

Texas, but suggested some conditions to be placed on this action.

A complete summary of the comments made on the Texas application, and EPA's response to the comments, may be obtained free of charge by calling or writing the contact listed above.

Decision

EPA has reviewed Texas' complete application for Interim Authorization Phase II, Component C, and has determined that the State program is substantially equivalent to Phase II, Component C, of the Federal program as defined in 40 CFR Part 271, Subpart B, as amended at 47 FR 32373 (July 26, 1982). In accordance with Section 3006(c) of RCRA and implementing regulations, Texas is hereby granted Interim Authorization for Phase II, Component C, to operate the State's hazardous waste program for permitting construction and operation of facilities that dispose of hazardous waste in lieu of the Federal program.

Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. The authorization suspends the applicability of certain Federal regulations in favor of the State program, thereby eliminating duplicative requirements for handlers of hazardous wastes in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

Executive Order 12291

The Office of Management and Budget (OMB) has exempted this rule from the requirements of Section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 271

Hazardous materials, Reporting and recordkeeping requirements, Waste treatment and disposal, Intergovernmental relations, Penalties, Confidential business information.

Authority

This notice is issued under the authority of Secs. 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

Dated: August 9, 1983.

Dick Whittington,
Regional Administrator.

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40 CFR Part 410

[WH-FRL-2427-4]

Textile Mills Point Source Category Effluent Limitations Guidelines, Pretreatment Standards and New Source Performance Standards; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: EPA is correcting errors of omission that appeared in the final regulation for the textile mills point source category. This regulation was published on September 2, 1982 (47 FR 38810). The purpose of this action is to ensure that the final regulation is properly applied in issuing permits applicable to wastewater discharges from the textile industry.

FOR FURTHER INFORMATION CONTACT: Richard E. Williams, Effluent Guidelines Division, (WH-552), Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, or by calling (202) 382-7186.

In 40 CFR Part 410, as published on September 2, 1982 (47 FR 38810), the following corrections are made:

1. On page 38824, column 2, § 410.42, paragraph (e); change: "paragraph (a) of this section * * *" to "paragraphs (a), (b), (c) and (d) of this section * * *".
2. On page 38825, column 1, § 410.43, paragraph (e); change: "paragraph (a) of this section * * *" to "paragraphs (a), (b), (c) and (d) of this section * * *".
3. On page 38826, column 1, § 410.52, paragraph (d); change: "paragraph (a) of this section * * *" to "paragraphs (a), (b), and (c) of this section * * *".
4. On page 38826, column 2, § 410.53, paragraph (d); change: "paragraph (a) of this section" to "paragraphs (a), (b), and (c) of this section * * *".

Dated: August 24, 1983.

Rebecca W. Hanmer,

Acting Assistant Administrator for Water.

[FR Doc. 83-24002 Filed 8-31-83; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 435 and 436

Medicaid Program; Deeming of Income Between Spouses; Categorically Needy

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Final rule with comment period.

SUMMARY: These final regulations revise Medicaid rules for determining the financial eligibility and the level of Medicaid payments for the institutional care of aged, blind, and disabled categorically needy individuals when one spouse is institutionalized and the other spouse is not. In accordance with a United States Supreme Court ruling, we are reinstating the rules that were in effect prior to imposition of lower court orders (now reversed) that required HCFA to change its regulations.

The regulations affect those States that, as permitted by statute, use more restrictive eligibility criteria than those applied nationally under the Supplemental Security Income (SSI) requirements. They also apply in Puerto Rico, Guam, and the Virgin Islands. These reinstated rules permit these jurisdictions, in situations when one spouse is institutionalized, to consider a portion of the income of one spouse as available for the care of his or her institutionalized spouse, whether or not the income is actually contributed to the spouse. This practice is known as "deeming of income."

We are also clarifying a regulation that applies in States that use the SSI eligibility criteria and may apply in States that use more restrictive eligibility criteria. This clarification reflects current SSI policy. It provides that the mutual consideration of income between two spouses who are both eligible for Medicaid as aged, blind, or disabled individuals will cease with the month after the month of separation when this separation is due to the institutionalization of one spouse.

DATES:

Effective date: These regulations are effective on October 3, 1983. However, because of the time required by some of the States and Territories to effect changes to implement the requirements, HCFA will not hold a State or Territory out of compliance with the requirements if it makes the necessary changes by November 30, 1983.

Comment period: Although these regulations are final, we will consider comments on the conforming change that we made to § 435.723(c). This regulation clarifies that, in accordance with SSI policy, the mutual consideration of income of two spouses who are both eligible for Medicaid as aged, blind, or disabled individuals ceases with the month after the month of separation when this separation is caused by the institutionalization of one spouse. To assure consideration,