

2. Section 180.1(h) is amended by revising the specific commodities

definition for "Onions (dry bulbs only)" to read as follows:

**§ 180.1 Definitions and Interpretations.**

\* \* \* \* \*  
\* \* \* \* \*  
(h) \* \* \*

A	B
Onions (dry bulbs only) .....	Garlic, onions (dry bulbs only), shallots (dry bulbs only)

[FR Doc. 93-29832 Filed 12-7-93; 8:45 am]  
BILLING CODE 6560-60-F

**40 CFR Part 228**

[FRL-4807-9]

**Ocean Dumping; Designation of Site**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The EPA today revises the boundary coordinates for the Matagorda Ship Channel, Texas ocean dredged material disposal site. This action is necessary because most of the existing designated site has water depths too shallow to accommodate deep draft hopper dredges. The Corps of Engineers (COE) plans to utilize a hopper dredge requiring a 30 foot water depth and much of the existing disposal site is approximately 25 feet deep.

**EFFECTIVE DATE:** This designation shall become effective January 7, 1994.

**ADDRESSES:** Richard Hoppers, Chief, Water Quality Management Branch (6W-Q), EPA, 1445 Ross Avenue, Dallas, Texas 75202-2733.

Information supporting this designation is available for public inspection at the following locations: EPA, Region 6, 1445 Ross Avenue, 9th Floor, Dallas, Texas 75202-2733. Corps of Engineers, Galveston District, 2000 Fort Point Road, Galveston, Texas 77553.

**FOR FURTHER INFORMATION CONTACT:** Richard Hoppers 214/655-7135.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Title I of the Marine Protection, Research, and Sanctuaries Act, 33 U.S.C. 1401 *et seq.*, (hereinafter referred to as "the Act" or "the MPRSA") regulates the ocean dumping and transportation for purposes of ocean dumping of material. With few exceptions, the MPRSA prohibits the

transportation of material from the United States for the purpose of ocean dumping except as may be authorized by a permit issued under the MPRSA. The EPA's regulations implementing the Act are set forth at 40 CFR parts 220 through 229.

The Act further provides that EPA may designate recommended times and sites for ocean dumping (MPRSA section 102(c)). EPA site designations specify the latitude and longitude of the site and also typically include limitations on the duration of use and type of materials which may be disposed of at the site. EPA's ocean dumping regulations (40 CFR 228.4(b)) provide that the designation of an ocean dumping site is accomplished by promulgation in part 228 specifying the site. The list of EPA-designated ocean dumping sites and the terms and conditions associated with each designated site appear at 40 CFR 228.12.

By final rule published on September 10, 1990, the EPA designated a dredged material disposal site in the Gulf of Mexico offshore of Port O'Connor, Texas for the continued disposal of dredged material removed from the Matagorda Ship Channel. The existing designated disposal site has never been used. The COE has now requested the EPA to modify the existing site boundaries to include more area with deeper depths (30 feet or greater) so that hopper dredges with deeper drafts could be utilized. For this reason the COE has asked that the site be shifted 3,00 feet seaward.

**B. EIS Information**

The EPA's Draft and Final Environmental Impact Statements (EIS) supporting designation of the existing site were distributed for public review in July, 1989 and July, 1990, respectively. The EIS alternative evaluation focused on sites located within ten statute miles of the project area, termed Zone of Siting Feasibility (ZSF). The ZSF was based on limits from: (1) The cost of transportation of dredged material; (2) the feasibility of monitoring and surveillance; and (3)

political boundaries. Specific areas within the ZSF were excluded from consideration for such reasons as interference with biologically sensitive areas, recreationally important areas, jetty buffer or beach buffer zones, the presence of historic properties, etc. The modified disposal site lying 3,000 feet seaward of the existing disposal site is within the ZSF, an area thoroughly addressed in the EISs. The modified site will not encompass any of the ZSF excluded areas.

Five general criteria (§ 228.5) and eleven specific criteria (§ 228.6), which are used in the selection, evaluation and approval of an ocean disposal site, were addressed in the EISs for the existing site. The EIS criteria analysis is also applicable to the modified site. The impacts of disposal at the existing site are the same as those at the modified site. The dredged material proposed for disposal is clean material and meets the ocean dumping criteria. The only change necessary relates to the geographical position of the modified site. This site is approximately one half mile farther offshore. Instead of being 1.5 miles from the coast, the modified site is located about 2 miles from beaches and other amenity areas. Additional modification of the environmental evaluation is not appropriate or required.

**C. Site Designation**

The site is located approximately 2 miles from the coast at its closest point. While the water depth at the modified site ranges from 25 to 40 feet, most of the site has depths 30 feet or greater. The coordinates of the rectangular-shaped site are as follows: 28°23'48" N, 96°18'00" W; 28°23'21" N, 96°18'31" W; 28°22'43" N, 96°17'52" W; 28°23'11" N, 96°17'22" W.

**D. Regulatory Assessments**

Under the Regulatory Flexibility Act, the EPA is required to perform a Regulatory Flexibility Analysis for all rules which may have a significant impact on a substantial number of small entities. The EPA has determined that

this action will not have a significant impact on small entities since the site designation will only have the effect of providing a disposal option for dredged material. Consequently, this rule does not necessitate preparation of a Regulatory Flexibility Analysis.

Under Executive Order 12866, the EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This action will not result in an annual effect on the economy of \$100 million or more or cause any of the other effects which would result in its being classified by the Executive Order as a "major" rule. Consequently, this rule does not necessitate preparation of a Regulatory Impact Analysis.

This Final Rule does not contain any information collection requirements subject to the Office of Management and Budget review under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.*

#### List of Subjects in 40 CFR Part 228

Environmental protection, Water pollution control.

Dated: November 12, 1993.

Barbara J. Goetz,

Acting Regional Administrator of Region 6.

40 CFR Part 228 is amended as set forth below.

#### PART 228—[AMENDED]

1. The authority citation for part 228 continues to read as follows:

Authority: 33 U.S.C. 1412 and 1418.

2. In § 228.12, paragraph (b) (79) is amended by revising the "Location" discussion to read as follows:

§ 228.12 Delegation of management authority for ocean dumping sites.

\* \* \* \* \*

(b) \* \* \*

(79) \* \* \*

Location: 28°23'48" N, 96°18'00" W;  
28°23'21" N, 96°18'31" W; 28°22'43" N,  
96°17'52" W; 28°23'11" N, 96°17'22" W.

\* \* \* \* \*

[FR Doc. 93-29891 Filed 12-7-93; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### 43 CFR Public Land Order 7012

[AZ-930-4210-06; AZA-28027]

#### Partial Revocation of Secretarial Order Dated November 18, 1907; Arizona

AGENCY: Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order revokes a Secretarial Order insofar as it affects 30 acres of National Forest System land withdrawn for use as an administrative site. The land is no longer needed for this purpose, and the revocation is needed to accommodate a proposed land exchange under the General Exchange Act of 1922. This action will open the land to such forms of disposition as may by law be made of National Forest System land. The land is temporarily closed to mining by a Forest Service exchange proposal. The land has been and will remain open to mineral leasing.

**EFFECTIVE DATE:** January 7, 1994.

#### FOR FURTHER INFORMATION CONTACT:

John Mezes, BLM Arizona State Office, P.O. Box 16563, Phoenix, Arizona 85011, 602-650-0509.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Secretarial Order dated November 18, 1907, which withdrew National Forest System land for use as an administrative site, is hereby revoked insofar as it affects the following described land:

Gila and Salt River Meridian

Apache National Forest

T. 7 N., R. 27 E.,

Sec. 12, E½NE¼NW¼, and  
NW¼NE¼NW¼.

The area described contains 30 acres in Apache County.

2. At 10 a.m. on January 7, 1994, the land shall be opened to such forms of disposition as may by law be made of National Forest System land, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law.

Dated: November 19, 1993.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 93-29874 Filed 12-7-93; 8:45 am]

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#### 43 CFR Public Land Order 7014

[WY-930-4210-06; WYW 71191, WYW 128399]

#### Opening of Land, Under Section 24 of the Federal Power Act, and Partial Revocation, in Secretarial Order Dated July 16, 1934, Which Established Powersite Classification No. 286; Wyoming

AGENCY: Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order opens 40 acres, subject to the provisions of section 24 of the Federal Power Act, and revokes 22.60 acres of a Secretarial order involving National Forest System lands, which established the Bureau of Land Management's Powersite Classification No. 286. The order will allow future land exchanges of Forest Service administered lands. The lands have been and continue to be open to mineral leasing, and under the provisions of the Mining Claims Rights Restoration Act of 1955, to mining.

**EFFECTIVE DATE:** December 8, 1993.

#### FOR FURTHER INFORMATION CONTACT:

Duane Feick, BLM Wyoming State Office, P.O. Box 1828, Cheyenne, Wyoming 82003, 307-775-6127.

By virtue of the authority vested in the Secretary of the Interior by the Act of June 10, 1920, section 24, as amended, 16 U.S.C. 818 (1988); and section 204 of Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), and pursuant to the determination by the Federal Energy Regulatory Commission in DVWY-188, it is ordered as follows:

1. At 9 a.m. on December 8, 1993, the following described National Forest System land withdrawn by Secretarial Order dated July 16, 1934, which established Powersite Classification No. 286, will be opened to disposal by sale or exchange subject to the provisions of section 24 of the Federal Energy Regulatory Commission determination DVWY-188, and subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law:

Sixth Principal Meridian

Bridger-Teton National Forest

T. 40 N., R. 117 W.,

Sec. 15, SE¼SE¼.

The area described contains 40 acres in Teton County.

2. Secretarial Order dated July 16, 1934, which established Powersite