

Process [63FR 56710, 10/22/98] (Checklist 174)/78:28:25:01, 78:28:26:01, and 78:28:28:01; *Universal Waste Rule—Technical Amendments* [63 FR 71225, 12/24/98] (Checklist 176)/78:28:27:01 and 78:28:33:01; *Organic Air Emission Standards—Clarification & Technical Amendments* [64 FR 03382, 1/21/99] (Checklist 177)/78:28:23:01, 78:28:25:01, and 78:28:28:01; *Petroleum Refining Process Wastes—Leachate Exemption* [64 FR 06806, 2/11/99] (Checklist 178)/78:28:22:01; *Land Disposal Restrictions Phase IV—Technical Corrections and Clarifications to Treatment Standards* [64 FR 25408, 05/11/99] (Checklist 179)/78:28:22:01, 78:28:23:01, and 78:28:30:01; *Universal Waste Rule: Specific Provisions for Hazardous Waste Lamps* [64 FR 36466, 07/06/99] (Checklist 181)/74:28:21:02, 74:28:22:01, 74:28:25:01, 74:28:26:01, 74:28:28:01, 74:28:30:01, and 74:28:33:01; *Hazardous Air Pollutant Standards for Combustors* [64 FR 52828, 09/30/99 and 64 FR 63209, 11/19/99] (Checklist 182)/74:28:21:01, 74:28:21:02, 74:28:22:01, 74:28:25:01, 74:28:26:01, 74:28:27:01, and 74:28:28:01; *Land Disposal Restrictions Phase IV—Technical Corrections* [64 FR 56469, 10/20/99] (Checklist 183)/74:28:22:01, 74:28:23:01, and 74:28:30:01; *Accumulation Time for Waste Water Treatment Sludges* [65 FR 12378, 03/08/2000] (Checklist 184)/74:28:23:01; *Toxicity Characteristics Revision as of June 30, 2000* [Consolidated Checklist includes 55 FR 11798, 3/29/90 and 55 FR 26986, 6/29/90 (Checklist 74); 55 FR 40834, 10/5/90, 56 FR 03978, 2/1/91, and 56 FR 13406, 4/2/91 (Checklist 80); 56 FR 05910, 2/13/91 (Checklist 84); 57 FR 30657, 7/10/92 (Checklist 108); 57 FR 23062, 6/1/92 (Checklist 117B); 57 FR 55114, 11/24/92 (Checklist 119), as well as, 58 FR 46040, 8/31/93 (Checklist 126 update) and 62 FR 25998, 5/12/97 (Checklist 157 update).

G. Where Are the Revised State Rules Different From the Federal Rules?

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

Today's **Federal Register** notice also eliminates errors in portions of the federally authorized South Dakota hazardous waste program. In the process of evaluating South Dakota's application for revisions to its hazardous waste program, we have discovered certain errors in the program as adopted in the State's regulations. These errors arose in part because the State incorporates

Federal regulations "by reference" as they appear in the "Code of Federal Regulations" (CFR), June 2000 edition, published by the National Archives and Records Administration. The specific regulations EPA relies upon to provide official notice to the public and regulated community of any Federal hazardous waste program are those found in the **Federal Registers** that are published each business day, rather than the annual CFR. Errors appearing in regulations used by the State's hazardous waste program may or may not be significant. However, in order to avoid any confusion and to ensure that EPA oversees and enforces the appropriate hazardous waste regulations, we are publishing the following list of corrections for errors found in the revisions of the State's hazardous waste program that are approved in today's **Federal Register**. Additional corrections may appear in **Federal Registers** approving later revisions to the South Dakota hazardous waste program.

- In § 266.100, replace "(b), (c), (d) and (f)" with "(b)–(e), (g) and (h)."
- In § 266.100(d)(3), add the following missing text to the end of the paragraph: "or a metal recovery furnace that burns baghouse bags used to capture metallic dusts emitted by steel manufacturing, must provide a one-time written notice to the Director identifying each hazardous waste burned and specifying whether the owner or operator claims an exemption for each waste under this paragraph or paragraph (d)(1) of this section. The owners or operator must comply with the requirements of paragraph (d)(1) of this section for those wastes claimed to be exempt under that paragraph and must comply with the requirements below for those wastes claimed to be exempt under this paragraph (d)(3)."

- In 40 CFR part 266, appendix VIII, in the "semivolatiles" column, replace "Polychlorinated dibenzo-furans" with "Polychlorinate dibenzo-furans."

- In the 40 CFR 268.40 table: (1) under waste code K088, "Indeno(1,2,3-c,d) pyrene" should be "Indeno(1,2,3-cd) pyrene", (2) under waste code K088, "Bemz(a)anthracene" should be "benzo(a)anthracene";

- At 264.1030(c), replace "40 CFR 124.15" (applies to EPA only) with "40 CFR 124.5" (applies to the State).

H. Who Handles Permits After the Authorization Takes Effect?

South Dakota 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 South Dakota 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 South Dakota'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 South Dakota is not yet authorized.

I. How Does Today's Action Affect Indian Country (18 U.S.C. 1151) in South Dakota?

This program revision does not extend to "Indian country" as defined in 18 U.S.C. 1151. Indian country includes:

1. Lands within the exterior boundaries of the following Indian reservations located within the State of South Dakota:
 - a. Cheyenne River Indian Reservation;
 - b. Crow Creek Indian Reservation;
 - c. Flandreau Indian Reservation;
 - d. Lower Brule Indian Reservation;
 - e. Pine Ridge Indian Reservation;
 - f. Rosebud Indian Reservation;
 - g. Standing Rock Indian Reservation;
 - h. Yankton Indian Reservation;
2. Any land held in trust by the United States for an Indian tribe; and,
3. Any other areas which are "Indian country" within the meaning of 18 U.S.C. 1151.

J. What Is Codification and Is EPA Codifying South Dakota's Hazardous Waste Program as Authorized in This Rule?

Codification is the process of placing a State's statutes and regulations that comprise the State's authorized hazardous waste program into the CFR. We do this by referencing the authorized State rules in 40 CFR part 272. We reserve the amendment of 40 CFR part 272, subpart QQ for the codification of South Dakota's updated program until a later date.

K. Administrative Requirements

The Office of Management and Budget has exempted this action from the requirements of Executive Order 12866 (58 FR 51735, October 4, 1993), and therefore this action is not subject to review by OMB. This action authorizes State requirements for the purpose of RCRA section 3006 and imposes no additional requirements beyond those imposed by State law. Accordingly, I