

will become effective and which part is being withdrawn.

#### F. What Has Utah Previously Been Authorized for?

Utah initially received Final Authorization on October 10, 1984, effective October 24, 1984 (49 FR 39683) to implement its base hazardous waste management program. Utah received authorization for revisions to its program on February 21, 1989 (54 FR 7417), effective March 7, 1989; May 23, 1991 (56 FR 23648) and August 6, 1991 (56 FR 37291), both effective July 22, 1991; May 15, 1992 (57 FR 20770), effective July 14, 1992; February 12, 1993 (58 FR 8232) and May 5, 1993 (58 FR 26689), both effective April 13, 1993; October 14, 1994 (59 FR 52084), effective December 13, 1994; May 20, 1997 (62 FR 27501), effective July 21, 1997; January 13, 1999 (64 FR 02144), effective March 15, 1999; October 16, 2000 (65 FR 61109), effective January 16, 2001, and May 7, 2002 (67 FR 30599), effective July 7, 2002.

#### G. What Changes Are We Authorizing With Today's Action?

On February 12, 2003, Utah submitted a final complete program revision application, seeking authorization of their changes in accordance with 40 CFR 271.21. We now make an immediate final decision, subject to receipt of written comments that oppose this action, that Utah's hazardous waste program revision satisfies all of the requirements necessary to qualify for Final authorization. Therefore, we grant Utah Final authorization for the following program changes (the Federal Citation followed by the analog from the Utah Administrative Code (R315), revised August 15, 2002): Emergency Revision of the Land Disposal Restrictions (LDR) Treatment Standards for Listed Hazardous Wastes from Carbamate Production [63 FR 47409, 09/04/98](Checklist 171)/R315-13-1(Utah rules for checklist revised 09/20/2001); HWIR Media [63 FR 65874, 11/30/98](Checklist 175)/R315-1-1(b), R315-2-4(g) through R315-2-4(g)(2)(iii), R315-8-1(g) through R315-8-1(g)(13), R315-8-5.3, and R315-8-6.12(d); Land Disposal Restrictions Phase IV—Technical Corrections and Clarifications to Treatment Standards [64 FR 25408, 05/11/99](Checklist 179)/R315-2-2(c), R315-2-2(c)(3), R315-2-2(e)(1)(iii), R315-2-4(a)(16), R315-2-4(a)(17) and R315-2-4(a)(17)(v), R315-2-4(b)(7)(iii) and R315-2-4(b)(7)(iii)(A), R315-5-3.34, and R315-13-1; Test Procedures for the Analysis of Oil and Grease and Non-Polar Material [64 FR 26315, 05/14/99](Checklist 180)/R315-1-2(a);

Universal Waste Rule: Specific Provisions for Hazardous Waste Lamps [64 FR 36466, 07/06/99](Checklist 181)/R315-1-1(b), R315-2-25(b)-(d), R315-8-1(e)(10)(ii)-(iv), R315-7-8.1(c)(11)(ii)-(iv), R315-13-1, R315-3-1(e)(2)(viii)(B)-(D), R315-16-1.1(a)(2)-(4), R315-16-1.2(a)(1), R315-16-1.2(b)(2) & (3), R315-16-1.3(a), R315-16-1.4(a), R315-16-1.5(a), R315-16-1.5(b) through R315-16-1.5(b)(2), R315-16-1.5(c) through R315-16-1.5(c)(2), R315-16-1.8(a) through R315-16-1.8(a)(2), R315-16-1.8(b), R315-16-1.9(e), R315-16-1.9(f), R315-16-1.9(i), R315-16-1.9(k), R315-16-2.1, R315-16-2.4(d) through R315-16-2.4(d)(2), R315-16-2.5(e), R315-16-3.1, R315-16-3.3(b)(4) & (5), R315-16-3.4(d) through R315-16-3.4(d)(2), R315-16-3.5(e), R315-16-4.1, R315-16-5.1(a), and R315-16-7.1(a); Hazardous Air Pollutant Standards for Combustors [64 FR 52828, 09/30/99](Checklist 182)/R315-1-1(b), R315-2-26, R315-8-15.1(b) through R315-8-15.1(b)(2), R315-8-15.1(c)-(e), R315-8-16, R315-7-22.1(b) through R315-7-22.1(b)(2), R315-7-22.1(c); R315-14-7, R315-50-16, R315-3-2.10, R315-3-2.10(e), R315-3-2.13, R315-3-4.3, R315-3-6.3, and R315-3-6.6; Land Disposal Restrictions Phase IV—Technical Corrections [64 FR 56469, 10/20/99](Checklist 183)/R315-2-10(f), R315-5-3.34(a), and R315-13-1; Accumulation Time for Waste Water Treatment Sludges [65 FR 12378, 03/08/2000](Checklist 184)/R315-5-3.34(a); Organobromine Production Wastes Vacatur [65 FR 14472, 03/17/2000](Checklist 185)/R315-2-10(f), R315-2-11(f), R315-50-9, R315-50-10, and R315-13-1; Petroleum Refining Process Wastes—Clarification [65 FR 36365, 06/08/2000](Checklist 187)/R315-2-10(e) and R315-13-1.

#### H. Where Are the Revised State Rules Different From the Federal Rules?

Utah did not make any changes that are more stringent or broader-in-scope than the Federal rules in this rulemaking. Utah did not change any previously more stringent or broader-in-scope provisions to be equivalent to the Federal rules.

#### I. Who Handles Permits After the Authorization Takes Effect?

Utah will issue permits for all the provisions for which it is authorized and will administer the permits it issues. EPA will continue to administer any RCRA hazardous waste permits or portions of permits which were issued prior to the effective date of this authorization until Utah has equivalent instruments in place. We will not issue

any new permits or new portions of permits for the provisions listed in Item G after the effective date of this authorization. EPA previously suspended issuance of permits for other provisions on the effective date of Utah's Final Authorization for the RCRA base program and each of the revisions listed in Item F. EPA will continue to implement and issue permits for HSWA requirements for which Utah is not yet authorized.

#### J. How Does Today's Action Affect Indian Country (18 U.S.C. 1151) in Utah?

This program revision does not extend to "Indian Country" as defined in 18 U.S.C. 1151. Indian Country includes lands within the exterior boundaries of the following Indian reservations located within or abutting the State of Utah:

1. Goshute Indian Reservation
2. Navajo Indian Reservation
3. Northwestern Band of Shoshoni Nation of Utah (Washakie) Indian Reservation
4. Paiute Indian Tribe of Utah Indian Reservation
5. Skull Valley Band of Goshute Indians of Utah Indian Reservation
6. Uintah and Ouray Indian Reservation (see below)
7. Ute Mountain Indian Reservation

With respect to the Uintah and Ouray Indian Reservation, Federal courts have determined that certain lands within the exterior boundaries of the Reservation do not constitute Indian Country. This State program revision approval will extend to those lands which the courts have determined are not Indian Country.

In excluding Indian Country from the scope of this program revision, EPA is not making a determination that Utah either has adequate jurisdiction or lacks jurisdiction over sources in Indian Country. Should the Utah choose to seek program authorization within Indian Country, it may do so without prejudice. Before EPA would approve the State's program for any portion of Indian Country, EPA would have to be satisfied that the State has authority, either pursuant to explicit Congressional authorization or applicable principles of Federal Indian law, to enforce its laws against existing and potential pollution sources within any geographical area for which it seeks program approval and that such approval would constitute sound administrative practice.