

This document was prepared under the direction of Thorne G. Auchter, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Ave. NW., Washington, D.C. 20210.

(Sec. 6 Pub. L. 91-596, 84 Stat. 1593 (29 U.S.C. 655), 29 CFR Part 1911; 41 U.S.C. 35, 38; Secretary of Labor's Order No. 8-76 (41 FR 25059))

Signed at Washington, D.C. this 28th day of February 1983.

Thorne G. Auchter,

Assistant Secretary of Labor.

[FR Doc. 83-5687 Filed 3-7-83; 8:45 am]

BILLING CODE 4510-26-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 30

[OA-FRL 2317-1]

General Grant Regulations and Procedures

AGENCY: Environmental Protection Agency.

ACTION: Deviation to rule.

SUMMARY: Under the authority of 40 CFR 30.1000, the Environmental Protection Agency (EPA) has issued a class deviation from 40 CFR 30.720(a) of EPA's general grant regulations for cooperative agreements awarded under Section 3012 of the Resource Conservation and Recovery Act (RCRA). This deviation waives EPA's usual five percent cost-sharing requirement for assistance award recipients. We are publishing the class deviation as a part of this document.

EFFECTIVE DATE: This deviation was effective on February 16, 1983.

FOR FURTHER INFORMATION CONTACT: Marshall Schy, Grants Administration Division (PM-216), Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460 (202-382-5298).

SUPPLEMENTARY INFORMATION: Section 3012 of the Resource Conservation and Recovery Act provides for State programs to develop inventories of hazardous waste and disposal sites. Congress appropriated \$10,000,000 from the Hazardous Substance Response Trust Fund, established under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), to carry out section 3012. This one-time appropriation will be used to assist States in completing the site assessment and inspection process already begun under CERCLA.

EPA believes these are several reasons for not requiring grantees to share the cost of this program. First, preliminary assessments and site inspections, which will be given priority under this program, presently are not subject to cost-sharing requirements under CERCLA. Second, requiring cost sharing would delay the implementation of program activities until States were able to provide additional funds to meet their share. It also would delay meeting EPA's goals for carrying out preliminary assessments and site inspections. Finally, requiring cost sharing under section 3012 might, because of limited resources, make it difficult for States to meet their cost sharing obligations under CERCLA projects.

A copy of the class deviation follows this document.

Dated: February 16, 1983.

John P. Horton,

Assistant Administrator for Administration (PM-208).

Dated: February 14, 1983.

Michael A. Brown,

Acting Assistant Administrator for Solid Waste and Emergency Response (WH-562A)

List of Subjects in 40 CFR Part 30

Administrative practice and procedure, Grant programs—environmental protection, Inventions and patents, Copyright, Reporting and recordkeeping requirements.

Memorandum

To: William N. Hedeman, Jr., Director, Office of Emergency and Remedial Response (WH-548)

From: Harvey Pippen, Jr., Director, Grants Administration Division (PM-216)

Subject: Class Deviation from 40 CFR 30.720(a)

This responds to your January 21, 1983, request for a class deviation from 40 CFR 30.72(a) of the general grant regulations for Section 3012 of the Resource Conservation and Recovery Act (RCRA). Section 30.720(a) requires EPA assistance recipients to share project costs; at a minimum, recipients must contribute five percent of allowable project costs.

Section 3012 of the Resource Conservation and Recovery Act provides for State programs to develop inventories of hazardous waste and disposal sites. Congress appropriated \$10,000,000 from the Hazardous Substance Response Trust Fund, established under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), to carry out Section 3012. This one-time appropriation will be used to assist States in completing the site assessment and inspection process already begun under CERCLA.

EPA believes there are several reasons for not requiring grantees to share the cost of this program. First, preliminary assessments and site inspections, which will be given priority

under this program, presently are not subject to cost-sharing requirements under CERCLA. Second, requiring cost sharing would delay the implementation of program activities until States could provide funds to meet their share. It also would delay meeting EPA's goals for carrying out preliminary assessments and site inspections. Finally, requiring cost sharing under section 3012 might, because of limited resources, make it difficult for States to meet their cost-sharing obligations under other CERCLA projects.

Therefore, I approve a class deviation from 40 CFR 30.720(a) for assistance awarded under Section 3012 of RCRA for this one-time appropriation of \$10,000,000. This deviation waives the cost-sharing requirement in EPA's general grant regulations (40 CFR 30) for this program.

Dated: February 16, 1983.

Concur:

John P. Horton,

Assistant Administrator for Administration (PM-208).

Dated: February 14, 1983.

Concur:

Michael A. Brown,

Acting Assistant Administrator for Solid Waste and Emergency Response (WH-562A).

[FR Doc. 83-5687 Filed 3-7-83; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-5-FRL 2307-6]

Approval and Promulgation of Implementation Plans: Michigan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of final rulemaking.

SUMMARY: On October 25, 1982 (47 FR 47245), EPA announced final approval of Consent Order APC No. 02-1980, for the Hayes-Albion Corporation and of Permits 341-79 and 375-79 for the American Colloid Plant, as revisions to the Michigan State Implementation Plan (SIP) for Calhoun County. EPA subsequently received a request for an opportunity to submit adverse or critical comments on this approval. Accordingly EPA is today withdrawing its approval of this revision.

EFFECTIVE DATE: This final rulemaking is effective March 8, 1983.

ADDRESSES: Copies of the SIP revision are available for inspection at the following addresses:

The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408;

Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW., Washington, D.C. 20460;

Environmental Protection Agency, Air Programs Branch, Region V, 230 South Dearborn Street, Chicago, Illinois 60604;

Michigan Department of Natural Resources, Air Quality Division, State Secondary Government Complex, General Office Building, 7150 Harris Drive, Lansing, Michigan 48917.

FOR FURTHER INFORMATION CONTACT:

Toni Lesser at (312) 886-6037.

SUPPLEMENTARY INFORMATION: On April 25, 1982, the State of Michigan submitted to EPA: Consent Order APC No. 02-1980 for the Hayes-Albion Corporation, along with alterations to Section 5(D) of the Consent Order; and Permits 341-79 and 375-79 for the American Colloid Plant, as revisions to the Michigan SIP. On June 18, 1982, the State of Michigan submitted a Fugitive Dust Control Plan and a Malfunction Abatement Plan for major air cleaning devices at Hayes-Albion as part of its SIP revision. These plans contain specific measures for reducing total suspended particulate (TSP) emissions. The Hayes-Albion foundry is located in Calhoun County. A one-square-mile area of Calhoun County on the west side of Albion City, around Hayes-Albion (Calhoun County, R4W, T2S, Section 34), has been designated as nonattainment for the primary TSP standards.

On October 25, 1982, (47 FR 47245), EPA announced the availability of this revision and its approval. The reader is referred to 47 FR 47245 for further information about the revision. In the approval notice of October 25, 1982, EPA advised the public that it was deferring the effective date of its approval for 60 days, until December 27, 1982, to provide an opportunity for the public to submit comments on the revision. EPA also announced that, if within 30 days of the publication of the notice of approval we received notice that someone wanted to submit an adverse or critical comment, we would withdraw the approval and begin a new rule by proposing action and establishing a 30-day comment period.

EPA has received notice that a member of the public wants to submit an adverse or critical comment on the revision pertaining to the Hayes-Albion Corporation. Therefore, in accordance with the procedure described above, EPA is today withdrawing its October 25, 1982 approval of Consent Order APC No. 02-1980 for the Hayes-Albion Corporation and Permits 341-79 and 375-79 for the American Colloid Plant. Elsewhere in today's *Federal Register*, EPA is reproposing to approve Consent

Order APC No. 02-1980, for the Hayes-Albion Corporation and Permits 341-79 and 375-79 for the American Colloid Plant as revisions to the Michigan SIP and establishing a 30-day comment period on its proposed approval.

EPA is withdrawing this action without providing prior notice or opportunity to comment. EPA finds that it has good cause within the meaning of 5 U.S.C. 553(b) to proceed without notice and comment. Notice and comment would be impracticable because EPA needs to withdraw its approval as quickly as possible in order to consider the comments which members of the public want to submit. Moreover, further notice is not necessary because EPA has already informed the public that it would follow this procedure if it received a request for an opportunity to comment. (See 46 FR 41051 and 46 FR 44477.) For the same reason, EPA finds it has good cause under 5 U.S.C. 553(b) to make this withdrawal immediately effective.

Under Executive Order 12291, today's action is not "Major." The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

This notice is issued under authority of sections 110 and 172 of the Clean Air Act, as amended (42 U.S.C. 7410 and 7502).

Dated: February 25, 1983.

Anne M. Burford,
Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Michigan was approved by the Director of the Federal Register on July 1, 1982.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Subpart X—Michigan

§ 52.1170 [Amended]

1. Section 52.1170 is amended by removing paragraph (c)(60).

[FR Doc. 83-5800 Filed 3-7-83 8:45 am
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40 CFR Part 180

[PP OF 2338/R 514; PH-FRL 2286-4]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Alachlor

Correction

In FR Doc 83-2991, beginning on page 5920 in the issue of Wednesday, February 9, 1983, in the middle column, five lines from the end of the paragraph, insert the word "no" between the words "with" and "NOEL".

BILLING CODE 1505-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 6361

[M 41528]

Montana; Revocation of Stock Driveway Withdrawal No. 142, Montana No. 6

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order revokes a Secretarial order which withdrew public lands for use as a stock driveway. This action will restore 158.24 acres to operation of the public land laws generally.

EFFECTIVE DATE: April 13, 1983.

FOR FURTHER INFORMATION CONTACT: Roland F. Lee, Montana State Office, 406-657-6291.

SUPPLEMENTARY INFORMATION:

By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Secretarial Order dated August 12, 1940, which withdrew the following described lands for a stock driveway is hereby revoked:

Principal Meridian

T. 14 S., R. 6 W.,
sec. 30, lots 3, 4 and E½SW¼.

The area described contains 158.24 acres in Beaverhead County.

2. At 8 a.m. on April 13 1983, the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 8 a.m. on April 13, 1983, shall be considered as