

The regulation is proposed to be revised to clarify this section by changing the unit of measurement from gallons per day, to an equivalent population served. This will eliminate the confusion, and should not result in a change to the threshold as the present threshold of 50,000 gallons per day for a new withdrawal is based on EPA's definition of Very Small Water Systems, "systems serving up to 500 people." Based on an average daily demand of 100 gallons per day per capita, the average daily withdrawal for very small systems will be 50,000 gallons per day.

To be consistent, the equivalent population will also be used for discharges.

Section 1940.311(b)(1)(v) will also be revised to remove the apparent conflict created by the revision to § 1940.311(b)(1)(ii).

In § 1940.311(b)(2) there has been confusion about the number of beds which may be added to an existing facility. This confusion has resulted in the unnecessary completion of Class II environmental assessments for some essential community facility projects.

The regulation is proposed to be revised to clarify this section by separately specifying the number of beds for new and existing projects.

In § 1940.311(b)(3)(iii) there has been confusion about whether medical waste is considered to be a hazardous waste. This confusion has resulted in the unnecessary completion of Class II environmental assessments for some essential community facility projects.

The regulation is proposed to be revised to clarify this section by adding a new section that will deal specifically with medical wastes.

List of Subjects in 7 CFR Part 1940

Endangered and threatened wildlife, Environmental protection, Floodplains, National wild and scenic river system, Natural resources, Recreation, Water supply.

Accordingly, the Agencies propose to amend Chapter XVIII, Title 7, Code of Federal Regulations as follows.

PART 1940—GENERAL

1. The authority citation for part 1940 continues to read as follows:

Authority: 7 U.S.C. 1989; 42 U.S.C. 1480; 5 U.S.C. 301; 7 CFR 2.23 and 2.70.

Subpart G—Environmental Program

2. Section 1940.311 is amended by redesignating paragraph (b)(3)(iii) as (b)(3)(iv); revising paragraphs (b)(1)(i), (b)(1)(ii), (b)(1)(v), and (b)(2); and adding a new paragraph (b)(3)(iii) to read as follows:

§ 1940.311 Environmental assessments for Class I actions.

* * * * *

(b) * * *

(1) * * *

(i) For existing Systems, there will not be either:

(A) A substantial increase in the volume of an existing discharge or the loading of pollutants from an existing or expanded sewage treatment facilities, or

(B) A substantial increase in an existing withdrawal from surface or ground waters.

(C) The existence of a substantial increase will depend on the particulars of the situation under consideration. Each proposal should be examined for the possibility of a substantial increase in discharge or withdrawal. A substantial increase may or may not be determined by such factors as: evidence of a large increase in pump or pipe size, other evidence of a large increase in hydraulic capacity, or the need for a new or amended discharge or withdrawal permit. Whatever factors are considered, the rationale behind the decision should be documented as part of the Class I assessment.

(ii) For all systems (existing and new), there will not be either:

(A) A new discharge to surface or ground waters, such that the additional design capacity of the facility exceeds the average daily discharge of an equivalent population of 500 persons, or

(B) A new withdrawal from surface or ground waters such that the additional design capacity of the facility exceeds the demand needed to serve an equivalent population of 500 persons, and

(C) The potential water quality impacts are analyzed and documented in the manner required for a Class II assessment and attached as an exhibit to the Class I assessment.

(D) A new well solely to provide "backup" capacity, required by a State regulatory agency or standard engineering practice, is not considered a new withdrawal.

* * * * *

(v) For a proposed expansion of a sewage treatment or water supply facility, such expansion would serve an equivalent population that is no more than 20 percent or 500 persons (whichever is the larger) greater than the existing population.

* * * * *

(2) Financial assistance for existing group homes, detention facilities, nursing homes, or hospitals that add no more than 25 beds or increase the number of beds by no more than 25 percent, whichever is greater, or new facilities of not more than 25 beds.

(3) * * *

(iii) Do not produce infectious, medical, biological, or special medical wastes (including radiological waste of medical origin) that would exceed small quantity generator limits as established by the appropriate regulatory agency, and provided the facility's management plan is reviewed to ensure compliance with the regulatory agency requirements. The management plan should include standard operating procedures for notification, permitting, and recordkeeping requirements as well as handling, storage, packaging, and disposal of infectious waste materials. Documentation of the compliance review must be attached as an exhibit to the Class I assessment.

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Dated: February 27, 1995.

Michael V. Dunn

Acting Under Secretary for Rural Economic and Community Development.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 154, 158, 201, 250, and 284

[Docket No. RM95-3-000; Rm95-4-000]

Filing and Reporting Requirements for Interstate Natural Gas Company Rate Schedules and Tariffs; Revisions to Uniform System of Accounts Forms, Statements, and Reporting Requirements for Natural Gas Companies; Notice of Informal Technical Conference

March 8, 1995.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Proposed rule; notice of informal technical conference.

SUMMARY: The Federal Energy Regulatory Commission will hold an informal technical conference pursuant to the Notices of Proposed Rulemaking issued on December 16, 1994, in Docket Nos. RM95-3-000 and RM95-4-000. The conference is a preliminary step in the process of modifying the electronic filing requirements to complement the proposed revisions to the regulations set forth in the December 16, 1994 notices.

DATES: Tuesday and Wednesday, April 4 and 5, 1995: 9:00 a.m.

ADDRESSES: Federal Energy Regulatory Commission, 810 First Street, NE., Washington, DC 20426.