

and (2) RNAV (GPS) Runway 25, original. New Class E controlled airspace extending upward from 700 feet and 1,200 feet above the surface in the Teller Airport area is established by this action. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No public comments have been received; thus the rule is adopted as proposed.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 of FAA Order 7400.9M, *Airspace Designations and Reporting Points*, dated September 2, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Rule

This revision to 14 CFR part 71 establishes Class E airspace at Teller, Alaska. This additional Class E airspace was created to accommodate aircraft executing two new SIAPs and will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide adequate controlled airspace for IFR operations at Teller Airport, Teller, Alaska.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9L, *Airspace Designations and Reporting Points*, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

* * * * *

Paragraph 6005 Class E airspace extending upward from 700 feet or more above the surface of the earth.

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AAL AK E5 Teller, AK [New]

Teller Airport, AK
(Lat. 65°14'25" N., long. 166°20'22" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Teller Airport and that airspace extending upward from 1,200 feet above the surface within a 30-mile radius of 65°14'35" N, 165°53'16" W, excluding the Nome Class E airspace and that airspace designated for federal airways.

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Issued in Anchorage, AK, on September 20, 2004.

Anthony M. Wylie,

Acting Manager, Air Traffic Division, Alaskan Region.

[FR Doc. 04–21742 Filed 9–27–04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA–2003–13850; Airspace Docket No. 02–AEA–19]

RIN 2120–AA66

Establishment of Restricted Areas 5802C, D, and E; Fort Indiantown Gap, PA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects a final rule published in the **Federal Register** on August 5, 2004. In that rule, the legal descriptions for Restricted Area 5802C, 5802D, and 5802E (R–5802C, R–5802D,

and R–5802E) contained an inadvertent error in the time of designation. This action corrects that error.

DATES: *Effective Date:* 0901 UTC, September 30, 2004.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Airspace and Rules, Office of System Operations and Safety, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION: On August 5, 2004, Airspace Docket No. 02–AEA–19 (69 FR 47358) was published in the **Federal Register** establishing R–5802C, R–5802D, and R–5802E, at Fort Indiantown Gap, PA (69 FR 47358). The descriptions for R–5802C, D, and E contained an inadvertent error in the time of designation. The time of designation for the period “February 15 through May 10 and September 1 through December 15” was incorrectly listed in the rule as “0800–2400 local time.” The correct time for that period should have read “0800–2300 local time.” All other time periods listed in the rule are correct.

Correction to Final Rule

■ Accordingly, pursuant to the authority delegated to me, the legal descriptions for R–5802C, R–5802D, and R–5802E as published in the **Federal Register** on August 5, 2004 (69 FR 47358), are corrected as follows:

§ 73.58 [Corrected]

■ On page 47360, correct the time of designation in the legal descriptions for R–5802C, R–5802D, and R–5802E as follows:

* * * * *

R–5802C Fort Indiantown Gap, PA [Corrected]

By removing the published time of designation and substituting the following: Time of designation. February 15 through May 10 and September 1 through December 15, 0800–2300 local time on Saturdays and 0800–1200 local time on Sundays; May 11 through August 31, 0800–2400 local time on Saturdays and 0800–2000 local time on all other days; other times by NOTAM issued at least 48 hours in advance.

R–5802D Fort Indiantown Gap, PA [Corrected]

By removing the published time of designation and substituting the following: Time of designation. February 15 through May 10 and September 1 through December 15, 0800–2300 local time on Saturdays and 0800–1200 local time on Sundays; May 11 through August 31, 0800–2400 local time on Saturdays and 0800–2000 local time on all other days; other times by NOTAM issued at least 48 hours in advance.

R-5802E Fort Indiantown Gap, PA
[Corrected]

By removing the published time of designation and substituting the following: Time of designation, February 15 through May 10 and September 1 through December 15, 0800–2300 local time on Saturdays and 0800–1200 local time on Sundays; May 11 through August 31, 0800–2400 local time on Saturdays and 0800–2000 local time on all other days; other times by NOTAM issued at least 48 hours in advance.

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Issued in Washington, DC, on September 22, 2004.

Reginald C. Matthews,
Manager, Airspace and Rules.

[FR Doc. 04–21739 Filed 9–27–04; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL–7817–9]

Connecticut: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Today's action finalizes EPA's decision to grant authorization to the State of Connecticut for certain revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The revisions consist of State regulations which update the State's program to meet Federal requirements through January 1, 2001. The revisions cover the EPA RCRA Clusters Non-HSWA VI, HSWA I, HSWA II, and RCRA I through XI, and include such important rules as Corrective Action, land disposal restrictions, toxicity characteristic amendments, burning hazardous waste in boilers and industrial furnaces, recycled used oil, universal wastes, and the expanded RCRA public participation rule. EPA is granting final authorization to Connecticut for these revisions to its hazardous waste program. EPA has determined that these State regulations meet the requirements for authorization as set forth in the RCRA statute and EPA's regulations.

DATES: The approval of Connecticut's program revisions are effective without further notice as of September 28, 2004.

ADDRESSES: Dockets which relate to today's final rule that contain copies of the State of Connecticut's revision

application and the materials which support the basis for EPA's authorization decision are available at the following two locations: (i) Connecticut Department of Environmental Protection, Bureau of Waste Management, Waste Engineering and Enforcement Division, 79 Elm Street—4th floor, Hartford, CT 06106–5127, business hours Monday through Friday 9 a.m. to 4 p.m., tel: (860) 424–3023; and (ii) EPA Region I Library, One Congress Street—11th Floor, Boston, MA 02114–2023, business hours Monday through Thursday 10 a.m.–3 p.m., tel: (617) 918–1990. Records in these dockets are available for inspection and copying during normal business hours.

FOR FURTHER INFORMATION CONTACT:

Robin Biscaia, Hazardous Waste Unit, EPA Region I, One Congress St., Suite 1100 (CHW), Boston, MA 02114–2023, tel: (617) 918–1642, e-mail: biscaia.robin@epa.gov.

SUPPLEMENTARY INFORMATION:

A. Why Are Revisions to State Programs Necessary?

States with final authorization under section 3006(b) of RCRA, 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. As the Federal hazardous waste program changes, the States must revise their programs and apply for authorization of the revisions. Revisions to State hazardous waste programs may be necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, States must revise their programs because of changes to EPA's regulations in 40 Code of Federal Regulations (CFR) parts 124, 260 through 266, 268, 270, 273 and 279.

B. What Has Connecticut Previously Been Authorized for Under RCRA?

The State of Connecticut received Final Authorization on December 17, 1990, effective December 31, 1990 (55 FR 51707), to implement its base hazardous waste management program. This previously authorized program generally tracks Federal hazardous waste requirements through July 1, 1989.

C. What Were the Comments and Responses to EPA's Proposal?

EPA proposed to authorize the revisions to the Connecticut program at 69 FR 40568 (July 6, 2004). EPA received written comments from two

commenters during the public comment period on EPA's proposed rule. Today's action responds to those comments and publishes EPA's final determination granting Connecticut final authorization for its program revisions. EPA would like to thank the commenters for their interest in this action. The issues raised by the commenters are summarized and responded to below. For the reasons explained below, EPA was not persuaded by the comments to reconsider the authorization of this Connecticut RCRA program update.

1. Comments From Klancko & Klancko of Woodbridge, Connecticut

This commenter submitted comments opposing EPA's proposed action. The commenter has concerns relating to the way the Connecticut Department of Environmental Protection (CTDEP) implements its hazardous waste program, as summarized below:

Comment #1: The commenter opposes the State spending resources to create its own regulations, but, rather, suggests the money would be better spent by the State adopting and enforcing the existing Federal hazardous waste regulations. The commenter suggests that having State requirements that differ from Federal ones may cause confusion among the regulated community.

EPA's Response: The Resource and Recovery Act (RCRA) mandates that in order for State hazardous waste programs to be authorized, they must be equivalent, consistent and no less stringent than the Federal program. There is nothing under this authority that prohibits a State from enacting laws or adopting regulations that are more stringent than the Federal hazardous waste program. Under State and Federal law, it is a State's prerogative to do so. This flexibility allows States to adapt programs to address specific needs or concerns in a given State which may result in more stringent requirements. The rules relating to this authorization have been subject to Connecticut's public notice and rulemaking procedures which gave fair notice regarding what the State regulations require. Raising State issues to EPA only after a State has adopted its rules at the State level is unfair to the State. This Federal authorization action is not the appropriate forum for this comment.

Comment #2: Relating to CTDEP's approach to compliance, the commenter believes there is more emphasis on using enforcement to achieve compliance rather than outreach and education which would foster improved, longer lasting compliance,