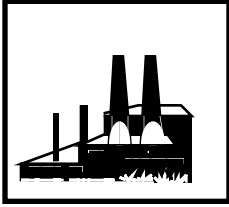




PART 2: FEDERAL REGISTER SUMMARIES

The Federal Register summaries presented in this section include the major changes to 40 CFR regulations implementing RCRA, Superfund, the UST program, the Emergency Planning and Community Right-to-Know Act, and the risk management program under the Clean Air Act §112(r), during 1996. Both proposed and final rules with significant impact on these programs are included. This is not a complete list of all applicable Federal Register notices for the year. For a comprehensive review of Federal Register notices, the reader may wish to obtain Federal Register reference materials or a subscription service. The summaries in this section are included to provide a convenient and easy-to-use overview.

The Federal Register summaries are grouped by program area and status (proposed, final) and presented chronologically within each section. Complete citations are provided for reference.



RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

Proposed Rules

Citation:

January 25, 1996
(61 FR 2337)

"Supplemental Proposal to LDR Phase IV: Clarification of Bevill Exclusion for Mining Wastes, Changes to the Definition of Solid Waste for Mineral Processing Wastes, and Associated Issues"

SUMMARY: EPA proposed to lift several regulatory obstacles to the safe recycling of mineral processing secondary materials and proposed regulations to ensure that discarded mineral processing materials are properly treated and disposed. Specifically, EPA proposed to exclude secondary materials generated by and recovered within the mineral processing industry from RCRA Subtitle C if they meet specific guidelines and conditions. If materials do not meet the conditions excluding them from being wastes, and they test hazardous, they must be treated to meet the land disposal restrictions treatment standards newly proposed in this rule.

EPA also addressed issues concerning mineral processing wastes which had been remanded by courts to EPA for further consideration. These issues include retaining the Toxicity Characteristic Leaching Procedure as the test for evaluating the toxicity characteristic for mineral processing wastes, responding to the vacatur of the mixture rule for Bevill wastes, and readdressing the regulatory status of several mineral processing listed wastes.

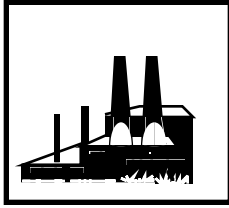
Finally, EPA proposed to exclude from RCRA jurisdiction two types of materials: processed scrap metal that is recycled, and shredded circuit boards destined for metal recovery that are managed in containers prior to recovery. Comments on this proposed rule must be submitted by March 25, 1996.

"Subtitle D Municipal Solid Waste Facilities; State/Tribal Implementation Rule (STIR)"

Citation:

January 26, 1996
(61 FR 2583)

SUMMARY: RCRA requires states to adopt and implement permit programs to ensure compliance with the Federal Disposal Facility Criteria for municipal solid waste landfills (MSWLF). EPA determines the adequacy of the state permit programs. This proposed rule provides guidance to States and Indian Tribes in developing, implementing, and revising their MSWLF permit programs. The STIR establishes criteria and procedures which EPA will use to determine whether a state permit program is adequate to ensure compliance with the Solid Waste Disposal Facility Criteria. So that management of MSW is equally protective on Indian lands, the STIR also gives Indian Tribes the right to apply for EPA approval of their landfill permit programs. Comments on this proposed rule must be submitted on or before April 25, 1996.



RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

Proposed Rules (cont'd)

Citation:

March 4, 1996
(61 FR 8323)

“Bilateral Agreements With Parties to the Basel Convention on the Transboundary Movement of Hazardous Wastes and Their Disposal”

SUMMARY: The Basel Convention prohibits a party to the Convention from trading in Basel-covered wastes (i.e., hazardous and other wastes) with a non-party, absent a bilateral agreement or arrangement consistent with Article 11 of the Convention. Since the United States is not a party to the Convention, the U.S. Department of State is seeking public comment to evaluate the need for waste agreements or arrangements to allow the import of hazardous wastes from Convention parties to the United States.

Citation:

April 19, 1996
(61 FR 17357)

“Revised Standards for Hazardous Waste Combustors”

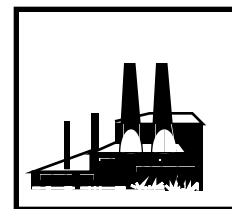
SUMMARY: Under joint authority of the CAA and RCRA, EPA proposed revised standards for hazardous waste incinerators, hazardous waste-burning cement kilns, and hazardous waste-burning lightweight aggregate kilns. The standards limit emissions of chlorinated dioxins and furans, other toxic organic compounds, toxic metals, hydrochloric acid, chlorine gas, and particulate matter. These standards reflect the performance of Maximum Achievable Control Technologies (MACT) as specified by the Clean Air Act. The nature of this proposal also requires that the following actions be proposed: the addition of hazardous waste-burning lightweight aggregate kilns to the list of source categories in accordance with Section 112(c)(5) of the Act; exempting from RCRA emission controls secondary lead facilities subject to MACT; considering an exclusion for certain comparable fuels; and revising the small quantity burner exemption under the BIF rule. EPA will accept public comments on this proposed rule until June 18, 1996.

Citation:

April 29, 1996
(61 FR 18779)

“Requirements for Management of Hazardous Contaminated Media (HWIR-Media)”

SUMMARY: As part of the President’s regulatory reform initiative, the EPA is proposing new regulations for contaminated media that are managed during government-overseen remedial actions. The proposal establishes modified Land Disposal Restrictions treatment requirements, and modified permitting procedures for higher risk contaminated media. The proposal would also allow EPA and authorized states to remove certain lower-risk contaminated media from regulation as hazardous waste. EPA also proposes to withdraw the regulations concerning corrective action management units (CAMUs), and to exempt from Subtitle C regulation, dredged material permitted under CWA or MPRSA.



**Proposed
Rules
(cont'd)**

Citation:

May 1, 1996
(61 FR 19432)

“Corrective Action for Releases from Solid Waste Management Units at Hazardous Waste Management Facilities”

SUMMARY: This Advanced Notice of Proposed Rulemaking announces EPA’s corrective action regulatory strategy for releases from solid waste management units at hazardous waste management facilities under RCRA. EPA also requested information to assist in identification and development of potential improvements to the protectiveness, responsiveness, speed, or efficiency of corrective actions. In addition, EPA included a general status report on the corrective action program and how it has evolved since the July 27, 1990, proposal, and provided guidance on a number of topics not fully addressed in 1990. Lastly, EPA emphasized areas of flexibility within the current program and described program improvements currently underway or under consideration. Comments must be received on or before July 30, 1996. EPA will hold a public hearing on the Notice on June 3, 1996.

Citation:

June 14, 1996
(61 FR 30472)

“Authorization of Indian Tribe’s Hazardous Waste Programs Under RCRA Subtitle C”

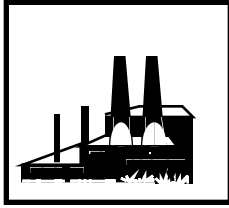
SUMMARY: EPA clarified the eligibility of Tribal Governments to obtain authorization to implement a Subtitle C hazardous waste program under RCRA §3006, and to obtain federal grants to support the development and implementation of such a program under RCRA §3011. This proposal identified the standards and procedures that would govern the submission and review of Indian Tribes’ authorization applications. It also discussed the circumstances under which Tribes could be approved to operate a partial Subtitle C hazardous waste program.

Citation:

August 14, 1996
(61 FR 42318)

“Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Solvents; CERCLA Hazardous Substance Designation and Reportable Quantities; Proposed Rule”

SUMMARY: Sections 3001(e)(2) and 3001(b)(1) of the Hazardous and Solid Waste Amendments of 1984 direct EPA to make a hazardous waste listing determination for solvent wastes. After extensive study of 14 chemicals potentially used as solvents, the Agency proposed not to specifically list them as hazardous waste under 40 CFR Part 261. The Agency, consequently, will not amend CERCLA's list of hazardous substances and their respective reportable quantities found in 40 CFR Table 302.4.



RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

Proposed Rules (cont'd)

Citation:

November 7, 1996
(61 FR 57748)

“Comprehensive Guideline for Procurement of Products Containing Recovered Materials”

SUMMARY: EPA proposed an amendment to the May 1, 1995, Comprehensive Procurement Guideline. The amendment designates thirteen new items that are or can be made with recovered materials and clarifies three items previously designated by EPA as items that can be made with recovered materials. EPA is accepting comment on this proposed rule until February 5, 1997.

Final Rules

Citation:

February 9, 1996
(61 FR 4903)

“Technical Amendment; RCRA Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers”

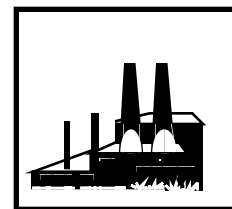
SUMMARY: EPA provided additional guidance clarifying preamble language to the Subpart CC Air Emissions final rule (59 FR 62896; December 6, 1994) and corrected typographical and grammatical errors. The air standards, designed to reduce organic emissions from hazardous waste management activities, apply to owners and operators of hazardous waste tanks, containers, and surface impoundments subject to RCRA Subtitle C permitting requirements and to large quantity generators accumulating waste in on-site tanks and containers. The provisions clarified by this action are effective as of June 6, 1996, the effective date of the final rule.

“West Virginia; Partial Program Adequacy Determination of State Municipal Solid Waste Landfill Permit Program”

Citation:

March 8, 1996
(61 FR 9451)

SUMMARY: The West Virginia Division of Environmental Protection (WVDEP) applied for a partial determination of adequacy under §4005 of RCRA. EPA reviewed WVDEP’s application and made a tentative determination of adequacy for those portions of the WVDEP’s MSWLF permit program that are adequate to assure compliance with the revised MSWLF Criteria. All comments on WVDEP’s application for a partial determination of adequacy must be received by EPA Region III by April 30, 1996.



Final Rules (cont'd)

Citation:

March 18, 1996
(61 [FR](#) 11089)

“Technical Revision of the Federal Facility Compliance Act (FFCA) of 1992 Amendments for Hazardous Waste”

SUMMARY: The FFCA provides EPA explicit authority to commence administrative enforcement actions against any department, agency, or instrumentality of the federal government that is in violation of RCRA requirements. As required by the FFCA, EPA revised its administrative rules to provide a federal department, agency, or instrumentality subject to an administrative enforcement order with the opportunity to confer with the Administrator before the administrative enforcement order becomes final. This rule is effective on March 18, 1996.

Citation:

March 26, 1996
(61 [FR](#) 13103)

“Correction to RCRA Exclusion for Recovered Oil Inserted Into the Petroleum Refining Process”

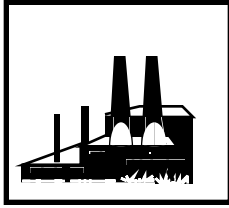
SUMMARY: EPA corrected the text of a regulatory exclusion from the definition of solid waste for recovered oil which is inserted into the petroleum refining process (§261.4(a)(12)). The corrected language revises the location in the refining process at which recovered oil can be inserted to qualify for the exclusion. The Agency intended to exclude recovered oil that is inserted into a petroleum refining process at a point at which the process removes or will remove at least some contaminants. EPA issued this correction as a direct final rule and a proposed rule in different sections of the Federal Register. The direct final rule will become effective on May 28, 1996, unless adverse comments are received by April 9, 1996. If such notification is received, EPA will withdraw the direct final rule and address the comments in a subsequent final rule.

Citation:

April 8, 1996
(61 [FR](#) 15565)

“Land Disposal Restrictions Phase III — Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners”

SUMMARY: EPA promulgated LDR treatment standards for hazardous wastes from the production of carbamate pesticides and primary aluminum production. The Agency also amended the treatment standards for hazardous wastes that exhibit the characteristic of reactivity. In addition, the rule created treatment standards for decharacterized wastewaters that are managed in land-based Clean Water Act (CWA), CWA-equivalent, or Class I Safe Drinking Water Act (SDWA) systems. In accordance with the Land Disposal Program Flexibility Act of 1996, however, the Agency promulgated a concurrent rulemaking (61 [FR](#) 15660) that withdraws the treatment standards applicable to decharacterized wastes managed in these CWA, CWA-equivalent, and SDWA systems (see below). Finally, EPA



RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

Final Rules (cont'd)

codified its enforcement policy stating that combustion of inorganic wastes is an impermissible form of treatment because hazardous constituents are being diluted rather than effectively treated.

“Land Disposal Restrictions Phase III; Final Rule and Partial Withdrawal and Amendment of Final Rule”

Citation:

April 8, 1996
(61 FR 15660)

SUMMARY: EPA incorporated the provisions of the Land Disposal Program Flexibility Act (LDPFA) of 1996 into the Phase III rule by amending and/or withdrawing portions of the regulations that were superseded by the new legislation. The LDPFA provided that characteristic wastes treated in CWA, CWA-equivalent, or SDWA systems are no longer prohibited from land disposal once they do not exhibit a characteristic of hazardous waste. The amendment/withdrawal of these standards does not affect any other part of the final rule. Furthermore, EPA amended parts of the LDR Phase II final rule (59 FR 47982; September 19, 1994) which were also overruled by the legislation. These provisions are effective on April 8, 1996.

“Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision”

Citation:

April 12, 1996
(61 FR 16289)

SUMMARY: EPA identified RCRA wastes subject to a graduated system (green, amber, red) of procedural and substantive controls when exported and imported for recovery among OECD countries. These requirements apply only to U.S. exporters and importers of RCRA hazardous wastes destined for recovery in OECD countries (except for Canada and Mexico; waste shipments to and from these countries will continue to move under the current bilateral agreements and regulations). This rule is effective July 11, 1996.

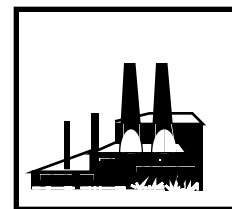
“Solid Waste Programs; Removal of Legally Obsolete Guidelines”

Citation:

April 26, 1996
(61 FR 18501)

SUMMARY: In response to the President’s Regulatory Reform Initiative, the Environmental Protection Agency (EPA) has conducted a review of the regulations it administers and has identified the guidelines pertaining to solid waste management as obsolete. These guidelines, which are being removed from the Code of Federal Regulations (CFR) today, are no longer necessary because they have been addressed by more recent regulations. This final rule takes effect on April 26, 1996.

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)



Final Rules (cont'd)

“Mixed Waste Enforcement Policy Extension”

Citation:

April 26, 1996
(61 [FR](#) 18588)

SUMMARY: EPA announced a limited extension of its policy (56 [FR](#) 42730; August 29, 1991) on civil enforcement of the LDR storage prohibition at facilities which generate “mixed waste” regulated under both RCRA and the Atomic Energy Act. This action renews the August 1991 policy for an additional two year period for certain mixed wastes, based on EPA’s determination that treatment technology and disposal capacity for these mixed wastes are still not available.

“Paper Products Recovered Advisory Notice”

Citation:

May 29, 1996
(61 [FR](#) 26986)

SUMMARY: EPA provided a notice of the availability of the final Paper Products Recovered Materials Advisory Notice (RMAN) and supporting documents. This notice represents a revision of the 1988 recommendations to government procuring agencies for purchasing paper and paper products containing recovered materials. It addresses issues that were raised by paper manufacturers, merchants, and purchasers during the implementation of the 1988 recommendations and incorporates minimum content standards for uncoated printing and writing papers established by Executive Order.

“Utah; Final Determination of Adequacy of State/Tribal Municipal Solid Waste Permit Program”

Citation:

June 13, 1996
(61 [FR](#) 30065)

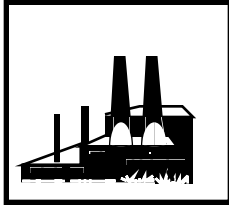
SUMMARY: EPA determined that Utah’s Municipal Solid Waste Landfill (MSWLF) program is adequate to ensure compliance with the revised federal MSWLF Criteria (40 CFR Part 258).

“Kansas; Final Full Program Determination of Adequacy of State/Tribal Municipal Solid Waste Landfill Permit Program”

Citation:

June 24, 1996
(61 [FR](#) 32434)

SUMMARY: EPA determined that Kansas’ Municipal Solid Waste Landfill (MSWLF) program is adequate to ensure compliance with the revised federal MSWLF Criteria (40 CFR Part 258).



RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

Final Rules (cont'd)

Citation:

June 24, 1996
(61 FR 32436)

“Nebraska; Final Full Program Determination of Adequacy of State/Tribal Municipal Solid Waste Landfill Permit Program”

SUMMARY: EPA determined that Nebraska’s Municipal Solid Waste Landfill (MSWLF) program is adequate to ensure compliance with the revised federal MSWLF Criteria (40 CFR Part 258).

Citation:

June 25, 1996
(61 FR 32798)

“Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Notice of Extension of Delisting Delegation to Regions”

SUMMARY: On October 10, 1995, the EPA Administrator extended the delegation of the hazardous waste delisting authority to EPA's 10 Regional Offices. This notice provides a list of Regional delisting contacts.

Citation:

June 28, 1996
(61 FR 33691)

“Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Recycled Used Oil Management Standards”

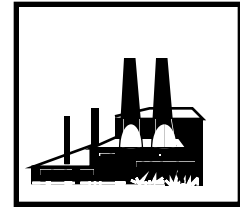
SUMMARY: On January 19, 1996, the United States Court of Appeals for the District of Columbia Circuit vacated the Environmental Protection Agency’s (EPA) October 30, 1995, administrative stay of part of the regulatory provision, known as the “used oil mixture rule,” set forth in 40 CFR 279.10(b)(2). In this action EPA clarified the regulatory status of mixtures of used oil and hazardous wastes destined for recycling in light of the Court’s vacatur of the administrative stay. This action also eliminated the explanatory note to 40 CFR 279.10(b)(2) that was included in the notice of the administrative stay. In addition, EPA discussed a recent proposal that may affect such mixtures.

Citation:

July 1, 1996
(61 FR 34251)

“Criteria for Classification of Solid Waste Disposal Facilities and Practices; Identification and Listing of Hazardous Waste; Requirements for Authorization of State Hazardous Waste Programs; Final Rule”

SUMMARY: EPA revised existing criteria for solid waste disposal by establishing standards for non-municipal non-hazardous-waste disposal units that accept conditionally exempt small quantity generator (CESQG) waste. These facilities will be subject to location restrictions as well as groundwater monitoring and corrective action requirements. This rule also clarified the hazardous waste disposal options for CESQGs under Subtitle D of RCRA by expressing that municipal solid waste landfills subject to Part 258 and non-municipal non-hazardous waste landfills subject to this part were the only possibilities.



Final Rules (cont'd)

“Emergency Revision of the Land Disposal Restrictions (LDR) Phase III Treatment Standards for Listed Hazardous Wastes From Carbamate Production; Final Rule”

Citation:

August 26, 1996
(61 [FR](#) 43924)

SUMMARY: On April 8, 1996, EPA published treatment standards for a number of hazardous wastes associated with the production of carbamate pesticides (Phase III) (61 [FR](#) 15566). The Agency has since become aware of the fact that commercial laboratories are unable to analyze all of the carbamate constituents because some of them lack laboratory standards. With this rulemaking EPA revised the carbamate waste treatment standards by allowing those wastes to be treated by a technology that will either achieve the Phase III concentration levels or meet alternative standards. However, these alternative standards may only be applied for one year after the publication of this rule.

“South Dakota; Final Determination of Adequacy of State’s Municipal Solid Waste Permit Program Over Non-Indian Lands for the Former Lands of the Yankton Sioux, Lake Traverse (Sisseton-Wahpeton) and Parts of the Rosebud Indian Reservation”

Citation:

September 16, 1996
(61 [FR](#) 48683)

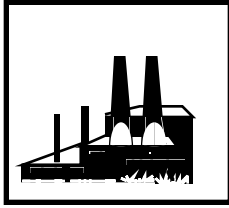
SUMMARY: EPA made a final determination that South Dakota’s municipal solid waste permit program is adequate for all lands, other than Indian Country as defined by U.S.C. Section 1151, that were formerly within the 1867 Lake Traverse Reservation boundaries and for all lands in Gregory, Tripp, Lyman, and Mellette Counties that were formerly within the 1889 Rosebud Sioux Reservation boundaries.

“Solid Waste Disposal Facility Criteria; Re-Establishment of Ground-Water Monitoring Exemption for Small Municipal Solid Waste Landfills Located in Either Dry or Remote Areas”

Citation:

September 25, 1996
(61 [FR](#) 50409)

SUMMARY: EPA revised the criteria for municipal solid waste landfills by re-establishing an exemption from groundwater monitoring for owners and operators of certain small landfills.



RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

Final Rules (cont'd)

Citation:

October 8, 1996
(61 [FR](#) 52791)

“Indiana: Final Full Program Determination of Adequacy of State Municipal Solid Waste Landfill Permit Program”

SUMMARY: EPA issued a tentative determination of adequacy for all portions of Indiana’s municipal solid waste landfill permit program. The application for full program adequacy is available for public review and comment. If no adverse comments are received within sixty days, the determination will become final and effective.

Citation:

November 20, 1996
(61 [FR](#) 59096)

“Wisconsin: Final Full Program Determination of Adequacy of State Municipal Solid Waste Landfill Permit Program”

SUMMARY: EPA issued a tentative determination of adequacy for all portions of Wisconsin’s municipal solid waste landfill permit program. All comments on Wisconsin’s application must be received by EPA Region 5 by December 20, 1996. The determination of adequacy for Wisconsin will be effective on January 27, 1997, unless adverse comments are received.

Citation:

November 25, 1996
(61 [FR](#) 59932)

“Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers”

SUMMARY: EPA amended and clarified the regulatory text of the final 40 CFR Part 264/265, Subpart CC, standards and clarified certain language in the preamble of the final rule. The final Subpart CC standards (59 [FR](#) 62896; December 6, 1994) were published to reduce organic air emissions from certain hazardous waste management activities to levels that are protective of human health and the environment. EPA amended the rule such that owners and operators are provided with additional options and increased flexibility in meeting the requirements. EPA also suspended the applicability and implementation of the rule from October 6, 1996, to December 6, 1996.

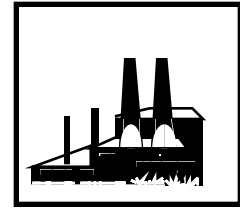
Citation:

November 25, 1996
(61 [FR](#) 60000)

“Alaska: Partial Program Adequacy Tentative Determination of State Municipal Solid Waste Landfill Permit Program”

SUMMARY: EPA issued a tentative determination of adequacy for the portions of the Alaska municipal solid waste landfill permit program that were submitted on February 12, 1996, by the Alaska Department of Environmental Conservation.

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)



Final Rules (cont'd)

Citation:

November 27, 1996
(61 FR 60328)

“Financial Assurance Mechanisms for Local Government Owners and Operators of Municipal Solid Waste Landfill Facilities; Final Rule”

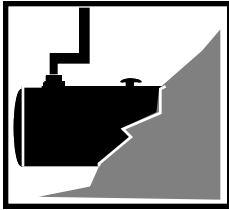
SUMMARY: EPA amended the financial assurance provisions of the municipal solid waste landfill (MSWLF) criteria, under Subtitle D of RCRA by adding two mechanisms that can be used by owners and operators to demonstrate that adequate funds will be available for the costs of closure, post-closure care, and corrective action. The additional mechanisms, a financial test for use by local government owners and operators, and a local government guarantee, are designed to be self-implementing. The effective date for this final rule is April 9, 1997, when all MSWLFs will have to comply with Subtitle D financial assurance requirements, except for small, dry, or remote landfills which will be subject on October 9, 1997.

“Solid Waste Programs; Management Guidelines for Beverage Containers and Resource Recovery Facilities Guidelines; Removal of Obsolete Guidelines”

Citation:

December 31, 1996
(61 FR 69032)

SUMMARY: EPA announced the withdrawal of Parts 244 and 245 from Title 40 of the Code of Federal Regulations. This final rule will become effective on March 3, 1997, unless EPA receives adverse comments on the accompanying proposal on or before January 30, 1997.



UNDERGROUND STORAGE TANKS (UST)

Final Rules

"Louisiana; Codification of Prior Underground Storage Tank (UST) Program Approval"

Citation:

January 18, 1996
(61 FR 1211)

SUMMARY: EPA codified in 40 CFR Part 282 the prior approval of Louisiana's underground storage tank program and incorporated by reference appropriate provisions of state statutes and regulations.

"Arkansas; Codification of Prior Underground Storage Tank (UST) Program Approval"

Citation:

January 18, 1996
(61 FR 1213)

SUMMARY: EPA codified in 40 CFR Part 282 the prior approval of Arkansas' underground storage tank program and incorporated by reference appropriate provisions of state statutes and regulations.

"New Mexico; Codification of Prior Underground Storage Tank (UST) Program Approval"

Citation:

January 18, 1996
(61 FR 1216)

SUMMARY: EPA codified in 40 CFR Part 282 the prior approval of New Mexico's underground storage tank program and incorporated by reference appropriate provisions of state statutes and regulations.

"Oklahoma; Codification of Prior Underground Storage Tank (UST) Program Approval"

Citation:

January 18, 1996
(61 FR 1220)

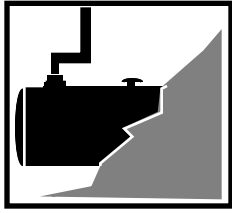
SUMMARY: EPA codified in 40 CFR Part 282 the prior approval of Oklahoma's underground storage tank program and incorporated by reference appropriate provisions of state statutes and regulations.

"Texas; Codification of Prior Underground Storage Tank (UST) Program Approval"

Citation:

January 18, 1996
(61 FR 1223)

SUMMARY: EPA codified in 40 CFR Part 282 the prior approval of Texas' underground storage tank program and incorporated by reference appropriate provisions of state statutes and regulations.



UNDERGROUND STORAGE TANKS (UST)

Final Rules (cont'd)

Citation:

February 1, 1996
(61 FR 3599)

“Montana; Final Approval of State Underground Storage Tank Program”

SUMMARY: EPA granted final approval to Montana to operate its underground storage tank program in lieu of the federal program.

Citation:

February 5, 1996
(61 FR 4224)

“Georgia; Codification of Prior Underground Storage Tank (UST) Program Approval”

SUMMARY: EPA codified in 40 CFR Part 282 the prior approval of Georgia's underground storage tank program and incorporated by reference appropriate provisions of state statutes and regulations.

Citation:

February 20, 1996
(61 FR 6319)

“Rhode Island; Final Approval of State Underground Storage Tank Program”

SUMMARY: EPA granted final approval to Montana to operate its underground storage tank program in lieu of the federal program.

Citation:

February 21, 1996
(61 FR 6554)

“Maine; Final Approval of State Underground Storage Tank Program”

SUMMARY: EPA granted final approval to Maine to operate its underground storage tank program in lieu of the federal program.

Citation:

August 9, 1996
(61 FR 41507)

“Underground Storage Tank Program: Approved State Program for Connecticut”

SUMMARY: EPA granted final approval to Connecticut to operate its underground storage tank program in lieu of the federal program.

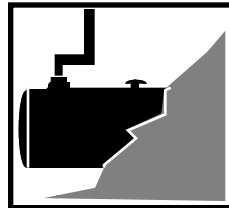
Citation:

September 27, 1996
(61 FR 50720)

“Delaware; Final Approval of State Underground Storage Tank Program”

SUMMARY: EPA granted final approval to Delaware to operate its underground storage tank program in lieu of the federal program.

UNDERGROUND STORAGE TANKS (UST)



Final Rules (cont'd)

Citation:
October 4, 1996
(61 FR 51875)

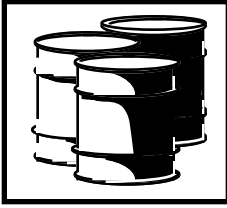
“Alabama; Approval of State Underground Storage Tank Program”

SUMMARY: EPA has made a tentative decision that Alabama’s underground storage tank program satisfies all of the requirements necessary to qualify for approval. Alabama’s application for approval is available for public review and comment.

Citation:
October 31, 1996
(61 FR 56135)

“Underground Storage Tank Program: Approved State Program for Massachusetts”

SUMMARY: EPA codified in 40 CFR Part 282 the prior approval of Massachusetts’s underground storage tank program and incorporated by reference appropriate provisions of state statutes and regulations.



SUPERFUND (SF)

Proposed Rules

Citation:

June 17, 1996
(61 FR 30575)

“National Priorities List”

SUMMARY: EPA proposed to add 15 new sites to the National Priorities List.

Citation:

August 14, 1996
(61 FR 42318)

“Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Solvents; CERCLA Hazardous Substance Designation and Reportable Quantities; Proposed Rule”

SUMMARY: Sections 3001(e)(2) and 3001(b)(1) of the Hazardous and Solid Waste Amendments of 1984 direct EPA to make a hazardous waste listing determination for solvent wastes. After extensive study of 14 chemicals potentially used as solvents, the Agency proposed not to specifically list them as hazardous waste under 40 CFR Part 261. The Agency, consequently, will not amend CERCLA's list of hazardous substances and their respective reportable quantities found in 40 CFR Table 302.4.

Citation:

December 23, 1996
(61 FR 67678)

“National Priorities List; Proposed Rule No. 21”

SUMMARY: EPA proposed to add five new sites to the General Superfund Section of the NPL and withdraws the proposal of one site. Four sites are proposed based on HRS scores of 28.50 or above and one site is proposed based on ATSDR health advisory criteria.

Final Rules

Citation:

January 26, 1996
(61 FR 2451)

"National Priorities List; Anderson Development Company Superfund Site"

SUMMARY: EPA announced the deletion of the Anderson Development Company site, located in Adrian, Michigan, from the National Priorities List. The Agency published a notice of its intent to delete the site on August 30, 1995 (60 FR 13944). EPA and the State of Michigan have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health and welfare and the environment.



SUPERFUND (SF)

Final Rules (cont'd)

Citation:

January 31, 1996
(61 [FR](#) 3331)

"National Priorities List; Ossineke Groundwater Contamination Superfund Site"

SUMMARY: EPA announced the deletion of the Ossineke Groundwater Contamination Site, located in Ossineke, Michigan, from the National Priorities List. The Agency published a notice of its intent to delete the site on August 11, 1995 (60 [FR](#) 41051). EPA and the State of Michigan have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health and welfare and the environment.

Citation:

February 8, 1996
(61 [FR](#) 4747)

"National Priorities List; Clothier Disposal Superfund Site"

SUMMARY: EPA announced the deletion of the Clothier Disposal Site, located in Granby, New York, from the National Priorities List. The Agency published a notice of its intent to delete the site on September 15, 1995 (60 [FR](#) 47918). EPA and the State of New York have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health and welfare and the environment.

Citation:

February 16, 1996
(61 [FR](#) 6115)

"National Priorities List; Flowood Superfund Site"

SUMMARY: EPA announced the deletion of the Flowood Site, located in Rankin County, Mississippi, from the National Priorities List. The Agency published a notice of its intent to delete the site on June 15, 1995 (60 [FR](#) 31440). EPA and the State of Mississippi have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health and welfare and the environment.

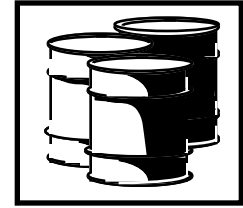
Citation:

February 21, 1996
(61 [FR](#) 6556)

"National Priorities List; Lewisburg Dump Superfund Site"

SUMMARY: EPA announced the deletion of the Lewisburg Dump Site, located in Lewisburg, Tennessee, from the National Priorities List. The Agency published a notice of its intent to delete the site on December 20, 1995 (60 [FR](#) 65616). EPA and the State of Tennessee have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health and welfare and the environment.

SUPERFUND (SF)



Final Rules (cont'd)

Citation:

March 1, 1996
(61 [FR](#) 7996)

“National Priorities List; Arkansas City Dump Superfund Site”

SUMMARY: EPA announced the deletion of the Arkansas City Dump Site, located in Arkansas City, Kansas, from the National Priorities List. The Agency published a notice of its intent to delete the site on September 20, 1995. EPA and the State of Kansas have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

Citation:

April 10, 1996
(61 [FR](#) 15902)

“National Priorities List; Folkertsma Refuse Superfund Site”

SUMMARY: EPA announced the deletion of the Folkertsma Refuse Site, located in Walker, Michigan, from the National Priorities List. The Agency published a notice of its intent to delete the site on January 29, 1996 (61 [FR](#) 2772). EPA and the State of Michigan have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

Citation:

April 25, 1996
(61 [FR](#) 18287)

“National Priorities List; Lee’s Lane Superfund Site”

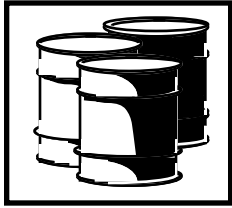
SUMMARY: EPA announced the deletion of the Lee’s Lane Site, located in Louisville, Kentucky, from the National Priorities List. The Agency published a notice of its intent to delete the site on May 16, 1988 (53 [FR](#) 17228), and published a revised notice on February 14, 1992 (57 [FR](#) 5410). EPA and the Commonwealth of Kentucky have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

Citation:

April 26, 1996
(61 [FR](#) 18507)

“National Priorities List; Kummer Sanitary Landfill Superfund Site”

SUMMARY: EPA announced the deletion of the Kummer Sanitary Landfill Site, located in Beltrami County, Minnesota, from the National Priorities List. The Agency published a notice of its intent to delete the site on March 1, 1996 (61 [FR](#) 8012). EPA and the State of Minnesota have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.



SUPERFUND (SF)

Final Rules (cont'd)

Citation:

April 29, 1996
(61 [FR](#) 18683)

“National Priorities List; Gallaway Pits Superfund Site”

SUMMARY: EPA announced the deletion of the Gallaway Pits Site, located in Fayette County, Tennessee, from the National Priorities List. The Agency published a notice of its intent to delete the site on February 22, 1996 (61 [FR](#) 6807). EPA and the State of Tennessee have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

Citation:

April 29, 1996
(61 [FR](#) 18684)

“National Priorities List; 29th and Mead Ground Water Contamination Superfund Site”

SUMMARY: EPA announced the deletion of the 29th and Mead Ground Water Contamination Site, located in Wichita, Kansas, from the National Priorities List. The Agency published a notice of its intent to delete the site on January 31, 1996 (61 [FR](#) 3365). EPA and the State of Kansas have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

Citation:

April 30, 1996
(61 [FR](#) 18968)

“National Priorities List; Amnicola Dump Superfund Site”

SUMMARY: EPA announced the deletion of the Amnicola Dump Site, located in Chattanooga, Tennessee, from the National Priorities List. The Agency published a notice of its intent to delete the site on February 22, 1996 (61 [FR](#) 6806). EPA and the State of Tennessee have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

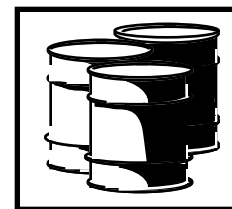
Citation:

May 7, 1996
(61 [FR](#) 20473)

“National Priorities List; East Bethel Demolition Landfill Superfund Site”

SUMMARY: EPA announced the deletion of the East Bethel Demolition Landfill Site, located in Anoka, Minnesota, from the National Priorities List. The Agency published a notice of its intent to delete the site on March 13, 1996 (61 [FR](#) 10298). EPA and the State of Minnesota have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

SUPERFUND (SF)



Final Rules (cont'd)

Citation:

May 16, 1996
(61 [FR](#) 24720)

“National Priorities List; Washington County Landfill Superfund Site”

SUMMARY: EPA announced the deletion of the Washington County Landfill Site, located in Washington County, Minnesota, from the National Priorities List. The Agency published a notice of its intent to delete the site on April 1, 1996 (61 [FR](#) 14280). EPA and the State of Minnesota have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

Citation:

May 17, 1996
(61 [FR](#) 24894)

“National Priorities List; A.L. Taylor Superfund Site”

SUMMARY: EPA announced the deletion of the A.L. Taylor Site, located in Brooks, Kentucky, from the National Priorities List. The Agency published a notice of its intent to delete the site in July 1988, and a revised notice of intent to delete on March 8, 1996. EPA and the Commonwealth of Kentucky have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

Citation:

June 3, 1996
(61 [FR](#) 27788)

“National Priorities List; Newport Dump Superfund Site”

SUMMARY: EPA announced the deletion of the Newport Dump Site, located in Wilder, Kentucky, from the National Priorities List. The Agency published a notice of its intent to delete the site on May 16, 1988, and published a revised notice on March 8, 1996. EPA and the Commonwealth of Kentucky have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

Citation:

June 5, 1996
(61 [FR](#) 28511)

“National Priorities List; Waste Disposal Engineering Superfund Site”

SUMMARY: EPA announced the deletion of the Waste Disposal Engineering Site, located in Andover, Minnesota, from the National Priorities List. The Agency published a notice of its intent to delete the site on March 26, 1996 (61 [FR](#) 13131). EPA and the State of Minnesota have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.



SUPERFUND (SF)

Final Rules (cont'd)

Citation:

June 11, 1996
(61 FR 29493)

“Acquisition Regulation; Bonds and Insurance”

SUMMARY: EPA is removing from the EPA Acquisition Regulation clauses regarding insurance for liability to third parties for Superfund response action contractors. This rule eliminates coverage and clauses on Insurance, Liability to Third Persons, for commercial organizations and state and local governments performing as response action contractors in Superfund. These clauses were rendered obsolete by EPA's Final Guidelines for Superfund Response Action Contractor Indemnification published on January 25, 1993.

Citation:

June 12, 1996
(61 FR 29678)

“National Priorities List; New Castle Spill Superfund Site”

SUMMARY: EPA announced the deletion of the Waste Disposal Engineering Site, located in New Castle, Delaware, from the National Priorities List. The Agency published a notice of its intent to delete the site on March 21, 1996 (59 FR 11597). EPA and the State of Delaware have determined that no further cleanup under CERCLA is appropriate and that remedial actions at the site have been protective of public health, welfare, and the environment.

Citation:

June 17, 1996
(61 FR 30510)

“National Priorities List”

SUMMARY: EPA published the National Priorities List identifying the national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. This rule adds thirteen new sites to the National Priorities List.

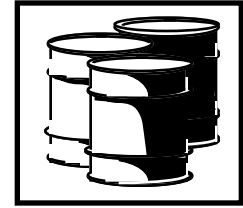
Citation:

August 28, 1996
(61 FR 45871)

“Executive Order 13016”

SUMMARY: The President ordered an amendment to Section 4 of Executive Order 12580 of January 23, 1987. Executive Order 12580 transfers authority from the President to EPA to implement and regulate CERCLA. Section 4 of Executive Order 12580 delegates certain enforcement provisions to EPA and the Coast Guard. Executive Order 13016 amends this section by expanding the delegation of authority to also include the Secretary of the Interior, the Secretary of Commerce, the Secretary of Agriculture, the Secretary of Defense and the Secretary of Energy in implementing CERCLA §§106(a) and 122 (except subsection (b)(1)).

SUPERFUND (SF)



Final Rules (cont'd)

“National Priorities List; AMP Superfund Site”

Citation:

October 2, 1996
(61 [FR](#) 51373)

SUMMARY: EPA announced the deletion of the AMP Site, located in Glen Rock, York County, Pennsylvania, from the National Priorities List. The Agency published a notice of its intent to delete the site on July 26, 1996 (61 [FR](#) 39104). The Agency has determined that deferral of the site to RCRA authorities is appropriate, and the Commonwealth of Pennsylvania concurs.

“National Priorities List; Chemet Company Superfund Site”

Citation:

October 9, 1996
(61 [FR](#) 52886)

SUMMARY: EPA announced the deletion of the Chemet Company Site, located in Fayette County, Tennessee, from the National Priorities List. The Agency published a notice of its intent to delete the site on August 21, 1996 (61 [FR](#) 43205). The Agency and the State of Tennessee have determined that no further cleanup under CERCLA is appropriate and that remedial actions conducted at the site have been protective of public health, welfare, and the environment.

“National Priorities List; Gold Coast Oil Corporation Superfund Site”

Citation:

October 9, 1996
(61 [FR](#) 52887)

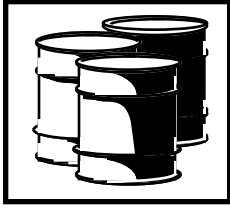
SUMMARY: EPA announced the deletion of the Gold Coast Oil Corporation Site, located in Dade County, Florida, from the National Priorities List. The Agency published a notice of its intent to delete the site on August 21, 1996 (61 [FR](#) 43203). EPA and the State of Florida Department of Environmental Protection 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.

“National Priorities List; Northwest 58th Street Landfill Superfund Site”

Citation:

October 11, 1996
(61 [FR](#) 53328)

SUMMARY: EPA announced the deletion of the Northwest 58th Street Landfill Site, located in Dade County, Florida, from the National Priorities List. The Agency published a notice of its intent to delete the site on August 2, 1996 (61 [FR](#) 40371). EPA and the State of Florida Department of Environmental Protection 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.



SUPERFUND (SF)

Final Rules (cont'd)

Citation:

October 17, 1996
(61 FR 54098)

“National Priorities List; Oak Grove Sanitary Landfill Superfund Site”

SUMMARY: EPA announced the deletion of the Oak Grove Sanitary Landfill Site, located in Minnesota, from the National Priorities List. The Agency published a notice of its intent to delete the site on July 29, 1996 (61 FR 39383). EPA and the State of Minnesota have determined that remedial actions conducted at the site remain protective of public health, welfare, and the environment.

Citation:

October 18, 1996
(61 FR 54343)

“National Priorities List; Marathon Battery Company Superfund Site”

SUMMARY: EPA announced the deletion of the Marathon Battery Company Site, located in Cold Spring, New York, from the National Priorities List. The Agency and the State of New York have determined that no further cleanup under CERCLA is appropriate and that remedial actions conducted at the site have been protective of public health, welfare, and the environment.

Citation:

October 25, 1996
(61 FR 55298)

“Revised Guidance on Procedures for Submitting CERCLA §106(b) Reimbursement Petitions and on EPA Review of Those Petitions”

SUMMARY: EPA’s Environmental Appeals Board revised guidance on procedures for submitting reimbursement petitions pursuant to CERCLA §106(b). Section 106(b)(2) of CERCLA allows any person who has complied with an administrative order issued under CERCLA §106(a) to petition for reimbursement of the reasonable costs incurred in complying with the order, plus interest. To establish a claim for reimbursement, a petitioner must demonstrate that it was not liable for response costs under CERCLA §107(a), or that EPA’s selection of the ordered response action was arbitrary and capricious or was otherwise not in accordance with the law.

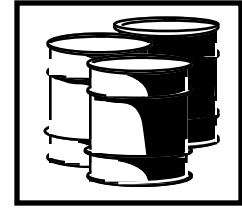
“National Priorities List; Com Bay, Near Shore/Tide Flats Superfund Site”

Citation:

October 29, 1996
(61 FR 55751)

SUMMARY: EPA announced the deletion of portions of the Com Bay, Near Shore/Tide Flats Site, located in Tacoma, Pierce County, Washington, from the National Priorities List. The Agency, the State of Washington, and the Puyallup Tribe of Indians have determined that the deleted portions of the site pose no significant threat to public health or the environment and, therefore, further remedial measures pursuant to CERCLA are not necessary.

SUPERFUND (SF)



Final Rules (cont'd)

Citation:

November 1, 1996
(61 [FR](#) 56477)

“National Priorities List; Seldon Clark Property from the General Electric/Shepherd Farm Superfund Site”

SUMMARY: EPA announced the deletion of the Seldon Clark Property from the General Electric/Shepherd Farm Superfund Site, located in East Flat Rock, Henderson County, North Carolina, from the National Priorities List. The Agency published a notice of its intent to delete the site on September 3, 1996 (61 [FR](#) 46418). The Agency and the State of North Carolina have determined that the site poses no significant threat to public health or the environment and, therefore, remedial measures are not appropriate.

Citation:

November 7, 1996
(61 [FR](#) 57594)

“National Priorities List; Harbor Island Superfund Site”

SUMMARY: EPA announced the deletion of a portion of the Harbor Island Site, located in Seattle, King County, Washington, from the National Priorities List. The portion of the site to be deleted is the Lockheed Shipyard Operable Unit. The Agency published a notice of its intent to delete the site on September 5, 1996 (61 [FR](#) 46749). The Agency and the State of Washington Department of Ecology have determined that no further cleanup under CERCLA is required and that the selected remedy is protective of public health, welfare, and the environment.

Citation:

November 14, 1996
(61 [FR](#) 58332)

“National Priorities List; St. Augusta Landfill/Engen Dump Superfund Site”

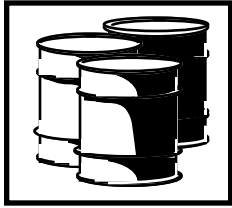
SUMMARY: EPA announced the deletion of the St. Augusta Landfill/Engen Dump Site, located in Stearns County, Minnesota, from the National Priorities List. The Agency published a notice of its intent to delete the site on July 22, 1996 (61 [FR](#) 37876). The Agency and the State of Minnesota have determined that all appropriate Fund-financed responses under CERCLA have been implemented and that no further response by responsible parties is appropriate.

Citation:

November 21, 1996
(61 [FR](#) 59184)

“National Priorities List; Louisiana-Pacific Superfund Site”

SUMMARY: EPA announced the deletion of the Louisiana-Pacific Site, located in Oroville, California, from the National Priorities List. The Agency published a notice of its intent to delete the site on August 27, 1996 (61 [FR](#) 59184). The Agency and the State of California have determined that the site poses no significant threat to public health or the environment and, therefore, no further remedial measures pursuant to CERCLA are appropriate.



SUPERFUND (SF)

Final Rules (cont'd)

Citation:

November 27, 1996
(61 FR 60197)

“National Priorities List; Lakewood Superfund Site”

SUMMARY: EPA announced the deletion of a portion of the Lakewood Site, located in Pierce County, Washington, from the National Priorities List. The Agency published a notice of its intent to delete a portion of the site on September 27, 1996 (61 FR 50788). The portion of the site to be deleted is the soil unit and includes all contaminated soil and sludge related to the site. EPA and the State of Washington Department of Ecology have determined that no further cleanup under CERCLA is required and that the selected remedy has been protective of public health, welfare, and the environment.

Citation:

December 11, 1996
(61 FR 65186)

“National Priorities List; Omega Hills North Landfill Superfund Site”

SUMMARY: EPA announced the deletion of the Omega Hills North Landfill Superfund Site, located in Germantown, Wisconsin, from the National Priorities List. The Agency published a notice of its intent to delete the site on June 25, 1996 (61 FR 32765). The Agency and the State of Wisconsin have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

Citation:

December 16, 1996
(61 FR 65957)

“National Priorities List; Twin Cities Air Force Reserve Base, Small Arms Range Landfill Superfund Site”

SUMMARY: EPA announced the deletion of the Twin Cities Air Force Reserve Base, Small Arms Range Landfill, Minneapolis-St. Paul International Airport Superfund Site located in Minneapolis, Minnesota, from the National Priorities List. The Agency published a notice of its intent to delete the site on September 16, 1996 (61 FR 65957). The Agency and the State of Minnesota have determined that the responsible parties have implemented all appropriate response actions required and that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

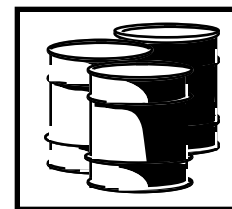
Citation:

December 20, 1996
(61 FR 67233)

“National Priorities List; Sand Creek Industrial Superfund Site”

SUMMARY: EPA announced the deletion of the Sand Creek Industrial Superfund Site, located in Colorado, from the National Priorities List. The Agency published a notice of its intent to delete the site on August 28, 1996 (61 FR 44275). The Agency and the State of Colorado have determined that the site poses no significant threat to public health or the environment as long as operation and maintenance is implemented as necessary and institutional controls are implemented and effective.

SUPERFUND (SF)



Final Rules (cont'd)

Citation:

December 20, 1996
(61 [FR](#) 67234)

“National Priorities List; Cal West Metals Superfund Site”

SUMMARY: EPA announced the deletion of the Cal West Metals Superfund Site, located in Lemitar, New Mexico, from the National Priorities List. The Agency published a notice of its intent to delete the site on November 5, 1996 (61 [FR](#) 56931). The Agency and the State of New Mexico have determined that all appropriate Fund-financed responses under CERCLA have been implemented and no further cleanup is appropriate.

Citation:

December 23, 1996
(61 [FR](#) 67656)

“National Priorities List for Uncontrolled Hazardous Waste Sites”

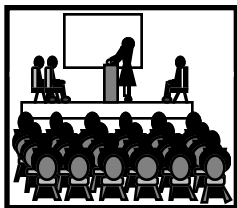
SUMMARY: EPA added seven new sites to the General Superfund Section of the National Priorities List. All of these sites are added to the NPL based on an HRS score of 28.5 or greater. This action results in an NPL of 1,210 sites, 1,059 in the General Superfund Section and 151 in the Federal Facilities Section.

Citation:

December 27, 1996
(61 [FR](#) 68157)

“National Priorities List; Ambler Asbestos Superfund Site”

SUMMARY: EPA announced the deletion of the Ambler Asbestos Superfund Site, located in Ambler, Pennsylvania, from the National Priorities List. The Agency published a notice of its intent to delete the site on September 5, 1996 (61 [FR](#) 46755). The Agency and the Commonwealth of Pennsylvania have determined that all appropriate Fund-financed responses under CERCLA have been implemented and no further cleanup by responsible parties is appropriate.



EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW (EPCRA)

Proposed Rules

Citation:

June 27, 1996
(61 FR 33588)

“Toxic Chemical Release Reporting; Addition of Facilities in Certain Industry Sectors”

SUMMARY: EPA proposed to expand the list of industry groups potentially subject to the toxic chemical release inventory (TRI) reporting requirements under §313 of the Emergency Planning and Community Right-to-Know Act and §6607 of the Pollution Prevention Act. Seven industry groups are proposed for inclusion in the TRI: metal mining, coal mining, electric utilities, commercial hazardous waste treatment, chemicals and allied products-wholesale, petroleum bulk stations-wholesale, and solvent recovery services. Written comments on the proposed rule must be received on or before August 26, 1996.

Citation:

October 1, 1996
(61 FR 51322)

“Addition of Reporting Elements; Toxic Chemical Release Reporting; Community Right-to-Know”

SUMMARY: EPA provided notice of its consideration of requiring increased information available to the public on chemical use. EPA solicits comments on all aspects of chemical use and the collection of chemical use data.

Final Rules

Citation:

May 7, 1996
(61 FR 20473)

“Extremely Hazardous Substance List Modifications; Deletions and Reportable Quantity Adjustments”

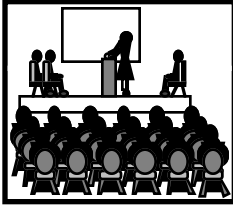
SUMMARY: EPA modified the extremely hazardous substance (EHS) list under EPCRA §302 by raising the statutory reportable quantities for 202 EHSs and by removing four chemicals, determined not to meet the listing criteria, from the EHS list. The effective date for this rule is July 8, 1996.

Citation:

July 25, 1996
(61 FR 38600)

“Toxic Chemical Release Reporting; Hydrochloric Acid”

SUMMARY: EPA modified hydrochloric acid on the list of toxic chemicals subject to EPCRA §313 reporting. Facilities are no longer obligated to report releases of and other waste management information on non-aerosol forms of hydrochloric acid that occurred during the 1995 reporting year, and for activities in the future. Facilities that have already filed a Form R report for hydrochloric acid may revise or withdraw their submissions based on this modification. Revisions and withdrawal requests must be submitted no later than October 15, 1996.



EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW (EPCRA)

Final Rules (cont'd)

Citation:

July 29, 1996
(61 FR 39356)

“Toxic Chemical Release Reporting; Diethyl Phthalate”

SUMMARY: EPA deleted diethyl phthalate (DEP) (CAS No. 84-66-2) from the list of toxic chemicals subject to EPCRA §313 reporting. EPA concluded that DEP meets the deletion criteria of EPCRA §313(d)(3). Facilities are no longer obligated to report releases of and other waste management information on DEP that occurred during the 1995 reporting year, and for activities in the future.

Citation:

July 31, 1996
(61 FR 39891)

“Toxic Chemical Release Reporting; Di-(2-ethylhexyl) Adipate”

SUMMARY: EPA deleted di-(2-ethylhexyl) adipate (DEHA) (CAS No. 103-23-1), also known as bis(2-ethylhexyl) adipate, from the list of toxic chemicals subject to EPCRA §313 reporting. EPA concluded that DEHA meets the deletion criteria of EPCRA §313(d)(3). Facilities are no longer obligated to report releases of and other waste management information on DEHA that occurred during the 1995 reporting year, and for activities in the future.

Citation:

August 8, 1996
(61 FR 41473)

“Toxic Chemical Release Inventory; Federal Acquisition and Community Right to Know”

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council agreed on a final rule to amend the Federal Acquisition Regulation Parts 23 and 52 to implement Executive Order 12969. The Executive Order requires federal agency contractors to report in a public manner on toxic chemicals released, to ensure that their covered facilities file Form Rs for covered activities for the life of the contract.

Citation:

October 18, 1996
(61 FR 54381)

“Copper Metal; Toxic Chemical Release Reporting; Community Right-to-Know”

SUMMARY: EPA denied a petition to remove copper metal (CAS No. 7440-50-8) from the list of chemicals subject to the reporting requirements under §313 of EPCRA and section 6607 of the Pollution Prevention Act of 1990. The Agency determined that copper metal did not meet the deletion criterion of EPCRA §313(d)(3).



CLEAN AIR ACT SECTION 112(r) (CAA)

Proposed Rules

Citation:

April 15, 1996
(61 [FR](#) 16598)

“Proposed Amendments; List of Regulated Substances and Thresholds for Accidental Release Prevention”

SUMMARY: EPA announced several proposed modifications to the final rule listing regulated substances and threshold quantities under §112(r) of the Clean Air Act as amended (59 [FR](#) 4478; January 31, 1994). EPA proposed to delete the category of Division 1.1 explosives (as listed by DOT) from the list of regulated substances, and to provide an exemption from threshold quantity determinations for regulated flammable substances in gasoline used as fuel and in naturally occurring pre-processed hydrocarbon mixtures. EPA also proposed a clarification of the provision for threshold determination for flammable substances in mixtures, as well as clarification of the definition of stationary source and the transportation exemption. Additional language is proposed to clarify that the provisions of CAA §112(r) do not apply to sources located on the Outer Continental Shelf. EPA will accept written comments regarding the proposed amendments on or before May 15, 1996.

Citation:

April 15, 1996
(61 [FR](#) 16606)

“Proposed Stay of Effectiveness; List of Regulated Substances and Thresholds for Accidental Release Prevention”

SUMMARY: EPA proposed to stay the effectiveness of provisions that are potentially affected by the proposed List Rule Amendments (61 [FR](#) 16606; April 15, 1996). Under the proposed stay, owners and operators of processes and sources that the proposed amendments would exempt from the §112(r) Risk Management Program requirements would not become subject to those provisions until EPA has determined whether to proceed with the proposed amendments. Comments will be accepted on or before May 15, 1996.

Final Rules

Citation:

June 20, 1996
(61 [FR](#) 31668)

“Risk Management Program for Accidental Release Prevention”

SUMMARY: EPA announced regulations applicable to all stationary sources with processes that contain more than a threshold quantity of a regulated substance to prevent accidental releases and reduce the severity of those releases that do occur. Processes are divided into three categories based on the potential for off-site consequence associated with a worst-case accidental release; accident history; or compliance with the prevention requirements under OSHA’s Process Safety Management Standard. All sources must prepare a risk management plan based on the risk management programs established at the source.



CLEAN AIR ACT SECTION 112(R) (CAA)

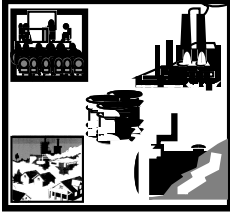
Final Rules (cont'd)

“Stay of Effectiveness; List of Regulated Substances and Thresholds for Accidental Release Prevention”

Citation:

June 20, 1996
(61 FR 31730)

SUMMARY: EPA announced a stay of effectiveness of provisions that are potentially affected by the proposed List Rule Amendments (61 FR 16606; April 15, 1996). Under the stay, owners and operators of processes and sources that the proposed amendments would exempt from the §112(r) Risk Management Program requirements are not subject to those provisions until EPA has determined whether to proceed with proposed amendments.



CROSS-PROGRAM

Final Rules

"Interim Policy on Compliance Incentives for Small Businesses"

Citation:

June 3, 1996
(61 FR 27984)

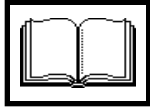
SUMMARY: EPA Office of Enforcement and Compliance Assurance issued its Final Policy on Compliance Incentives for Small Businesses. The policy sets guidelines for the Agency to reduce or waive penalties for small businesses that make good faith efforts to correct violations, and provides guidance for states and local governments to offer incentives for compliance.

"Civil Monetary Penalty Inflation Adjustment Rule"

Citation:

December 31, 1996
(61 FR 69360)

SUMMARY: As mandated by the Debt Collection Improvement Act of 1996, EPA adjusted its civil monetary penalties for inflation. Almost all of EPA's penalty provisions are increased by ten percent, except for new penalty provisions enacted into law in 1996.



PART 3: INDICES

This section provides three indices to help you select and access the questions and answers in Part 1 and the Federal Register summaries in Part 2. The first index references the questions and Federal Register summaries by subject. The questions and answers and Federal Register summaries that address that topic are listed below each key word. For example, to find information dealing with release reporting, you would look in the key word index for that phrase and find a question and answer entitled “CERCLA §103(a) Release Notification Requirements for Friable and Non-Friable Forms of Asbestos” and a Federal Register notice from May 7, 1996, regarding reportable quantity adjustments. The reference provides the page number for full text and is coded with a capital letter to indicate the relevant program (i.e., R=RCRA, S=Superfund, U=UST, E=EPCRA, and C=CAA §112(r)).

The second index organizes the questions and answers and Federal Register summaries by regulatory citation, beginning with 40 CFR Part 22. This index is useful for identifying questions affecting specific portions of the regulations. For example, under the heading “40 CFR Part 261 - Identification and Listing of Hazardous Waste” is a question and answer entitled “PCB Wastes as Hazardous Wastes.”

Similarly, the third index organizes the questions by statutory citation. For example, the question and answer entitled “Release Reporting Requirements for Underground Storage Tanks” is referenced under “Section 9003 - Release Detection, Prevention, and Correction Regulations.”

These three indices allow the reader flexibility in searching for a specific topic or getting an overview of the scope of the questions by selecting the approach most useful to the reader.

KEY WORD INDEX

Abatement

61 FR 45871; August 28, 1996 p. 86 (S)

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"Frequently Asked Questions on the CAA §112(r) Requirements" p. 59 (C)
61 FR 16598; April 15, 1996 p. 95 (C)
61 FR 16606; April 15, 1996 p. 95 (C)
61 FR 31668; June 20, 1996 p. 95 (C)
61 FR 31730; June 20, 1996 p. 96 (C)

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"Frequently Asked Questions on the 40 CFR Part 264/265, Subpart CC Air Emission Standards" p. 3 (R)
"Removal of Hazardous Waste Management Unit for Subpart CC Compliance" p. 3 (R)
61 FR 4903; February 9, 1996 p. 68 (R)
61 FR 59932; November 25, 1996 p. 74 (R)

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"Reporting Evaporative Losses of Ammonia under EPCRA §313" p. 57 (E)

Aquifer

"CERCLA Liability in Relation to Subsurface Migration of Hazardous Substances" p. 43 (S)

Bevill wastes

61 FR 2337; January 25, 1996 p. 65 (R)

Brownfields

"Brownfields Pilots: Funding Goals and Limitations" p. 47 (S)

Burning

"State Authorization and Used Oil Recycled Through Some Other Means Than Burning for Energy Recovery" p. 23 (R)

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61 FR 15565; April 8, 1996 p. 69 (R)
61 FR 43924; August 26, 1996 p. 73 (R)

Certification statement

"EPCRA §313 and Certification Signatures" p. 53 (E)

CERCLA waste

"Determination of Acceptable Facilities to Receive CERCLA Wastes" p. 41 (S)

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61 FR 51322; October 1, 1996 p. 93 (E)

Chlorofluorocarbon (CFC)

"Rebuttable Presumption for CFC Contaminated Used Oil" p. 21 (R)

Civil penalties

61 FR 11089; March 18, 1996 p. 69 (R)
61 FR 27984; June 3, 1996 p. 97 (C,R,U,S,E)
61 FR 69360; December 31, 1996 p. 97 (C,R,U,S,E)

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"Frequently Asked Questions on the CAA §112(r) Requirements" p. 59 (C)
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61 FR 16606; April 15, 1996 p. 95 (C)
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61 FR 31730; June 20, 1996 p. 96 (C)

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"Annual Payments Into a Standby Trust Fund When Using a Letter of Credit" p. 4 (R)
"Closure Requirements for Tanks Not Upgraded by 1998" p. 38 (U)
"Delay of Closure for Non-retrofitted Hazardous Waste Surface Impoundments Continuing to Receive Non-hazardous Waste" p. 10 (R)

Combustion

61 FR 15565; April 8, 1996 p. 69 (R)
61 FR 17357; April 19, 1996 p. 66 (R)

Commercial chemical product

"Definition of Commercial Chemical Product for Solid Waste Determination vs. Hazardous Waste Identification" p. 24 (R)

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"Frequently Asked Questions on Composting" p. 15 (R)

Conditionally exempt small quantity generator

"Conditionally Exempt Small Quantity Generators Treating in Elementary Neutralization Units" p. 7 (R)
"Frequently Asked Questions on Hazardous Waste Generator Requirements" p. 7 (R)
61 FR 34251; July 1, 1996 p. 72 (R)

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"Frequently Asked Questions on the 40 CFR Parts 264/265, Subpart CC Air Emission Standards" p. 3 (R)
"Hazardous Waste Liquid-containing Pumps and the Liquids in Landfills Prohibition" p. 11 (R)

LEGEND:

(C) = CAA §112(r)

(E) = EPCRA (S) = SUPERFUND

(R) = RCRA (U) = UST

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61 FR 4903; February 9, 1996 p. 68 (R)
61 FR 59932; November 25, 1996 p. 74 (R)

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“Contractors as Procuring Agencies” p. 15 (R)
61 FR 29493; June 11, 1996 p. 86 (S)
61 FR 41473; August 8, 1996 p. 94 (E)

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“Brownfields Pilots: Funding Goals and Limitations” p. 47 (S)

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61 FR 54381; October 18, 1996 p. 94 (E)

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“UST Financial Responsibility: Use of the Guarantee When the Guarantor is Not U.S.-Based” p. 33 (U)

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“Corrective Action Beyond Interim Status Facility Boundary” p. 17 (R)
61 FR 19432; May 1, 1996 p. 67 (R)

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“Frequently Asked Question on Upgrading of Existing Underground Storage Tanks (USTs)” p. 39 (U)
“Replacement Equipment for Existing Underground Storage Tanks” p. 37 (U)

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61 FR 15565; April 8, 1996 p. 69 (R)
61 FR 15660; April 8, 1996 p. 70 (R)

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“Partial Deletion of National Priorities List Sites” p. 45 (S)

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61 FR 32798; June 25, 1996 p. 72 (R)

Diethyl phthalate

61 FR 39356; July 29, 1996 p. 94 (E)

Di-(2-ethylhexyl adipate)

61 FR 39891; July 31, 1996 p. 94 (E)

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“Discount Rates for Comparison of Remedial Alternatives” p. 48 (S)

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“Conditionally Exempt Small Quantity Generators Treating in Elementary Neutralization Units” p. 7 (R)

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“Frequently Asked Questions on the CAA §112(r) Requirements” p. 59 (C)

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“Relationship Between the Risk Management Program Rule and the Process Safety Management Standard” p. 61 (C)

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61 FR 20473; May 7, 1996 p. 93 (E,S)

61 FR 31668; June 20, 1996 p. 95 (C)

61 FR 31730; June 20, 1996 p. 96 (C)

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61 FR 55298; October 25, 1996 p. 88 (S)

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“Exclusion of Laboratory Wastes from the Mixture Rule” p. 25 (R)

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“EPCRA §313 Article Exemption: Materials Recognizable as Articles” p. 53 (E)

“Facility Maintenance Exemption Under EPCRA §313” p. 56 (E)

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“Tolling Agreement and Exports” p. 9 (R)

61 FR 8323; March 4, 1996 p. 66 (R)

61 FR 16289; April 12, 1996 p. 70 (R)

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61 FR 20473; May 7, 1996 p. 93 (E,S)

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61 FR 11089; March 18, 1996 p. 68 (R)

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“Tangible Net Worth Requirements for RCRA Subtitle C Financial Assurance” p. 6 (R)

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“Use of Insurance and State Funds to Fulfill UST Financial Responsibility” p. 31 (U)

“UST Financial Responsibility and Insolvent State Trust Funds” p. 32 (U)

“UST Financial Responsibility and the Definition of Petroleum Marketer” p. 32 (U)

“UST Financial Responsibility: Use of the Guarantee When the Guarantor is Not U.S.-Based” p. 33 (U)

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- "Financial Statement Requirement for the RCRA Subtitle C Financial Test" p. 5 (R)
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61 FR 39356; July 29, 1996 p. 94 (E)
61 FR 39891; July 31, 1996 p. 94 (E)
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61 FR 51322; October 1, 1996 p. 93 (E)
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- "Conversion of Permitted or Interim Status Units to Generator Accumulation Units" p. 16 (R)
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- "CERCLA §103(a) Notification for Contamination Discovered During a Site Inspection" p. 46 (S)
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61 FR 42318; August 14, 1996 p. 67, 81 (R,S)
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- "Hazardous Waste Liquid-containing Pumps and the Liquids in Landfills Prohibition" p. 11 (R)
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- 61 FR 2583; January 26, 1996 p. 65 (R)
61 FR 30472; June 14, 1996 p. 67 (R)
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- "Corrective Action Beyond Interim Status Facility Boundary" p. 17 (R)

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- 61 FR 15660; April 8, 1996 p. 70 (R)

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- "Frequently Asked Questions on Compliance with Part 268 Land Disposal Restrictions Treatment Standards" p. 13 (R)
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61 FR 15660; April 8, 1996 p. 70 (R)

LEGEND:

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61 FR 18779; April 29, 1996 p. 66 (R)
61 FR 43924; August 26, 1996 p. 73 (R)

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p. 12 (R)

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61 FR 29493; June 11, 1996 p. 86 (S)

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61 FR 17357; April 19, 1996 p. 66 (R)

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61 FR 2337; January 25, 1996 p. 65 (R)

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61 FR 18588; April 26, 1996 p. 71 (R)

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61 FR 50409; September 25, 1996 p. 73 (R)

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61 FR 18501; April 26, 1996 p. 70 (R)
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LEGEND:

(C) = CAA §112(r)
(E) = EPCRA (S) = SUPERFUND
(R) = RCRA (U) = UST

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61 FR 43924; August 26, 1996 p. 73 (R)

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"UST Financial Responsibility and the Definition of Petroleum Marketer" p. 32 (U)

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61 FR 13103; March 26, 1996 p. 69 (R)

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"EPCRA §313: Distribution in Commerce and the Definition of Process" p. 55 (E)

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61 FR 41473; August 8, 1996 p. 94 (E)

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61 FR 13103; March 26, 1996 p. 69 (R)

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61 FR 31730; June 20, 1996 p. 96 (C)

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LEGEND:

(C) = CAA §112(r)

(E) = EPCRA (S) = SUPERFUND

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61 [FR](#) 55298; October 25, 1996 p. 88 (S)
61 [FR](#) 69360; December 31, 1996 p. 97 (C,R,U,S,E)

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61 [FR](#) 27984; June 3, 1996 p. 97 (R,U,S,E)

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61 [FR](#) 19432; May 1, 1996 p. 67 (R)

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61 [FR](#) 42318; August 14, 1996 p. 67, 81 (R,S)

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61 [FR](#) 1213; January 18, 1996 p. 77 (U)
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61 [FR](#) 1220; January 18, 1996 p. 77 (U)
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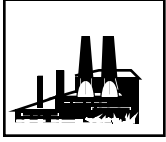
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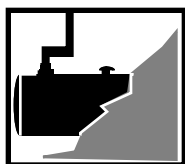
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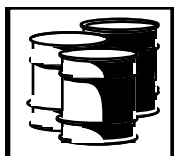
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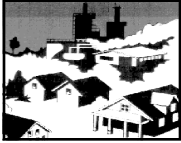
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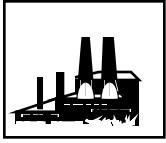
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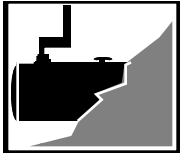
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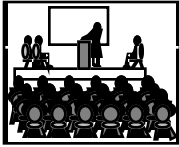
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