

SUMMARY OF ACTUARIAL VALUATION RESULTS

	Aug. 31, 1981	Aug. 31, 1980	Aug. 31, 1979	Aug. 31, 1978	Aug. 31, 1977
A. Participants and benefits:					
1. Number of participants and beneficiaries:					
a. Active	4,259	4,251	3,143	3,113	3,132
b. Retired	483	389	317	240	221
c. Terminated vested and beneficiaries in pay status	58	35	19	33	19
2. Benefit formula: benefit	(?)	(?)	(?)	(?)	(?)
B. Income and expenses (in dollars):					
1. Annual contributions:					
a. Employer	\$4,042,997	\$3,938,503	\$2,479,024	\$2,965,091	\$2,567,886
b. Employee	1,394,257	1,425,309	922,848	1,192,207	1,173,279
c. Total	5,437,254	5,363,812	3,401,872	4,157,298	3,741,169
2. Benefits and expenses:					
a. Annual benefit payout including refunds of employee contributions	1,729,630	1,508,269	1,168,045	886,515	706,205
b. Expenses	453,177	234,789	177,345	162,765	162,924
c. Total	2,182,807	1,743,058	1,345,390	1,049,280	869,129
C. Plan assets and liabilities (in dollars):					
1. Frozen initial liability normal cost for plan year ending	1,902,156	2,137,418	1,101,015	1,086,462	1,106,621
2. Net charge to funding standard account (without regard to prior year credit balance) for plan year ending	3,517,688	3,341,623	2,405,175	2,390,622	2,410,781
3. Unfunded value of:					
a. Accrued liability-FIL	NA	21,168,484	NA	NA	23,292,422
b. Liability for Vested Benefits	NA	3,974,918	6,416,439	NA	NA
4. Market value of assets	34,687,944	31,266,626	25,865,105	22,070,753	17,445,817
D. Interest rate used to value liabilities					
	NA	7%	7%	NA	5%

¹ From 1981 Actuarial Report.² From 1977 Actuarial Report.³ Percentage of pay, depending upon years of service, with specified minimum benefit.⁴ From 1980 Schedule B—September 1, 1980 figure.⁵ From 1979 Schedule B—September 1, 1979 figure.

NA—Not available from information submitted.

Source: Forms 5500 and attached financial statements except where otherwise noted.

Complete Withdrawal Rule

On April 28, 1982, the Plan adopted an amendment prescribing special withdrawal rules to take effect as of January 1, 1981. The amendment was modified by the Plan on November 10, 1982. The amendment would apply to any contributing employer under the Plan. Under the amendment, a complete withdrawal from the Plan would occur if:

- (1) An Employer ceases to have an obligation to contribute under the Plan, and
- (2) The Employer—

(a) Continues to perform work in the jurisdiction of the collective bargaining agreement of the type for which contributions were previously required, or

(b) Resumes such work within five years after the date on which the obligation to contribute under the Plan ceases, and does not renew the obligation at the time of resumption.

(3) If the Plan is terminated by mass withdrawal as determined in Section 4041(a)(2) of ERISA paragraph (2)(b) above shall be applied by substituting "three years" for "five years".

(Plan Amendment: Article XI, section 1(A).)

Partial Withdrawal Rule

The Plan amendment also provides special partial withdrawal liability rules. Under the amendment, a partial withdrawal from the Plan shall occur if, on the last day of the plan year, for such year—

(1) There is a 70-percent contribution decline in an Employer's contribution to the Plan which shall be defined in accordance with the appropriate provisions of ERISA § 4205, or

(2) There is a partial cessation of an Employer's contribution obligation which shall be defined in accordance with the appropriate provisions of ERISA § 4205, and

(3) In addition to (a) or (b) above, the Employer is performing work of the type for which contributions were required in the jurisdiction of the collective bargaining agreement on a non-covered basis.

(Plan Amendment: Article XI, section 1(B).)

Treatment of Sales of Assets and Mass Withdrawal

The Plan amendment does not contain rules specifically pertaining to sales of assets or mass withdrawal by all employers. The request states that those rules are not necessary due to the nature

of the industry, described above, which is covered by the Plan.

Notice

The Plan has given notice of the adoption of the amendment and of the request for PBGC approval of the amendment to all employers who have an obligation to contribute under the Plan and to the union representing employees covered under the Plan.

Comments

All interested persons are invited to submit written comments on the pending request to the above address, on or before February 17, 1983. All comments will be made a part of the record. Comments received, as well as the application for approval of the plan amendment, will be available for public inspection at the address set forth above.

Issued at Washington, D.C., on this 27th day of December 1982.

Edwin M. Jones,
Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 82-35477 Filed 12-30-82; 8:45 am]

BILLING CODE 7708-01-M

Sunshine Act Meetings

Federal Register

Vol. 48, No. 1

Monday, January 3, 1983

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	Item
Civil Rights Commission.....	1
Consumer Product Safety Commission.....	2
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1

COMMISSION ON CIVIL RIGHTS

PLACE: Room 512, 1121 Vermont Avenue, N.W., Washington, D.C.

DATE AND TIME: January 10, 1983, 9:30 a.m.—12:00 noon; 1:30—4:00 p.m.

STATUS OF MEETING: Open to the public.

MATTERS TO BE CONSIDERED:

- I. Approval of Agenda.
- II. Approval of Minutes of Last Meeting.
- III. Review of the Religious Discrimination Statement.
- IV. Review of Staff Comments on the Analysis of Executive Order 11246 by the Senate Committee on Labor and Human Resources.
- V. Discussion of a Proposal for the Commission to Establish Business-Labor Advisory Committees.
- VI. State Advisory Committee Rechartering.
 - A. Iowa.
 - B. North Dakota.
 - C. Texas.
 - D. Utah.
 - E. Virginia.
- VII. Illinois Advisory Committee Report Entitled *Housing: Chicago Style*.
- VIII. Connecticut Advisory Committee Report Entitled *Hate Groups and Acts of Bigotry*.
- IX. Oregon Advisory Committee Report Entitled *External Review of Police Misconduct in Portland, Oregon*.

X. Civil Rights Developments in the Northwestern Region.

XI. Staff Director's Report.

A. Status of Funds.

B. Personnel Report.

C. Office Directors' Reports.

PERSON TO CONTACT FOR FURTHER INFORMATION: Barbara Brooks, Press and Communications Division, (202) 254-6697.

[FR Doc. S-1871-82 Filed 12-29-82; 11:10 am]

BILLING CODE 6335-01-M

2

CONSUMER PRODUCT SAFETY COMMISSION

TIME AND DATE: Commission meeting, Wednesday, January 5, 1983, 10 a.m.

LOCATION: Third Floor Hearing Room, 1111—18th Street, NW, Washington, D.C.

STATUS:

Open to the Public

1. *Special Packaging Requirements Under the Poison Prevention Packaging Act: ANPR.*

The staff will brief the Commission on a draft Advance Notice of Proposed Rulemaking (ANPR) which solicits suggestions for methods to improve the effectiveness of child-resistant packaging and which requests comments on specific suggested revisions to the child and adult test procedures.

Closed to the Public

2. *Compliance Report.*

The staff will brief the Commission of a special compliance report.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Avenue, Bethesda, MD 20207, 301-492-6800.

[S-1873-82 Filed 12-29-82; 3:57 pm]

BILLING CODE 6355-01-M

3

FEDERAL MARITIME COMMISSION

TIME AND DATE: 9 a.m., January 7, 1983.

PLACE: Hearing Room 1, 1100 L Street, NW., Washington, D.C. 20573.

STATUS: Closed.

MATTER TO BE CONSIDERED: 1. Docket No. 82-58: Actions To Adjust or Meet Conditions Unfavorable to Shipping in the United States/Venezuela Trade—Consideration of the Record.

CONTACT PERSON FOR MORE INFORMATION: Francis C. Hurney, Secretary (202) 523-5725.

[S-1870-82 Filed 12-29-82; 10:55 am]

BILLING CODE 6730-01-M

4

TENNESSEE VALLEY AUTHORITY (MEETING NO. 1303)

TIME AND DATE: 1 p.m. (EST), Wednesday, January 5, 1983.

PLACE: TVA West Tower Auditorium.

STATUS: Open.

C—Power Items

- C1. Adoption of supplemental resolution authorizing 1983 Series A power bonds.
- C2. Resolution authorizing the Chairman and other executive officers to take further action relating to issuance and sale of 1983 Series A power bonds.

D—Personnel Actions

- D1. Revised pay plan for certain management and physician schedule employees.

DATED: December 29, 1982.

CONTACT PERSON FOR MORE INFORMATION:

Craven H. Crowell, Jr., Director of Information, or a member of his staff can respond to requests for information about this meeting. Call (615) 632-3257, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 245-0101.

[S-1872-82 Filed 12-29-82; 3:40 pm]

BILLING CODE 6120-01-M

Registered Federal Labor

Monday
January 3, 1983

Part II

Department of Labor

**Employment Standards Administration,
Wage and Hour Division**

**Minimum Wages for Federal and
Federally Assisted Construction; General
Wage Determination Decisions**

DEPARTMENT OF LABOR

Employment Standards
Administration, Wage and Hour
DivisionMinimum Wages for Federal and
Federally Assisted Construction;
General Wage Determination
Decisions

General wage determination decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large

volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions are effective from their date of publication in the *Federal Register* without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas
Decisions to General Wage
Determination Decisions

Modifications and supersedeas decisions to general wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's orders 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing general wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the

localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the *Federal Register* without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Office of Government Contract Wage Standards, Division of Government Contract Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Determination Decision.

Modification to General Wage
Determination Decisions

The numbers of the decisions being modified and their dates of publication in the *Federal Register* are listed with each State.

Alabama: AL82-1062	November 19, 1982
California:	
CA82-5112	July 16, 1982
CA82-5120	August 27, 1982
CA82-5118	August 20, 1982
CA82-5122	September 3, 1982
Hawaii: HI82-5123	October 1, 1982
Indiana:	
IN80-2082	September 26, 1980
IN80-2015	April 11, 1980
Louisiana:	
LA82-4021	May 7, 1982
LA82-4022	May 7, 1982
LA82-4053	November 5, 1982
Nevada: NV82-5113	August 6, 1982
New York:	
NY81-3061	September 11, 1981
NY82-3025	September 3, 1982
Texas:	
TX82-4046	October 1, 1982
TX82-4054	November 5, 1982

Supersedeas Decisions to General Wage
Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the *Federal Register* are listed with each State. Supersedeas decision numbers are in parentheses following the numbers of the decisions being superseded.

Indiana: IN80-2007	March 14, 1980
(IN82-2070)	

Special Notice

Inasmuch as Friday December 24 and 31, 1982 falls on Federal holidays, the Davis-Bacon wage determinations will be published the next work days, i.e., Monday, December 27, 1982, and Monday, January 3, 1983, respectively.

Signed at Washington, D.C., this 23th day of December 1982.

Dorothy P. Come,

Assistant Administrator Wage and Hour Division.

BILLING CODE 4510-27-M

MODIFICATIONS, P. 2

DECISION NO. C882-5118 - Mod. 44

(41 FR 3531) - August 20, 1982
 Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside,
 San Bernardino, San Luis Obispo, Santa Barbara, and Ventura
 Counties, California

Change:	Basic Hourly Rates	Prime Benefits
Electricians: Area 7: Electricians	\$22.23	\$3.36+
Cable Splicers	24.45	3.36+
Residential Electricians	11.40	3.36+
Area 8: Electricians	20.95	3.18+
Cable Splicers	22.45	3.18+
Area 9: Electricians	20.41	3.67+
Area 10: Electricians	24.20	3.18+
Cable Splicers	25.70	3.18+
Line Construction: Area 7: Groundman	16.67	3.33+
Linemans: Equipment Operators	22.23	3.33+
Cable Splicers	24.45	3.33+
Area 8: Linemans: Equipment Operators	20.41	3.67+
Area 9: Groundman	18.96	3.18+
Linemans: Equipment Operators	24.20	3.18+
Cable Splicers	25.70	3.18+
Marble Setters: Area 2 Marble Finishers: Area 1 Painters: Area 4: Brush, Pot Tender Paperhangers, Paste Machine Operators: Iron and Steel Spray, Taper, Sand- blaster Sign Painter Steeplejack Drywall Taper and Spray Texture Sheet Metal Workers: Area 6 Terrazzo Workers: Area 1 Tile Setters: Area 1 Power Equipment Operators: Dredging: (Hydraulic Suction Dredges) Leverman Watch Engineer- Welder: Deckmate Winchman (stern winch or Dredge) Bargeman: Deckhand; Fireman: Oiler; Leverband Dorser (Clamshell Dredges): Leverman Watch Engineer: Deck- mate Barge Mate Bargeman: Deckhand; Fireman: Oiler	\$18.50 14.14 18.48 18.73 18.18 19.13 19.48 19.81 19.17 18.50 18.50	\$2.95 3.30 3.61 3.61 3.61 3.61 3.61 3.61 4.20+ 2.95 2.95

MODIFICATIONS, P. 1

DECISION NO. C882-5112 - Mod. 48

(47 FR 31154) - July 16, 1982

Alameda, Alameda, Alameda, Contra Costa, Colusa, Contra Costa,
 Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen,
 Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa,
 Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco,
 San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra,
 Stanislaus, Sutter, Tehama, Yuba

Change:	Basic Hourly Rates	Prime Benefits
Boilermakers Bricklayers: Stonemasons: Area 3 Area 4 Area 5 Line Construction: Groundmen	\$21.39 17.53 20.25 18.70 22.00 24.75	\$3.86 3.46 3.87 5.75+ 3% 5.75+
Linemans: Line Equipment Operators: Cable Splicers Plasterers: Area 1 Area 4	22.00 24.75 18.83 16.63	5.75+ 3% 4.43 5.44
Plumbers: Steamfitters: Area 3 Area 4 Sheet Metal Workers: Area 4 Area 5 Area 11 Soft Floor Layers: Area 1	\$26.64 20.50 18.25 20.00 20.86 16.01	\$8.30 5.43 4.32 5.22 4.32 3.00

DECISION NO. C882-5120 - Mod. 85

(47 FR 38022) - August 27, 1982
 Alameda, Alameda, Alameda, Contra Costa, Del Norte, El Dorado,
 Humboldt, Marin, Mariposa, Merced, Monterey, Napa, Nevada, Placer,
 Sacramento, San Benito, San Bernardino, San Joaquin, San Mateo,
 Santa Clara, Santa Cruz, Solano, Sonoma, Sutter, Yuba, Yuba,
 and Yuba Counties, California

Change:	Basic Hourly Rates	Prime Benefits
Boilermakers Bricklayers: Stonemasons: Area 4 Area 5 Plasterers: Area 1 Area 5 plumbers: Steamfitters: Area 3 Area 6	\$21.39 17.53 20.25 18.83 16.63 26.64 20.90	\$3.86 3.46 3.87 4.43 5.44 8.30 5.43
Sheet Metal Workers: Area 1 Area 4 Soft Floor Layers: Area 1 Add: Sheet Metal Workers: Area 9 (Monterey and San Benito Counties): Area 10 (Santa Cruz County)	\$25.73 18.25 16.01 20.00 20.86	\$5.14 4.32 3.00 5.22 4.32

MODIFICATIONS P. 4

DECISION NO. CA82-5122 - Mod. #2
 [47 FR 39075 - September 3, 1982]
 San Diego County, California

Basic Hourly Rates	Primo Benefits

Basic Hourly Rates	Primo Benefits
\$16.25	\$6.41
16.53	6.41
16.82	6.41
16.96	6.41
17.18	6.41
17.29	6.41
17.41	6.41
17.58	6.41
17.71	6.41

Power Equipment Operators:

Group 1
 Group 2
 Group 3
 Group 4
 Group 5
 Group 6
 Group 7
 Group 8
 Group 9

Basic Hourly Rates	Primo Benefits
\$21.29	3.83
20.01	3.59
18.61	3.23
18.86	3.23
19.21	3.23
42.22	3.23
21.11	3.23
20.11	3.23
21.22	3.61+
21.77	3.61+
16.00	3.61+
17.80	3.59
18.50	2.95
14.14	3.30

Change:
 Asbestos Workers
 Boilermakers
 Carpenters
 Piledriver
 Millwrights; Pneumatic
 Nailers; Hardwood
 Floorlayers
 Divers
 Divers
 Stand-by Divers
 Tender
 Electricians;
 Technicians;
 Technicians
 Cable Splicers
 Utility Technician
 Soft Floor Layers
 Tile, Marble, and
 Terrazzo Setters
 Tile, Marble, and
 Terrazzo Finishers

Basic Hourly Rates	Primo Benefits
\$16.25	\$6.41
16.53	6.41
16.82	6.41
16.96	6.41
17.18	6.41
17.29	6.41
17.41	6.41
17.58	6.41
17.71	6.41
18.10	6.41
17.52	6.41
16.97	6.41
16.43	6.41
18.10	6.41
17.52	6.41
17.04	6.41
16.43	6.41
14.47	1.46+
	38

Power Equipment Operators
 Group 1
 Group 2
 Group 3
 Group 4
 Group 5
 Group 6
 Group 7
 Group 8
 Group 9
 Dredging: (Hydraulic
 Section Dredge):
 Leveeman
 Watch Engineer; Welders
 and Deckmate
 Winchman (Stern Winch
 or Dredge)
 Bargeman; Deckhand;
 Fireman; Oiler;
 Leveeband
 Clamshell Dredges:
 Leveeman
 Watch Engineer and
 Deckmate
 Bargeman; Deckhand;
 Fireman; Oiler
 Add:
 Sound Installers

MODIFICATIONS P. 6

DECISION NO. IN80-2082 - Mod. #1 (45 FR 54052 - September 26, 1980) Elkhart, Jasper, Kosciusko, LaGrange, Marshall, Newton, Pulaski & Starke Counties, Indiana	Basic Hourly Rates	Prime Benefits
Change: Asbestos Workers: Elkhart, Jasper, Kosciusko, Marshall, & Starke Cos. Bricklayers & Stonemasons: Elkhart, Kosciusko & LaGrange Cos. Carpenters: Millwrights; Piledriversmen & Soft Floor Layers: Elkhart Co.; Carpenters Millwrights/Tile- driversmen Cement Masons: Elkhart, Kosciusko, & LaGrange Cos. Electricians: Elkhart, Kosciusko & Marshall Cos. Ironworkers: Elkhart, Kosciusko (W. Portion exclu. Masons) LaGrange, (W 1/2 exclu.) City of LaGrange, Mar- shall, Pulaski, & Starke Cos. Laborers:- Semi-Skilled Skilled Painters: Elkhart, Kosciusko, Marshall, Pulaski, & Starke Cos. Plumbers: Elkhart, Kosciusko & LaGrange Roofers: Elkhart, Kosciusko, Marshall, Pulaski & Starke Cos.; Composition; Damp & Waterproof Slate	\$16.56 15.77 14.30 14.55 14.92 17.40 15.40 11.45 11.65 12.64 16.48 14.50 15.10	2.57 1.68 2.48 2.48 1.58 14.38 4.61 1.89 1.89 1.95 2.70 2.03 2.03

DECISION NO. H182-5123 - Mod. #2
(47 FR 43513 - October
1982)
Statewide, Hawaii

Change:	Basic Hourly Rates	Prime Benefits
Boilermakers Marble Setters Sheet Metal Workers Terrazzo Workers and Tile Setters: Terrazzo Base Grinder Terrazzo Floor Grinder and Finisher Terrazzo Workers and Tile Setters	\$15.10 \$4.06 15.03 4.75 14.25 7.30 13.45 4.75 12.02 4.75 15.03 4.75	

DECISION H182-1082 -
Mod. #1
(47 FR 52316 - November
19, 1982)
Madison County, Alabama

CHANGE:	Basic Hourly Rates	Prime Benefits
Cement masons	\$12.75	

MODIFICATIONS P. 5

DECISION NO. IN80-2082 - Mod. #1 (45 FR 54052 - September 26, 1980) Elkhart, Jasper, Kosciusko, LaGrange, Marshall, Newton, Pulaski & Starke Counties, Indiana	Basic Hourly Rates	Prime Benefits
Change: Asbestos Workers: Elkhart, Jasper, Kosciusko, Marshall, & Starke Cos. Bricklayers & Stonemasons: Elkhart, Kosciusko & LaGrange Cos. Carpenters: Millwrights; Piledriversmen & Soft Floor Layers: Elkhart Co.; Carpenters Millwrights/Tile- driversmen Cement Masons: Elkhart, Kosciusko, & LaGrange Cos. Electricians: Elkhart, Kosciusko & Marshall Cos. Ironworkers: Elkhart, Kosciusko (W. Portion exclu. Masons) LaGrange, (W 1/2 exclu.) City of LaGrange, Mar- shall, Pulaski, & Starke Cos. Laborers:- Semi-Skilled Skilled Painters: Elkhart, Kosciusko, Marshall, Pulaski, & Starke Cos. Plumbers: Elkhart, Kosciusko & LaGrange Roofers: Elkhart, Kosciusko, Marshall, Pulaski & Starke Cos.; Composition; Damp & Waterproof Slate	\$16.56 15.77 14.30 14.55 14.92 17.40 15.40 11.45 11.65 12.64 16.48 14.50 15.10	2.57 1.68 2.48 2.48 1.58 14.38 4.61 1.89 1.89 1.95 2.70 2.03 2.03

IDENTIFICATIONS: P. 8

DECISION NO. LA82-4021 - MOD. #5 (47 FR 19877 - 5/7/82) Fossier & Caddo Par.,, Louisiana	Fringe Benefits
Painters - Painters, tape & float, vinyl & paperhangers	1.25

DECISION NO. LA82-4022 - MOD. #5 (47 FR 19877 - 5/7/82) Calcasieu Par., Louisiana	Fringe Benefits
Painters - Group 1	15.798
Group 2	16.01
Group 3	16.17
Tile setters	13.07

DECISION NO. LA82-4053 - MOD. #5 (47 FR 50421 - 11/5/82) Statewide Louisiana	Fringe Benefits
Asbestos Workers: Zone 3	14.80
Boilermakers	14.29
Carpenters:	16.60
Zone 1:	2.32
Carpenters & soft floor layers	1.36
Millwrights	2.415
Piledrivers	
Glethers - zone 2	.01
Lathers - zone 6	
Marble, tile & terrazzo workers & finishers:	
Zone 2 - Tile setters	13.07
Painters:	1.70
Zone 1 -	
Group 1	15.798
Group 2	16.01
Group 3	16.17
Group 4	17.73
Zone 6 - Painters, tape & float, vinyl & paper hanger	11.25
Zone 7 - Group 1	9.55
Group 2	10.05
Group 3	10.55
Plasterers - Zone 2	13.25

DECISION NO. LA82-4053 - MOD. #5 (CONT'D)	Basic Hourly Rates	Fringe Benefits
Power equipment ops.: Zones 2, 3 & 4: Group 1	\$ 9.55	2.20
Group 2	10.38	2.20
Group 3	10.58	2.20
Group 4	11.15	2.20
Group 5	13.32	2.20
Group 6	13.32	2.20
Roofers: Zone 2: Boofers	10.11	3.10
Preparers remove old roofing, place stock or move material, tools or equipment for journeymen	4.90	1.15
Zone 3 - Boofers	12.18	1.34
Zone 4 - Boofers	11.50	.70
Kettlemen	9.20	.30

DECISION NO. WY81-5113 - Wed. 45 (47 FR 31300 - August 6, 1982)		Basic Hourly Rates		Fringe Benefits	
Change:					
Cement Masons:					
Clark County (does not include the Nevada Test Site), Nevada					
		\$15.05	\$3.70		
Cement floor finishing Machine; Color Work		15.43	3.70		
Plasterers		16.95	3.70		
Truck Drivers:					
Group 1		14.18	2.54		
Group 2		14.29	2.54		
Group 3		14.34	2.54		
Group 4		14.50	2.54		
Group 5		14.68	2.54		
Group 6		15.18	2.54		
DECISION NO. WY81-3651 - MOD. #3 (46 FR 45525 - Sept. 11, 1981)					
ELECTRICIANS					
Zone I - City of Plattsburg and 5 mile radius		13.30	1.75+ 44+a		
Electricians					
Cable Splicers		13.60	1.75+ 44+a		
Zone II - From Zone I to a 20 mile radius of Plattsburg		13.50	1.75+ 44+a		
Electricians					
Cable Splicers		13.80	1.75+ 44+a		
Zone III - Beyond Zone II		13.70	1.75+ 44+a		
Electricians					
Cable Splicers		14.00	1.75+ 44+a		

Basic Hourly Rates	Fringe Benefits

MODIFICATIONS P. 7

MODIFICATIONS P. 9

DECISION NO. NY82-1025- MOD. 13 (47 FR 39079 - Sept. 3, 1982) ORANGE COUNTY, NEW YORK	Basic Hourly Rates	Fringe Benefits
ADD: ELECTRICIANS Twp. of Otisville, Middletown, Cochen, Florida, Warwick, Fort Jervis, Sparrow Bush, Monroe, Harnan, South- field, Tusendo Lake and Tusendo Remainder of County	14.00 304 14.90 1.97+	10.558

DECISION NO. TX82-4046 - MOD. 14 (47 FR 43525 - 10/1/82) Jefferson & Orange Cos., Texas	Basic Hourly Rates	Fringe Benefits
CHANGE: Carpenters-residential const. of not more than 2 units & con- dominium townhouses of not more than 10 units excluding all apt. const. & multi- tal purpases Laborers - Group 1 Group 2 Group 3 Group 4	915.19 10.66 10.86 10.96 11.11	1.765 1.50 1.50 1.50 1.50

DECISION NO. TX82-4054 - MOD. 14 (47 FR 50430 - 11/5/82) Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Rockwall, Tarrant & Wise Cos., Texas	Basic Hourly Rates	Fringe Benefits
CHANGE: Bricklayer & stonemason: Zone 1 Zone 2 Painters: Zone 2 - Group 1 Group 2 Group 3 Group 4 Plumber & pipefitter: Zone 1	15.58 15.57 15.57 15.75 16.00 17.00 16.125 16.62	1.74 1.71 1.12 1.12 1.12 1.12 1.99

SUPERSEDES DECISION

STATE: Indiana DECISION NO.: IN82-2070 Superseded Decision No. IN80-2007, dated March 14, 1980 in 45 FR 16817 DESCRIPTION OF WORK: Residential Construction Consisting of single family homes and apartments up to and including 4 stories.	Basic Hourly Rates	Fringe Benefits	Basic Hourly Rates	Fringe Benefits
AIR CONDITIONING MECHANIC	\$ 7.50		ROOFERS	6.23
BRICKLAYERS	10.00		SHEET METAL WORKERS	9.00
CARPENTERS	7.95		TRUCK DRIVERS	7.35
CEMENT MASONS	9.00		POWER EQUIPMENT OPERATORS	
DRYWALL FINISHERS/TAPERS	6.95		BACKHOE OPERATOR	10.00
DRYWALL HANGERS	8.00		FRONT END LOADER	10.40
ELECTRICIANS	6.96		BULLDOZER OPERATOR	10.00
HEATING MECHANICS	7.50		GRADER OPERATOR	10.73
INSULATORS	6.63		SCRAPER OPERATOR	10.00
LABORERS	5.78			
PAINTERS	6.75			
PLASTERERS	7.00			
PLUMBERS	10.30	1.15		

Unlisted classifications needed for work not included within
the scope of the classifications listed may be added after
award only as provided in the labor standards contract clauses
(29 CFR, 5.5 (a) (1) (iii)).

(FR Doc. 82-33208 Filed 12-30-82; 8:45 am)

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Federal Register

Monday
January 3, 1983

Part III

Environmental Protection Agency

Hazardous Waste Management System;
Standards Applicable to Generators of
Hazardous Waste; Proposed Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 262

[SW FRI 1970-2]

Hazardous Waste Management System; Standards Applicable To Generators of Hazardous Waste

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: On February 26, May 19, and November 19, 1980, and January 11, 1982, the Environmental Protection Agency (EPA) published regulations pursuant to the Resource Conservation and Recovery Act (RCRA). Those regulations allow hazardous waste generators to accumulate hazardous waste on-site for 90 days without obtaining a permit or having interim status under RCRA, provided that they accumulate the waste in accordance with certain standards.

EPA has received comments from the regulated community indicating that industries which generate hazardous waste typically have numerous locations on-site where waste is initially generated and accumulated, often in small amounts, prior to consolidation at centralized accumulation areas. In response to concerns that the standards for 90-day accumulation are unnecessary and impractical to apply at these "satellite" areas, EPA is proposing to amend the generator standards to allow generators to accumulate as much as 55 gallons of hazardous waste (except for acutely hazardous waste as listed in 40 CFR 261.33(e) of the regulations) at each satellite area for any length of time without complying with the 90-day accumulation standards. Generators could accumulate wastes under this provision provided that: (1) The wastes are placed in containers which are in good condition, (2) the wastes are compatible with their containers, and (3) the containers are marked with the words "Hazardous Waste" or other words that identify their contents. Within 72 hours of accumulating over 55 gallons at a satellite area, the generator would be required to comply with all applicable requirements under RCRA for further management of any waste in excess of 55 gallons.

EPA believes that protection of human health and the environment will not be affected by this action. EPA also estimates that this action will result in a savings to the regulated community of approximately \$5,000,000 per year.

DATES: EPA will accept public comments on the proposed amendment until March 4, 1983.

ADDRESSES: Comments should be addressed to the Docket Clerk, Office of Solid Waste (WH-562), U.S. Environmental Protection Agency, 401 M St. SW, Washington, D.C. 20460. Communications should identify the regulatory docket number "Section 262.34(c)."

The public docket for this proposed rule is located in Room S-269C, U.S. Environmental Protection Agency, 401 M Street SW, Washington, D.C., and is available for viewing from 9:00 am to 4:00 pm Monday through Friday excluding holidays.

FOR FURTHER INFORMATION CONTACT: Amy Mills, Office of Solid Waste (WH-563), U.S. Environmental Protection Agency, Washington, D.C. 20460, (202) 382-4755, or the RCRA Hotline at (800) 424-9346 or (202) 382-3000.

SUPPLEMENTARY INFORMATION:

I. Background

On February 26, 1980, May 19, 1980, and November 19, 1980, EPA promulgated regulations pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. 6901, *et seq.* The regulations established a system to manage hazardous waste, and include standards for generators of hazardous waste. (40 CFR Part 262, 45 FR 12732, 45 FR 33142, and 47 FR 1251). In § 262.34(a) of the regulations, EPA stated that generators may accumulate hazardous waste on-site for up to 90 days without obtaining a storage permit, provided they accumulate the waste in accordance with certain standards. These standards include requirements for: the use of tanks and containers, personnel training, and the preparation of contingency plans. In establishing those standards, EPA had assumed that accumulation generally occurred at one or two discrete locations within an industrial facility, and that the § 262.34 requirements would apply to loading docks, storage buildings, sheds and other central areas where wastes are accumulated.

Members of the regulated community, however, have pointed out that within an industrial complex there may be dozens of places where hazardous wastes are initially generated and collected during daily operations prior to consolidation at a loading dock or other central waste accumulation area. At present, the regulations make no distinction between the initial collection of hazardous waste at various points of

generation ("satellite" accumulation) and accumulation at a central area on-site where these wastes are consolidated for on-site management or transportation off-site. Therefore, the standards for 90-day accumulation apply to both.

In the preamble to the November 19, 1980, Federal Register notice amending § 262.34, the Agency raised the issue of whether a distinction should be drawn between satellite accumulation and central accumulation areas. 45 FR 76624. EPA expressed the view that the requirements of § 262.34(a) appear appropriate for all types of accumulation areas, but solicited comments on the subject.

Various groups responded and all asserted that there is indeed a practical distinction between satellite and central accumulation which should be recognized in the regulations. The commenters supported a reduction or deletion of regulatory requirements for initial accumulation of hazardous wastes at or near points of generation.

Some commenters expressed the opinion that regulation of hazardous waste in satellite areas is unnecessary because these waste quantities are small and pose a very low risk to human health and the environment. Some noted that hazardous waste in satellite areas is typically held in a bucket or other container for only several days or a week before being emptied; therefore, they contended that there is little risk of undetected corrosion or leakage. Commenters also pointed out that unlike central accumulation areas where the variety and quantity of wastes contribute to the likelihood of serious incidents and chain reactions (fires, explosions, etc.), satellite areas usually have only one type of waste and are not prone to accidents of serious magnitude.

Most of the industries that commented reported that their satellite areas are close to manufacturing process areas and are under close company supervision. They stated that personnel who work in these areas are trained and experienced with hazardous raw materials and wastes. One example given was that of degreasing solvents accumulated in closed containers in a machine shop prior to being transferred to a central accumulation point. The satellite area is properly ventilated and equipped with a sprinkler system, mainly because of the risks posed by the raw material solvents and their use. The personnel who work in this area are said to be trained and experienced with the handling of these solvents before and after use. The commenters concluded that the additional training

required under § 262.34(a), which requires compliance with § 265.16, is unnecessary and burdensome.

In addition, by applying the training requirements to personnel who work at satellite areas, some plant officials have to train very large numbers of employees and keep extensive records on each person. One commenter noted that at one manufacturing plant, the personnel training requirements apply to ten times as many employees as they would if the requirements applied only to central accumulation areas. In his opinion, this large difference in cost and paperwork is not justified.

Some commenters claimed that the requirement that the date upon which each period of accumulation begins be marked on each container is too stringent for wastes accumulated at satellite areas. They stated that it is unnecessarily burdensome to mark dates on buckets and other small containers in which these wastes are likely to be collected. Further, since these vessels are emptied frequently, they must be marked repeatedly with new accumulation dates. This aspect of the requirement was also thought to be burdensome.

One commenter wrote that requirements in § 262.34(a) which requires compliance with Part 265 Subpart D (Contingency Plans and Emergency Procedures) are too stringent for satellite areas. In his opinion, it is not necessary to prepare contingency plans and designate emergency coordinators for these small, scattered accumulation areas.

Several commenters remarked that Congress intended that RCRA not interfere in manufacturing processes. They stated that initial accumulation of hazardous waste at or near the points of generation are integral parts of the manufacturing process, and should therefore not be subject to regulation under RCRA. They also noted that most of the accumulation areas are indoor workplaces and are subject to regulation under OSHA. Regulation of satellite areas under RCRA appears to them to be duplicative and unwarranted.

In general, the commenters believed that applying the requirements of § 262.34(a) to activities at satellite accumulation areas add unnecessary paperwork and cost without improving protection of human health or the environment. They advocated an exemption for satellite areas from some or all of the requirements of § 262.34(a).

While the Agency does not agree with all of the arguments raised by the commenters, EPA does agree with the general conclusion that there is little need for extensive regulation of satellite

areas under RCRA. The Agency agrees that it should not apply most of the requirements of § 262.34(a), which were intended for more centralized, higher volume accumulation, to the smaller volumes of waste at satellite areas. Specifically, the Agency believes that wastes collected at or near points of generation in small quantities need not be subject to requirements for marking of dates on containers, contingency plans, personnel training, and most standards for the management of containers and tanks required by Part 265 Subparts I and J.

As previously stated, some commenters claimed that OSHA standards protect the safety and health of persons handling hazardous materials in the workplace, and therefore RCRA regulations are redundant. EPA has considered OSHA's standards and has concluded that EPA should retain some regulation for accumulation of hazardous waste in the workplace. First, current OSHA regulations concern the handling of various hazardous materials in the workplace, but OSHA does not specifically regulate hazardous waste as defined under RCRA. Also, OSHA's rules do not deal specifically with aspects of accumulation that affect human health and the environment immediately outside the workplace. For instance, OSHA does not regulate the condition of containers used for accumulation. EPA therefore believes it is within the Agency's purview to continue to regulate the accumulation of hazardous waste within industrial areas insofar as those regulations do not duplicate or interfere with ongoing practices.

In a proposed rule published in the March 19, 1982, *Federal Register* (47 FR 12119), OSHA proposed new safety regulations for manufacturing entities which produce hazardous chemicals. The rule, which would apply to most kinds of hazardous wastes accumulated by generators, would require labeling, material safety data sheets (MSDS) and training for employees of manufacturing industries who work around hazardous chemicals. When and if OSHA's proposal is promulgated in final form, EPA will ensure that any final rulemaking on the subject of hazardous waste accumulation is consistent with and will not duplicate OSHA's requirements.

II. Today's Proposed Rule

For the reasons expressed above, EPA is today proposing to amend § 262.34 by adding a paragraph (c) to provide that small quantity accumulation of hazardous waste at satellite areas be exempt from the requirements of

§ 262.34(a). Section 262.34(c) would allow for accumulation of as much as 55 gallons of hazardous waste (other than "acutely" hazardous wastes listed in § 262.33(e) of the regulations) at or near any point of generation for any amount of time if the generator complies with §§ 265.171 and 265.172 and marks the containers with the words "Hazardous Waste" or with another description of their contents (e.g., "waste organics" or "waste solvent"). Within 72 hours of accumulating over 55 gallons at any satellite area, the generator would be required to manage that waste in excess of 55 gallons on conformance with all applicable standards under RCRA, including the 90-day time limit and other requirements under § 262.34(a) for further on-site accumulation. During the 72-hour interim period, §§ 265.171 and 265.172 and the container marking requirement would continue to apply.

After considering several alternatives, EPA has selected 55 gallons as a quantity threshold for this provision. The regulated community has indicated that a 55-gallon threshold would accommodate the variety of satellite situations they encounter. At the same time, EPA believes this threshold will provide a reasonable limit to the amount of hazardous waste managed without the benefit of the more environmentally protective measures of § 262.34(a). Fifty-five gallons of waste fills approximately one standard size drum, which, to EPA's knowledge, is the largest commonly used container for such accumulation.

EPA had considered setting a limit of one container at each satellite location instead of setting a waste volume limit. That option was rejected because different industries use different sizes of containers for satellite accumulation, and the Agency believes it would be unreasonable to limit all generators to one container per area, regardless of container size. Further, the Agency believes that protection of health and the environment is more closely associated with the quantity of accumulation at each location than with the number of containers used to accumulate the waste.

EPA had also considered setting a limit at each satellite area of 200 kilograms (kg) or ten days of accumulation, whichever occurs first. Although 200 kg and 55 gallons of waste are approximately equivalent, the Agency selected the volume limit (gallons) because it believes that a volume limit would provide for greater equity under the regulations for generators with wastes of higher unit weight. With regard to the 10-day threshold, the Agency believes there is little to be

gained by applying a time limit to the accumulation of small quantities of wastes in satellite areas if they are containerized and marked properly. For these reasons, EPA has decided not to propose either a weight limit or a time limit for satellite accumulation. However, the Agency requests comments on this determination and on whether a threshold other than 55 gallons should be used in this provision.

The 55-gallon threshold applies to each satellite area where hazardous wastes are accumulated. One manufacturing plant, therefore, may have several satellite areas on-site where as much as 55 gallons may be accumulated in conformance with § 262.34(c).

When over 55 gallons of hazardous waste has been accumulated at any point of generation, the generator would have 72 hours in which to comply with other hazardous waste management standards, such as § 262.34(a), for that amount of waste in excess of 55 gallons. The 72-hour period is intended to provide generators with adequate lead time to remove the excess wastes from the satellite area and to comply with the appropriate standards for subsequent management of the wastes. However, the same hazardous waste management standards that would apply during 55-gallon accumulation would continue to apply during the 72-hour period.

The proposed rule would require that waste in satellite areas be managed in accordance with §§ 265.171 and 265.172 of the interim status standards for storage. These standards are general, good-housekeeping measures which ensure that containers used for storage of hazardous wastes are in good condition, and are compatible with their contents. EPA believes that these are sensible requirements which should provide protection to human health and the environment.

EPA believes it is appropriate that the contents of containers used for satellite accumulation be identified clearly for safe handling and storage. The standards in § 262.34(a) require the containers used for 90-day accumulation be marked with the words "hazardous waste". EPA believes that the same standard should apply to satellite accumulation, but recognizes that in many satellite areas these containers are already routinely labelled with more explicit information about the materials they contain. Either a marking of "hazardous waste" or another marking identifying the contents of the container would probably serve the purpose of informing persons in the area of the hazardous nature of the material. EPA is therefore proposing to allow either type

of marking during the satellite accumulation period.

The proposed rule does not provide for the satellite accumulation of acutely hazardous wastes, (wastes comprised of those commercial chemical products and chemical intermediates listed in § 261.33(e), their off-specification species, containers and inner liners containing these materials, and spill residue and debris created by spills of these materials). The Agency identified those wastes as being particularly hazardous, and believes that all generators should use extra precautions wherever they handle acutely hazardous wastes, including at satellite accumulation areas. For this reason, today's proposal to exempt satellite accumulation of hazardous waste from many regulatory requirements does not include acutely hazardous waste. Acutely hazardous waste would therefore continue to be subject to § 262.34(a) at both central and satellite accumulation areas. The Agency welcomes comments on this determination.

III. Laboratory Wastes

Today's proposed exemption for satellite accumulation of hazardous wastes could be applied to laboratories where waste chemicals are initially generated and collected in small containers. Laboratory chemicals which have served their intended purpose, including discarded samples and spent solvents, are often collected initially in small containers such as 5-gallon cans or jars. When a number of these containers are aggregated, they are commonly placed in "lab packs" (as discussed in the preamble to § 265.316, November 17, 1981) and sent off-site for disposal. Some laboratories cannot qualify for the small quantity generator exemption in 40 CFR § 261.5; therefore, under current regulations, these laboratories must comply with § 262.34(a) from the moment they begin accumulating hazardous waste. If today's proposed rule is promulgated in final form, the initial accumulation of as much as 55 gallons of hazardous waste at or near any point of generation in a laboratory will be governed by § 262.34(c) rather than § 262.34(a).

Some laboratories that handle hazardous waste have indicated to EPA that the RCRA regulations regarding accumulation have been impractical to implement in laboratories. Their main concern has been the problem of accumulating quantities of hazardous waste that can be practically transported off-site. Because laboratories commonly collect waste chemicals at slow rates, it often takes

longer than 90 days in which to accumulate enough waste to fill a shipment. EPA believes that today's proposed rule, together with the current provisions for accumulation by small quantity generators (§ 261.5), will alleviate most of the operational problems associated with accumulation of hazardous waste by laboratories. However, the Agency welcomes comments and suggestions on this matter.

IV. Maintenance of Vessels at Manufacturing Areas

Hazardous wastes are sometimes generated when product vessels in manufacturing plants are periodically cleaned out. This maintenance procedure may produce a number of drums of hazardous waste which, according to the current regulations, must be managed in accordance with § 262.34(a) as soon as accumulation begins. Some generators find this requirement unreasonable, explaining that these drums are commonly removed from the clean-out area within two or three days, and therefore the immediate need to comply with the regulatory requirements for 90-day accumulation poses an unreasonable burden. Under the amendment being proposed today, a generator would have 72 hours after the first 55 gallons are accumulated in which to comply with either § 262.34(a) for continued on-site accumulation, or other hazardous waste management standards, as appropriate. EPA believes that today's proposal would alleviate the problems that generators experience with complying with § 262.34(a) during maintenance of product vessels.

V. Effective Date

Section 3010(b) of RCRA provides that EPA's hazardous waste regulations and revisions thereto take effect six months after their promulgation. In addition, 5 U.S.C. 553 of the Administrative Procedure Act requires that substantive rules not become effective until at least 30 days after promulgation unless there is good cause for shortening the period. The purpose of these requirements is to allow persons affected by the rulemaking sufficient lead time to prepare to comply with major new regulatory requirements. However, for the amendment proposed today, the Agency believes that delaying the effective date for any period of time after promulgation would cause substantial and unnecessary disruption in the implementation of the regulations and would be contrary to the public interest. This amendment, if promulgated in final form, would relieve

hazardous waste generators of having to comply with a number of requirements with respect to the initial, small quantity accumulation of hazardous waste in containers within a generating area. The Agency believes that this is not the type of regulation revision that Congress had in mind when it provided a delay between the promulgation and the effective date of revisions to regulations. Consequently, the Agency plans to make this amendment effective immediately if and when it is promulgated in final form.

VI. Compliance With Executive Order 12291

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This proposed regulation is not major because it will not result in an effect on the economy of \$100 million or more, nor will it result in an increase in costs or prices to industry. There would be no adverse impact on the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets. Because this amendment is not a major regulation, no Regulatory Impact Analysis is being conducted.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

VII. Paperwork Reduction Act

Under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, Federal agencies must consider the paperwork burden imposed by any information collection request contained in a proposed or final rule. This proposed rule, if promulgated, will not impose any new information collection requirements on the regulated community. In fact, this rule would reduce the information collection requirements contained in the cleared OMB request #2000-0062.

VIII. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, EPA must prepare a regulatory flexibility analysis for all proposed rules to assess their impact on small entities. No regulatory analysis is required however, where the head of the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities.

The economic impact of this regulation will be to reduce the costs of complying with EPA's hazardous waste management regulations for generators of hazardous waste, including those

which are small entities. Accordingly, I hereby certify, pursuant to 5 U.S.C. 601(b), that this proposed rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 40 CFR Part 262

Hazardous materials, packaging and containers, Reporting and recordkeeping requirements, Security measures, Surety bonds, Waste treatment and disposal water supply.

Dated: December 20, 1982.

Anne M. Gorsuch,
Administrator.

It is proposed that Title 40 of the Code of Federal Regulations Part 262 be amended as follows:

PART 262—STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

1. The authority citation for Part 262 reads as follows:

Authority: Secs. 1006, 2002, 3002, 3003, 3004, and 3005 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, (RCRA), 42 U.S.C. 6905, 6912, 6922, 6923, 6924, 6925.

2. In § 262.34, paragraph (c) is added to read as follows:

§ 262.34 Accumulation time.

(c)(1) Except as provided by paragraph (c)(2) of this section, a generator may accumulate as much as 55 gallons of hazardous waste in containers at or near any point of generation without a permit or interim status and without complying with paragraph (a) of this section provided he—

(i) Complies with §§ 265.171 and 265.172 of this chapter; and

(ii) Marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

(2) Paragraph (c)(1) of this section does not apply to the accumulation of acute hazardous wastes as identified in § 261.33(e) of this chapter.

(3) A generator who accumulates hazardous waste in accordance with paragraph (c)(1) of this section and exceeds 55 gallons at or near any point of generation must, with respect to that amount of waste in excess of 55 gallons, comply within 72 hours with paragraph (a) of this section or other applicable provisions of this chapter. During the 72-hour period, the generator must continue to comply with paragraphs (c)(1)(i) and (c)(1)(ii) of this section.

[FR Doc. 82-35150 Filed 12-30-82; 8:45 am]

BILLING CODE 6560-50-M