

TABLE 1.—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES—Continued

Facility	Address	Waste description
		<p>(B) If the annual testing of the waste does not meet the delisting requirements in Paragraph 1, Bekaert must report the data, in writing, to the Regional Administrator or his delegate within 10 days of first possessing or being made aware of that data.</p> <p>(C) If Bekaert fails to submit the information described in paragraphs (5), (6)(A) or (6)(B) or if any other information is received from any source, the Regional Administrator or his delegate will make a preliminary determination as to whether the reported information requires Agency action to protect human health or the environment. Further action may include suspending, or revoking the exclusion, or other appropriate response necessary to protect human health and the environment.</p> <p>(D) If the Regional Administrator or his delegate determines that the reported information does require Agency action, the Regional Administrator or his delegate will notify the facility in writing of the actions the Regional Administrator or his delegate believes are necessary to protect human health and the environment. The notice shall include a statement of the proposed action and a statement providing the facility with an opportunity to present information as to why the proposed Agency action is not necessary. The facility shall have 10 days from the date of the Regional Administrator or his delegate's notice to present such information.</p> <p>(E) Following the receipt of information from the facility described in paragraph (6)(D) or (if no information is presented under paragraph (6)(D)) the initial receipt of information described in paragraphs (5), (6)(A) or (6)(B), the Regional Administrator or his delegate will issue a final written determination describing the Agency actions that are necessary to protect human health or the environment. Any required action described in the Regional Administrator or his delegate's determination shall become effective immediately, unless the Regional Administrator or his delegate provides otherwise.</p> <p>(7) Notification Requirements: Bekaert must do the following before transporting the delisted waste. Failure to provide this notification will result in a violation of the delisting petition and a possible revocation of the decision:</p> <p>(A) Provide a one-time written notification to any State Regulatory Agency to which or through which they will transport the delisted waste described above for disposal, 60 days before beginning such activities.</p> <p>(B) Update the one-time written notification if they ship the delisted waste into a different disposal facility.</p>
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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**43 CFR PART 3800**

[WO-300-1990-PB-24 1A]

RIN 1004-AD44

**Mining Claims Under the General Mining Laws; Final Rule; Correction**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Correcting amendment.

**SUMMARY:** This document contains a correction to the regulations for mining claims under the General Mining Laws published in the *Federal Register* on November 21, 2000 (65 FR 69998).

**DATE:** Effective on January 20, 2001.

**FOR FURTHER INFORMATION CONTACT:** You may contact Michael Schwartz on (202) 452-5198. Individuals who use a telecommunications device for the deaf (TDD) may contact Mr. Schwartz through the Federal Information Relay

Service on 1-800-877-8339, 24 hours a day, 7 days a week.

**SUPPLEMENTARY INFORMATION:**

**Need for Correction**

The regulations as published contain a nonexistent cross reference section which may confuse or mislead the public.

In § 3809.202(d), we have a cross reference to a nonexistent § 3809.800(c) which could mislead or confuse the public. Therefore, we are changing the cross reference from § 3809.800(c) to § 3809.802.

**List of Subjects in 43 CFR Part 3800**

Administrative practice and procedure, Environmental protection, Intergovernmental relations, Land Management Bureau, Mines, Public Lands-mineral resources, Reporting and recordkeeping requirements, Surety bonds, Wilderness areas.

Dated: May 21, 2003.

**Rebecca W. Watson,**  
*Assistant Secretary, Land and Minerals Management.*

■ Accordingly, 43 CFR part 3800 is corrected by making the following correcting amendment:

**PART 3800—MINING CLAIMS UNDER THE GENERAL MINING LAWS**

■ 1. The authority citation for part 3800 continues to read as follows:

**Authority:** 5 U.S.C. 552; 16 U.S.C. 1131-1136, 1271-1287, 1901; 25 U.S.C. 463; 30 U.S.C. 21 *et seq.*, 21A, 22 *et seq.*, 36, 621 *et seq.*, 1601; 43 U.S.C. 2, 154, 299, 687b-687b-4, 1068 *et seq.*, 1201, 1701 *et seq.*; 62 Stat. 162.

■ 2. Revise § 3809.202(d) to read as follows:

**§ 3809.202 Under what conditions will BLM defer to State regulation of operations?**

\* \* \* \* \*

(d) Appeal of State Director decision. The BLM State Director's decision will be a final decision of BLM and may be appealed to the Assistant Secretary for Land and Minerals Management, but not to the Department of the Interior Office of Hearings and Appeals. The items you should include in the appeal are the same as the items you must include under § 3809.802.

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