UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

NOV 03 2008

John E. Brenon
Plant Manager
Occidental Chemical Corporation
6200 S. Ridge Rd.
Wichita, Kansas 67215

Dear Mr. Brenon:

Enclosed is a copy of the Environmental Protection Agency's Notice of Final Decision approving Occidental's Petition to renew an exemption from the Land Disposal Restrictions (LDR) to the Hazardous Waste and Solid Waste Amendments to the Resource Conservation and Recovery Act. This final decision allows underground injection of the specific restricted hazardous waste identified in Occidental's Petition to renew the existing LDR exemption for well numbers 3, 4, 7, 8, and 9 located at Occidental's chemical manufacturing facility near Wichita, Kansas. We are also furnishing you with a copy of EPA's Public Comment Responsiveness Summary and Decision Summary. This LDR exemption remains in affect for as long as the basis for granting this exemption remains valid under provisions of Title 40 Code of Federal Regulations part 124 and 148. Because the modeling and projections were based on an operational lifetime project date of December 31, 2020, Occidental will be required to obtain an exemption renewal from EPA on or by the closing date of the operational period. Since the modeling and projections for the Well Number 10 No-Migration Petition, which was approved by EPA on May 2, 2007, were based on the same operational lifetime project date, we recommend that all 6 wells be included in the next LDR exemption renewal request in the year 2020.

Included in this approval is the stipulation that Occidental acquire and continue to maintain approved Underground Injection Control Class I hazardous waste injection permits for these wells from the Kansas Department of Health and Environment. Additionally, all correspondence, as well as the Petition application, must be maintained at the Wichita facility as long as the Petition remains valid. Any future correspondence regarding the Petition must also be maintained as part of the Administrative Record.

If you have any questions regarding this matter or need further clarification,

please feel free to contact J. Patrick Costello at (913) 551-7939 or by email at costello.pat@epa.gov.

Sincerely,

Mary Tietjen-Mindrup

Mary Tietjen-Mindrup
Chief
Drinking Water Management Branch

Enclosures

cc: Mike Cochran
KDHE

Greg Davis
Occidental Chemical Corp.

Ken Cooper
Petrotek

ENVIRONMENTAL PROTECTION AGENCY

[FRL–8743–6]

Underground Injection Control Program; Petition To Renew Exemption From Hazardous Waste Disposal Restrictions to the Resource Conservation and Recovery Act; Class I Hazardous Waste Injection; Occidental Chemical Corporation

AGENCY: Environmental Protection Agency.

ACTION: Notice of final decision on petition.

SUMMARY: Notice is hereby given that renewal of an exemption to the Land Disposal Restrictions under the 1984 Hazardous and Solid Waste Amendments to the Resource Conservation and Recovery Act has been granted to Occidental Chemical Corporation (Occidental) for five Class I hazardous waste injection wells, identified as Well Nos. 3, 4, 7, 8, and 9, and located at Occidental's chemical manufacturing facility near Wichita, Kansas. As required by Code of Federal Regulations (CFR) Part 148, Occidental has satisfactorily demonstrated to the Environmental Protection Agency by petition and supporting documentation that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for as long as the waste remains hazardous, and therefore is protective of underground sources of drinking water. This time period is defined by 40 CFR 148.20 as 10,000 years. The final decision allows the underground injection by Occidental of the specific restricted hazardous waste, identified in the Petition, into Well Numbers 3, 4, 7, 8, and 9 for as long as the basis for granting approval of the petition remains valid, under provisions of 40 CFR 148.24. For the purpose of the required demonstration of no-migration of hazardous waste out of the injection zone over a 10,000 year period, modeling and projections were based on an operational lifetime projection date of December 31, 2020. Therefore, on or by the closing date of the aforementioned operational period, the operator will be required to obtain another exemption re-issuance from EPA. Included in this approval is the stipulation that Occidental acquires and continues to maintain approved Class I hazardous waste injection well permits from the Kansas Department of Health and Environment. As required by 40 CFR 124.10, a public notice was issued on July 21, 2008. In addition to having solicited written comments regarding the Agency's proposed approval, EPA also announced that a formal public hearing would be held if there was a significant degree of public interest, but no interest was expressed, hence no formal public hearing was conducted. The public comment period ended on September 3, 2008. All comments have been addressed and considered in the final decision. This decision constitutes final Agency action and there is no administrative appeal process that can be applied to a final petition decision.

DATES: *Effective Date:* This action is effective as of October 24, 2008.

ADDRESSES: Copies of the petition and all pertinent information relating thereto, including the Agency's response to comments, are on file at the following location: Environmental Protection Agency, Region 7, Regional Records Center, 901 N. 5th St., Kansas City, Kansas 66101.

FOR FURTHER INFORMATION CONTACT: Mary T. Mindrup, Chief, Drinking Water Management Branch, Environmental Protection Agency, Region 7. Telephone (913) 551–7431, or e-mail to *mindrup.mary@epa.gov*.

Dated: October 24, 2008.

John B. Askew,

Regional Administrator, Region 7.

[FR Doc. E8–27734 Filed 11–21–08; 8:45 am]

BILLING CODE 6560–50–M

FEDERAL ACCOUNTING STANDARDS ADVISORY BOARD

Notice of Draft Staff Implementation Guidance, Fiduciary Activities Q&As

Board Action: Pursuant to the Federal Advisory Committee Act (Pub. L. No. 92–463), as amended, and the FASAB Rules of Procedure, as amended in October, 1999, notice is hereby given that the Federal Accounting Standards Advisory Board (FASAB) has issued draft staff implementation guidance, Fiduciary Activities Q&As. The proposed staff implementation guidance would assist agencies in implementing Statement of Federal Financial Accounting Standards 31, Accounting for Fiduciary Activities. The proposed staff implementation guidance is available on the FASAB home page *http://www.fasab.gov/exposure.html*. Copies can be obtained by contacting FASAB at (202) 512–7350. Respondents are encouraged to comment on any part of the proposal.

Written comments are requested by December 3, 2008, and should be sent via e-mail to *fasab@fasab.gov* or in hard copy to: Wendy M. Payne, Executive Director, Federal Accounting Standards Advisory Board, 441 G Street, NW., Suite 6814, Mail Stop 6K17V, Washington, DC 20548.

FOR FURTHER INFORMATION, CONTACT: Wendy Payne, Executive Director, FASAB, 441 G Street, NW., Washington, DC 20548, or call (202) 512–7350.

Authority: Federal Advisory Committee Act, Public Law No. 92463.

Dated: November 18, 2008.

Charles Jackson,

Federal Register Liaison Officer.

[FR Doc. E8–27669 Filed 11–21–08; 8:45 am]

BILLING CODE 1610–01–M

FEDERAL ACCOUNTING STANDARDS ADVISORY BOARD

Notice of Release of Exposure Draft on Social Insurance

Board Action: Pursuant to 31 U.S.C. 3511(d), the Federal Advisory Committee Act (Pub. L. No. 92–463), as amended, and the FASAB Rules of Procedure, as amended in April, 2004, notice is hereby given that the Federal Accounting Standards Advisory Board (FASAB) has released the Exposure Draft on Social Insurance.

The Social Insurance Exposure Draft is available on the FASAB home page *http://www.fasab.gov/exposure.html*. Copies can be obtained by contacting FASAB at (202) 512–7350. Respondents are encouraged to comment on any part of the exposure draft. Written comments are requested by February 9, 2009, and should be sent to:

Wendy M. Payne, Executive Director, Federal Accounting Standards Advisory Board, 441 G Street, NW., Suite 6814, Mail Stop 6K17V, Washington, DC 20548.

Any interested person may attend the meetings as an observer. Board discussion and reviews are open to the public. GAO Building Security requires advance notice of your attendance. Please notify FASAB of your planned attendance by calling 202–512–7350 at least one day prior to the respective meeting.

FOR FURTHER INFORMATION CONTACT: Wendy Payne, Executive Director, 441 G Street, NW., Washington, DC 20548, or call (202) 512–7350.

Authority: Federal Advisory Committee Act, Pub. L. No. 92–463.

Dated: November 18, 2008.

Charles Jackson,

Federal Register Liaison Officer.

[FR Doc. E8–27747 Filed 11–21–08; 8:45 am]

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