

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 271**

[EPA–R06–RCRA–2018–0506; FRL–10019–76–Region 6]

**Texas: Final Authorization of State Hazardous Waste Management Program Revision****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

**SUMMARY:** On November 5, 2020, the Environmental Protection Agency (EPA) published a Proposed Rule to approve a revision to the State of Texas hazardous waste program under the Resource Conservation and Recovery Act (RCRA) and provided for a thirty-day public comment period. The public comment period closed on December 7, 2020, and EPA did not receive adverse comments. EPA confirms that the program revisions to the State of Texas hazardous waste program satisfy all requirements needed to qualify for final authorization. No further opportunity for comment will be provided.

**DATES:** This final authorization is effective March 5, 2021.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA–R06–RCRA–2018–0506. All documents in the docket are listed on the <http://www.regulations.gov> website. Although listed in the index, some of the information is not publicly available. *e.g.*, Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy form. Publicly available docket materials are available electronically through <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Alima Patterson, EPA Region 6 Regional Authorization/Codification Coordinator, RCRA Permits & Solid Waste Section (LCR–RP), Land, Chemicals and Redevelopment Division, EPA Region 6, 1201 Elm Street, Suite 500, Dallas, Texas 75270, phone number: (214) 665–8533, email address: [patterson.alima@epa.gov](mailto:patterson.alima@epa.gov). Out of an abundance of caution for members of the public and our staff, the EPA Region 6 office will be closed to the public to reduce the risk of transmitting COVID–19. Please call or email the contact listed above if you need alternative access to material indexed but not provided in the docket.

**SUPPLEMENTARY INFORMATION:****A. What changes to Texas' hazardous waste program is EPA authorizing with this action?**

On December 5, 2018, the State of Texas submitted a final complete program revision application seeking authorization of its program revision in accordance with 40 CFR 271.21. EPA is finalizing its decision that Texas' hazardous waste program revisions satisfy all the requirements necessary to qualify for final authorization. EPA will continue to implement and enforce Hazardous and Solid Waste Amendments of 1984 (HSWA) provisions for which the State is not authorized. For a complete list of rules that become effective with this Final Rule, please see the Proposed Rule published in the November 5, 2020, **Federal Register** at 85 FR 70558.

**B. What is codification and is the EPA codifying Texas' hazardous waste program as authorized in this rule?**

Codification is the process of placing the State's statutes and regulations that comprise the State's authorized hazardous waste program into the Code of Federal Regulations (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 SS for this authorization of Texas' program changes until a later date. In this authorization application, the EPA is not codifying the rules documented in the Proposed Rule published in the November 5, 2020, **Federal Register** at 85 FR 70558.

**C. Administrative Requirements**

This final authorization revises Texas' authorized hazardous waste management program pursuant to RCRA section 3006 and imposes no requirements other than those currently imposed by State law. For further information on how this authorization complies with applicable Executive Orders and statutory provisions, please see the Proposed Rule published in the November 5, 2020, **Federal Register** at 85 FR 70558. The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this document and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller

General of the United States prior to publication in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2). This final action is effective March 5, 2021.

**List of Subjects in 40 CFR Part 271**

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

**Authority:** This action is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: February 24, 2021.

**David Gray,***Acting Regional Administrator, Region 6.*

[FR Doc. 2021–04353 Filed 3–4–21; 8:45 am]

**BILLING CODE 6560–50–P****DEPARTMENT OF TRANSPORTATION****Pipeline and Hazardous Materials Safety Administration****49 CFR Parts 191 and 192**

[Docket No. PHMSA–2018–0046]

**RIN 2137–AF36****Pipeline Safety: Gas Pipeline Regulatory Reform**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

**ACTION:** Final rule; withdrawal of enforcement discretion; delay of effective date.

**SUMMARY:** In accordance with the memorandum of January 20, 2021, from the Assistant to the President and Chief of Staff, titled "Regulatory Freeze Pending Review," PHMSA delays the effective date of the final rule, "Pipeline Safety: Gas Pipeline Regulatory Reform," until March 21, 2021. PHMSA also delays until March 21, 2021, its withdrawal of the March 26, 2019, "Exercise of Enforcement Discretion Regarding Farm Taps" and the unpublished October 27, 2015, letter to the Interstate Natural Gas Association of America announcing a stay of enforcement pertaining to certain pressure vessels.

**DATES:**

*Delayed effective date:* As of March 5, 2021, the effective date of the final rule

amending 49 CFR parts 191 and 192 published at 86 FR 2210 on January 11, 2021, is delayed to March 21, 2021.

*Incorporation by reference date:* The incorporation by reference of certain publications listed in the final rule published at 86 FR 2210 on January 11, 2021, is delayed to March 21, 2021.

*Enforcement discretion withdrawal date:* The document published at 84 FR 11253 on March 26, 2019, is withdrawn as of March 21, 2021.

**FOR FURTHER INFORMATION CONTACT:**

Sayler Palabrica, Transportation Specialist, by telephone at 202–366–0559. Office hours are from 8:00 a.m. to 4:30 p.m. ET, Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access and Filing**

A copy of the notice of proposed rulemaking (NPRM) (85 FR 35240, June 9, 2020), all comments received, the final rule, and all background material may be viewed online at <http://www.regulations.gov> using the docket number listed above. A copy of this document will be placed in the docket. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at <http://www.ofr.gov> and the Government Publishing Office's website at <http://www.gpo.gov>.

**Background**

On January 20, 2021, the Assistant to the President and Chief of Staff issued a memorandum titled, "Regulatory Freeze Pending Review." The memorandum requested that the heads of executive departments and agencies (agencies) take steps to ensure that the President's appointees or designees have the opportunity to review any new or pending rules. With respect to rules published in the **Federal Register**, but not yet effective, the memorandum asked that agencies consider postponing the rules' effective dates for 60 days from the date of the memorandum (*i.e.*, until March 21, 2021) for the purpose of reviewing any questions of fact, law, and policy the rules may raise.

In accordance with this direction, PHMSA has decided to delay the effective date of the final rule, Pipeline Safety: Gas Pipeline Regulatory Reform (RIN 2137–AF36), until March 21, 2021. PHMSA likewise delays the withdrawal of the March 26, 2019, "Exercise of Enforcement Discretion Regarding Farm Taps" (84 FR 11253) and the unpublished October 27, 2015, letter to

the Interstate Natural Gas Association of America announcing a stay of enforcement pertaining to certain pressure vessels, each of which are available in the docket for the final rule. The final rule amends part 191 and 192 to reduce regulatory burdens on operators on the construction, maintenance, and operation of gas transmission, gas distribution, and gas gathering pipeline systems. The amendments include changes to requirements for distribution integrity management, reporting, corrosion control, design, welding, and testing. The delay in the final rule's effective date will afford the President's appointees or designees an opportunity to review the final rule and will allow for consideration of any questions of fact, law, or policy that the final rule may raise before it becomes effective.

**Waiver of Rulemaking and Delayed Effective Date**

Under the Administrative Procedure Act (APA) (5 U.S.C. 553), PHMSA generally offers interested parties the opportunity to comment on proposed regulations and publish final rules not less than 30 days before their effective dates. However, the APA provides that an agency is not required to conduct notice-and-comment rulemaking and may delay effective dates when the agency, for good cause, finds that each requirement is impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 553(b)(B) and (d)(3)). There is good cause to waive both of these requirements here as they are impracticable. A delay in the effective date of the final rule, "Pipeline Safety: Gas Pipeline Regulatory Reform", is necessary for the President's appointees and designees to have adequate time to review the rule before it takes effect, and neither the notice and comment process nor the delayed effective date could be implemented in time to allow for this review.

**List of Subjects**

*49 CFR Part 191*

Gas gathering, Integrity management, Pipeline reporting requirements, Pipeline safety.

*49 CFR Part 192*

Fire prevention, Incorporation by reference, Pipeline safety, Security measures.

Issued in Washington, DC, on March 1, 2021, under authority delegated in 49 CFR 1.97.

**Tristan H. Brown,**

*Acting Administrator.*

[FR Doc. 2021–04572 Filed 3–4–21; 8:45 am]

**BILLING CODE 4910–60–P**

**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**49 CFR Part 192**

[Docket No. PHMSA–2018–0046; Amdt. No. 192–28]

**RIN 2137–AF36**

**Pipeline Safety: Gas Pipeline Regulatory Reform; Correction**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

**ACTION:** Final rule; correction.

**SUMMARY:** PHMSA is correcting its Gas Pipeline Regulatory Reform final rule that published in the **Federal Register** on January 11, 2021. The rule makes miscellaneous changes to the regulatory requirements for gas pipeline systems.

**DATES:** This correction is effective March 21, 2021.

**FOR FURTHER INFORMATION CONTACT:** Sayler Palabrica, Transportation Specialist, by telephone at 202–366–0559.

**SUPPLEMENTARY INFORMATION:** PHMSA is correcting its Gas Pipeline Regulatory Reform final rule that published in the **Federal Register** on January 11, 2021 (86 FR 2210). PHMSA is correcting the amendatory instructions to 49 CFR 192.281 and appendix B to part 192. PHMSA is also correcting the new regulatory text at § 192.507(d) to remove the word "hydrostatic," consistent with the unanimous recommendation of the Gas Pipeline Advisory Committee and the stated intent in the preamble of the final rule.<sup>1</sup>

**List of Subjects in 49 CFR Part 192**

Fire prevention, Incorporation by reference, Pipeline safety, Security measures.

**Corrections**

In FR Doc. 2021–00208 that appears on page 2210 of the **Federal Register** on Monday, January 11, 2021, the following corrections are made:

<sup>1</sup> See 86 FR 2210 at page 2234.