

July 1, 2009, 75 Oklahoma Statutes (O.S.), Sections 250 *et seq.*  
 (vi) The Oklahoma Administrative Code (OAC), Title 252, Chapter 205, Hazardous Waste Management, effective July 1, 2009: Subchapter 1, Sections 252:205-1-1(b), 252:205-1-3(a) and (b), 252:205-1-4(a)-(d); Subchapter 3, Sections 252:205-3-2(a) introductory paragraph, 252:205-3-2(a)(1) and 252:205-3-2(a)(3); Subchapter 11, Section 252:205-11-3.  
 (3) The following statutory and regulatory provisions are broader in

scope than the Federal program, are not part of the authorized program, and are not incorporated by reference:  
 (i) Oklahoma Hazardous Waste Management Act, as amended, 27A Oklahoma Statutes (O.S.) as amended through July 1, 2009, Sections 2-7-119, 2-7-120, 2-7-121, 2-7-121.1 and 2-7-134.  
 (ii) The Oklahoma Administrative Code (OAC), Title 252, Chapter 205, effective July 1, 2009: Subchapter 1, Sections 252:205-1-1(c)(2) and (3), 252:205-1-2 "RRSIA". 252:205-1-2

"Reuse", 252:205-1-2 "Speculative accumulation", 252:205-1-2 "Transfer facility", 252:205-1-2 "Transfer station", 252:205-1-4(e); Subchapter 5, Section 252:205-5-1(4), Subchapter 15; Subchapter 17; Subchapter 21; Subchapter 23; and 252:205 Appendices B, C and D.  
 (4) *Unauthorized State Amendments.* The State's adoption of the Federal rules listed in the following table is not approved by the EPA and are, therefore, not enforceable:

Federal requirement	Federal Register reference	Publication date
Toxicity Characteristics; Hydrocarbon Recovery Operations .....	55 FR 40834 .....	10/5/90
	56 FR 3978 .....	2/1/91
	56 FR 13406 .....	4/2/91
Toxicity Characteristics; Chlorofluorocarbon Refrigerants .....	56 FR 5910 .....	2/13/91
Administrative Stay for K069 Listing .....	56 FR 19951 .....	5/1/91
Amendments to Interim Status Standards for Downgradient Ground-water Monitoring Well Locations.	56 FR 66365 .....	12/23/91
Removal of Legally Obsolete Rules .....	60 FR 33912 .....	6/29/95
Mineral Processing Secondary Materials Exclusion.—Amendments to 40 CFR .....	63 FR 28556 .....	5/26/98
Methods Innovation: SW-846 .....	70 FR 34538 .....	6/14/05
	70 FR 44150 .....	8/1/05

(5) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region 6 and the State of Oklahoma, signed by the EPA Regional Administrator on March 11, 2011, is referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(6) *Statement of Legal Authority.* "Attorney General's Statement for Final Authorization", signed by the Attorney General of Oklahoma January 20, 1984 and revisions, supplements and addenda to that Statement dated January 14, 1988 (as amended July 20, 1989); December 22, 1988 (as amended June 7, 1989 and August 13, 1990); November 20, 1989; November 16, 1990; November 6, 1992; June 24, 1994; December 8, 1994; March 4, 1996; April 15, 1997; February 6, 1998, December 2, 1998, October 15, 1999, May 31, 2000, October 15, 2001, June 27, 2003, March 1, 2005, July 12, 2005, July 03, 2006, August 25, 2008, and March 26, 2010 are referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(7) *Program Description.* The Program Description and any other materials submitted as supplements thereto are referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

3. Appendix A to Part 272 is amended by revising the listing for "Oklahoma" to read as follows:

**Appendix A to part 272—State Requirements**

\* \* \* \* \*

**Oklahoma**

The statutory provisions include: Oklahoma Hazardous Waste Management Act, as amended, 27A Oklahoma Statute (O.S.) 1997 Edition (unless otherwise specified), Sections 2-7-103 (2008 supplement), 2-7-108(A) (2010 Annual Cumulative Pocket Part), 2-7-108(B)(1) (2010 Annual Cumulative Pocket Part), 2-7-108(B)(3) (2010 Annual Cumulative Pocket Part), 2-7-108(C) (2010 Annual Cumulative Pocket Part), 2-7-110(B), 2-7-110(C), 2-7-111(A), 2-7-111(B), 2-7-111(C)(1), 2-7-111(C)(2)(a), 2-7-111(D), 2-7-111(E), 2-7-112, 2-7-116(B) through 2-7-116(F), 2-7-116(H)(2), 2-7-118, 2-7-124, 2-7-125 (2010 Annual Cumulative Pocket Part), 2-7-127 and 2-10-301(G) (2010 Annual Cumulative Pocket Part), as published by West Publishing Company, 610 Opperman Drive, P.O. Box 64526, St. Paul, Minnesota 55164 0526; Phone: 1-800-328-4880; Web site: <http://west.thomson.com>.

The regulatory provisions include: The Oklahoma Administrative Code (OAC), Title 252, Chapter 205, effective July 1, 2009: Subchapter 1, Sections 252:205-1-1(a), 252:205-1-1(c) introductory paragraph, 252:205-1-1(c)(1), 252:205-1-2 introductory paragraph, 252:205-1-2 "OHWMA", 252:205-1-2 "Post-closure permit", 252:205-1-3(c); Subchapter 3, Sections 252:205-3-1, 252:205-3-2(a)(2), 252:205-3-2(b)-(n), 252:205-3-4, 252:205-3-5 and 252:205-3-6; Subchapter 5, Sections 252:205-5-1 (except

252:205-5-1(4)), 252:205-5-2 through 252:205-5-5; Subchapter 7, Sections 252:205-7-2 and 252:205-7-4 (except the phrase "or in accordance with 252:205-15-1(d)); Subchapter 9, Sections 252:205-9-1 through 252:205-9-4; Subchapter 11, Sections 252:205-11-1(a) (except the word "recycling"), 252:205-11-1(b)-(e) and 252:205-11-2; and Subchapter 13, Sections 252:205-13-1(a)-(e), as published by the State's Office of Administrative Rules, Secretary of State, P.O. Box 53390, Oklahoma City, OK 73152-3390; Phone number: 405-521-4911; Web site: [www.sos.state.ok.us/oar/oar\\_welcome.htm](http://www.sos.state.ok.us/oar/oar_welcome.htm).

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 [FR Doc. 2012-11875 Filed 5-16-12; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**45 CFR Part 153**

[CMS-9975-CN]

**RIN 0938-AR07**

**Patient Protection and Affordable Care Act; Standards Related to Reinsurance, Risk Corridors, and Risk Adjustment; Correction**

**AGENCY:** Department of Health and Human Services.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a technical error that appeared in the final rule with comment period published in the **Federal Register** on March 23, 2012

entitled, "Patient Protection and Affordable Care Act; Standards Related to Reinsurance, Risk Corridors, and Risk Adjustment."

**DATES:** *Effective Date:* This correction is effective on May 22, 2012.

**FOR FURTHER INFORMATION CONTACT:** Jeff Wu at (301) 492-4416. Wakina Scott at (301) 492-4393.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In **Federal Register** Doc. 2012-6594 of March 23, 2012 (77 FR 17220-17252), there was a technical error that is identified and corrected in the "Correction of Error" section below. The provision in this correction document is effective as if it had been included in the document published on March 23, 2012. Accordingly, the correction is effective on May 22, 2012.

**II. Summary of Error**

On page 17248, we inadvertently made an incorrect cross reference in the regulations text at § 153.220(d). We are correcting the cross reference from "§ 153.210(a)(2)(ii)" to read "§ 153.210(a)(2)(iii)" to specify that if a State contracts with more than one applicable reinsurance entity, the State must notify HHS in the manner and timeframe specified by HHS of the percentage of reinsurance contributions received from HHS for the State to be allocated to each applicable reinsurance entity.

**III. Waiver of Proposed Rulemaking**

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). However, we can waive this notice and comment procedure if the Secretary finds, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice.

Section 553(d) of the APA ordinarily requires a 30-day delay in effective date of final rules after the date of their publication in the **Federal Register**. This 30-day delay in effective date can be waived, however, if an agency finds there is good cause to do so, and the agency incorporates a statement of the findings and its reasons in the rule issued.

This document merely corrects technical and typographic errors in the Health Insurance Premium Stabilization

final rule that was published on March 23, 2012 and becomes effective on May 22, 2012. The changes are not substantive changes to the standards set forth in the final rule. Therefore, we believe that undertaking further notice and comment procedures to incorporate this correction and delay the effective date for this change is unnecessary. In addition, we believe it is important for the public to have the correct information as soon as possible, and believe it is contrary to the public interest to delay the dissemination of it. For the reasons stated above, we find there is good cause to waive notice and comment procedures and the 30-day delay in the effective date for this correction notice.

**IV. Correction of Error**

*Correction to the Regulations Text*

**§ 153.220 [Corrected]**

■ On page 17248, in the second column; under "paragraph (d) *Distribution of reinsurance contributions*," in line 11, revise the cross reference "§ 153.210(a)(2)(ii)" to read "§ 153.210(a)(2)(iii)".

Dated: May 11, 2011.

**Jennifer Cannistra,**

*Executive Secretary to the Department.*

[FR Doc. 2012-11994 Filed 5-16-12; 8:45 am]

**BILLING CODE 4120-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 15**

[ET Docket No. 04-186 and 02-380; FCC 12-36]

**Unlicensed Operation in the TV Broadcast Band**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document addresses five petitions for reconsideration of the Commission's decisions in the *Second Memorandum Opinion and Order* ("Second MO&O") in this proceeding and modifies the Commission's rules in certain respects. In particular, the Commission is increasing the maximum height above average terrain (HAAT) for sites where fixed devices may operate; modifying the adjacent channel emission limits to specify fixed rather than relative levels; and slightly increasing the maximum permissible power spectral density (PSD) for each category of TV bands device. These changes will result in decreased

operating costs for fixed TVBDs and allow them to provide greater coverage, thus increasing the availability of wireless broadband services in rural and underserved areas without increasing the risk of interference to incumbent services. The Commission is also revising and amending several of its rules to better effectuate the Commission's earlier decisions in this docket and to remove ambiguities.

**DATES:** Effective June 18, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Hugh L. Van Tuyl, Office of Engineering and Technology, 202-418-7506, [hugh.vantuyl@fcc.gov](mailto:hugh.vantuyl@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Third Memorandum Opinion and Order, ET Docket No. 04-186 and 02-380, FCC 12-36, adopted April 4, 2012 and released April 5, 2012. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center (Room CY-A257), 445 12th Street SW., Washington, DC 20554. The complete text of this document also may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: [www.fcc.gov](http://www.fcc.gov). People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

**Summary of the Third Memorandum Opinion and Order**

1. In this Order, the Commission addressed five petitions for reconsideration of its decisions in the *Second Memorandum Opinion and Order* ("Second MO&O"), 75 FR 75814, December 6, 2010, in this proceeding and modified its rules in certain respects. In particular, the Commission increased the maximum height above average terrain (HAAT) for sites where fixed devices may operate; modified the adjacent channel emission limits to specify fixed rather than relative levels; and slightly increased the maximum permissible power spectral density (PSD) for each category of TV bands device. These changes will result in decreased operating costs for fixed TVBDs and allow them to provide greater coverage, thus increasing the availability of wireless broadband services in rural and underserved areas without increasing the risk of interference to incumbent services. The