban and minority neighborhoods in the State.

##### 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 5 U.S.C. 605(b), I hereby certify that the approval will not have a significant economic impact on a substantial number of small entities. This approval effectively suspends the applicability of certain federal regulations in favor of the State of Connecticut's program, thereby eliminating duplicative requirements for owners and operators of underground storage tanks within the State. It does not impose any new burdens on small entities. This rule, therefore, does not require flexibility analysis.

##### List of Subjects in 40 CFR Part 281

Environmental protection, Hazardous substances, Intergovernmental relations, State program approval, Underground storage tanks, Water pollution control.

Dated: June 27, 1995.

**John P. DeVillars,**

*Regional Administrator.*

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#### 40 CFR Parts 712 and 716

[OPPTS-82046; FRL-4954-9]

##### Preliminary Assessment Information and Health and Safety Data Reporting; Addition of Chemicals

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

**ACTION:** Final rule.

**SUMMARY:** The Interagency Testing Committee (ITC) in its 35th Report to EPA revised the Toxic Substances Control Act (TSCA) Section 4(e) Priority List by designating for testing 25 chemical substances. The ITC recommendations must be given priority consideration by EPA in promulgating test rules. EPA is adding certain of these chemical substances to two model information-gathering rules: the TSCA Section 8(a) Preliminary Assessment Information Rule (PAIR) and the TSCA Section 8(d) Health and Safety Data Reporting Rule. These model rules will require manufacturers and importers of the substances identified herein to report certain production, use and exposure-related information, and manufacturers, importers, and processors of the listed substances to report unpublished health and safety data to EPA.

**DATES:** This rule will become effective on August 4, 1995.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, TSCA Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. E-543, Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551.

**SUPPLEMENTARY INFORMATION:** This rule adds 24 chemical substances to the PAIR and 12 chemical substances to the section 8(d) Health and Safety Data Reporting Rule. Manufacturers, importers, and processors of these chemicals will be required to report unpublished health and safety data, and manufacturers and importers will be required to report end use, exposure, and production volume data to EPA.