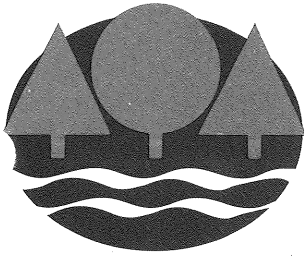


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MAY 5 1995



Minnesota Pollution Control Agency

May 4, 1995

Legislative Commission to Review Administrative Rules
Maryann Hruby, Director
55 State Office Building
St. Paul, Minnesota 55155

Dear Ms. Hruby:

As required by the Administrative Procedures Act, I am forwarding a copy of the Statement of Need and Reasonableness (SONAR) for a rule. This SONAR supports a rule in which I adopt a federal regulation governing corrective action management units and temporary units used for streamlining waste remediation. I am adopting the regulation without substantive change to the language or intent. In this rule, I also adopt by reference hazardous waste related definitions from Minn. Rules pt. 7045.0020 into pt. 7001.0010.

If you have any questions please contact me at 612/297-7544.

Sincerely,

Nathan Brooks Cooley

Nathan Brooks Cooley
Generator Technical Assistance/Rules Unit
Program Development Section
Hazardous Waste Division

NBC:jao

Enclosure

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of Proposed Amendments
to Rules Governing Hazardous Waste,
Minnesota Rules Parts: 7001.0010, 7045.0020,
7045.0450, 7045.0485, 7045.0545, 7045.0546,
and 7045.0552.

STATEMENT OF NEED
AND REASONABLENESS

I. INTRODUCTION

The Minnesota Pollution Control Agency (MPCA) is adopting federal hazardous waste regulations promulgated by the U.S. Environmental Protection Agency (EPA) under Subtitle C of the Resource Conservation and Recovery Act (RCRA) (see Federal Register, Vol. 58, No. 29, Tuesday, February 16, 1993, beginning on page 8658). The specific provisions finalized in this rulemaking address two new units that will be used for remedial purposes under RCRA corrective action authorities: (1) corrective action management units (CAMUs), and (2) temporary units (TUs). These specific provisions were proposed as part of a more comprehensive corrective action rulemaking on July 27, 1990.

These amendments allow designation of CAMUs and TUs and regulate waste remediation activities at facilities with CAMUs and TUs. They also provide, for the first time, separate regulations designed specifically for remediation wastes. Such wastes are improperly managed by definition and do not benefit from RCRA-based standards designed to prevent improper management of "as-generated" wastes. Providing special rules and exempting remedial waste activities in CAMUs from land disposal restrictions (LDRs) and associated RCRA regulations, is intended to provide better, more efficient remediation.

The MPCA is exercising its option to adopt these amendments. While the EPA promulgated the provisions and will review and determine the equivalence of the

MPCA's adoption thereof, the EPA cannot require states to adopt "less stringent" provisions. Again, these amendments replace RCRA-based LDR and treatment standards, designed to prevent mismanagement of as-generated wastes, with provisions designed specifically for waste remediation. By virtue of replacing existing RCRA regulations, which are overly restrictive for waste remediation, stringency is reduced; therefore, the state is not required to adopt these provisions.

The MPCA believes these amendments improve the ability to more rapidly address sites needing waste remediation and are desirable to both the MPCA and its regulated community. They continue to protect human health and the environment. The EPA is committed to promulgating additional CAMU and TU provisions to further address remedial wastes. The MPCA will consider adopting these provisions when the EPA promulgates them.

The MPCA is also initiating provisions to make the definitions in Minnesota Rules parts (Minn. R. pts.) 7045.0020, apply in Minn. R. chapter (ch) 7001, unless otherwise defined, and to define TUs.

This Statement of Need and Reasonableness is divided into the following parts:

- I. INTRODUCTION
- II. STATEMENT OF MPCA'S STATUTORY AUTHORITY
- III. STATEMENT OF NEED
- IV. STATEMENT OF REASONABLENESS
- V. SMALL BUSINESSES CONSIDERATIONS IN RULEMAKING as required by Minn. Stat. § 14.115 (1994).
- VI. CONSIDERATION OF ECONOMIC FACTORS as required by Minn. Stat. § 116.07, subd. 6 (1994).
- VII. IMPACT ON AGRICULTURAL LANDS AND FARMING OPERATIONS
- VIII. COSTS TO LOCAL PUBLIC BODIES
- IX. REVIEW BY COMMISSIONER OF TRANSPORTATION
- X. COMMISSIONER OF FINANCE APPROVAL OF FEE
- XI. CONCLUSION

II. STATEMENT OF MPCA'S STATUTORY AUTHORITY

The MPCA's statutory authority to adopt these rules is found in Minnesota Statutes section (Minn. Stat. §) 116.07, subdivision (subd.) 4, 1994 edition. Minn. Stat. §§ 14.22 to 14.28 (1994) govern the non-controversial rulemaking process.

The statutes require the MPCA to make an affirmative presentation of facts establishing the need for and reasonableness of the rules or amendments proposed. In general terms, this means the MPCA must set forth the reasons for its proposal, and the reasons must not be arbitrary or capricious. However, to the extent that need and reasonableness are separate, need has come to mean that a problem exists that requires administrative attention and reasonableness means that the solution proposed by an agency is appropriate.

III. STATEMENT OF NEED

In this proceeding, the general need to amend the MPCA's rules is based on the following.

The MPCA, to maintain EPA hazardous waste program authorization, has already adopted many federal RCRA-based LDR and treatment standard provisions designed to prevent mismanagement of as-generated wastes. These RCRA provisions have, in lieu of specific remediation waste regulations, applied to remediation wastes and corrective action activities.

By definition, remediation wastes are already mismanaged. The EPA states in the preamble associated with this federal regulation that RCRA standards were not designed for, and do not encourage, quick and effective remediation of

contaminated media at corrective action sites. RCRA standards are designed to minimize waste generation through cost disincentives and to prevent improper management and placement by making waste handling slow and deliberate. Because of this, the direct application of preventive standards to remediation wastes is often inappropriate and counterproductive.

These amendments were designed specifically for waste remediation. At remediation sites, large amounts of contaminated media need to be assessed, moved to remediation units, treated, and placed back on the ground or "landfilled," often within the facility, to effect quick and efficient cleanup and to prevent further waste migration. These amendments address the ambiguity of applying RCRA preventative standards to remediation wastes generated at RCRA facilities, especially the LDRs, allowing consolidation and piling of waste within such units. This meets the dual objectives of minimizing reliance on land disposal, by encouraging proper treatment of hazardous remediation wastes, and facilitating prompt and effective corrective action at RCRA facilities. Remediation wastes placed in CAMUs will not be subject to LDRs or associated hazardous waste disposal requirements.

The MPCA views the flexibility allowed under this provision and the national consistency provided for remediation sites as beneficial and necessary. This will not only remove inappropriate regulatory burdens for waste remediation, it also will allow sites to be cleaned up quicker, removing further waste migration potential.

IV. STATEMENT OF REASONABLENESS

As stated in section II, the MPCA is required by Minn. Stat. ch. 14 (1994) to make an affirmative presentation of facts establishing the reasonableness of the proposed rules or amendments. In general, when adopting federal regulations into state rules, it is reasonable for the MPCA to change references from federal cites and roles to state cites and roles, where practicable, to make the state rules more consistent, clear, and meaningful (e.g., "Regional Administrator" becomes "Commissioner").

The EPA promulgated these amendments under a formal regulatory process which included public participation and impact assessment. The MPCA proposes adopting these federal amendments into Minnesota Rules without substantive change; therefore, the MPCA also adopts the federal discussions of need, reasonableness, and impacts provided in the Federal Register (see 58 FR 8658, "Corrective Action Management Units and Temporary Units; Corrective Action Provisions Under Subtitle C [of RCRA])," attached as Exhibit 1. The MPCA provides its own reasons for any changes it proposes to the federal language. The MPCA may also add its own rationale to the federal reasoning when appropriate. Following is a discussion of these amendments.

1. The federal provisions revise and amend parts 7001.0010 and 7045.0020, definitions. The MPCA believes it is reasonable to define terms in the rules so readers understand more precisely what rules mean. In chapters 7045, hazardous waste, and 7001, permits, the MPCA adopts or provides amendments defining corrective action management unit, remediation waste, and temporary unit, and revising the definitions for disposal facility, facility, landfill, and

miscellaneous unit. The MPCA believes the federal definition amendments are appropriate and adopts this federal language and reasoning without substantive change. Additionally, in part 7001.0010, definitions, the MPCA initiated language referring readers of hazardous waste permit rules to all of the hazardous waste definitions found in chapter 7045. The MPCA describes these definitions below.

A. Minn. R., ch. 7001, permits, part 7001.0010, definitions, subpart 1, scope, is amended to refer readers of hazardous waste permit rules to the definitions found in part 7045.0020 governing hazardous waste, unless terms are otherwise defined in chapter 7001. The MPCA initiated this amendment in lieu of duplicating definitions specific to the CAMU in the permit provisions and to include all of the terms defined in chapter 7045, hazardous waste rules, when they apply to chapter 7001, permits. This amendment follows the format of a similar but unrelated reference in the existing subpart. The MPCA believes it is reasonable to define terms so readers understand more precisely what rules mean.

B. Minn. R. ch. 7045, hazardous waste, part 7045.0020, definitions, subpart 13a, defines corrective action management unit or CAMU. It provides that "Corrective action management unit" or "CAMU" means an area within a facility that is designated by the commissioner under parts 7045.0545 and 7045.0546, for the purpose of implementing corrective action requirements under part 7045.0485 and RCRA section 3008(h). [CAMUs typically consist of land-based units such as, but not limited to, waste piles, landfills, or surface impoundments approved by the commissioner.] A CAMU shall only be used for the

management of remediation wastes pursuant to implementing such corrective action requirements at the facility.'

The MPCA is adopting the federal definition of CAMUs without substantive change. Besides converting cites and roles, the MPCA adds one sentence, shown in brackets in the above extract, which provides examples of units that might be approved as CAMUs. The MPCA believes it is reasonable to provide clarification by giving examples and considers this change to the federal provision non-substantive. Also, to keep definitions in alphabetic order for ease of use, existing subparts 13a and 13b were renumbered 13b and 13c, respectively.

C. Part 7045.0020, definitions, subpart 20, disposal facility, is amended to exclude CAMUs, into which remediation wastes are placed, from definition as a "disposal facility." This federal language is shown in brackets in the extract that follows. It provides that '"Disposal facility" means a facility or part of a facility at which hazardous waste is intentionally placed into or on any land or water, and at which waste will remain after closure. [The term disposal facility does not include a corrective action management unit into which remediation wastes are placed.]'

D. Part 7045.0020, definitions, subpart 24, facility, expands the definition for "facility", in provision "2" of the extract below, to relate to corrective action. It also specifies that this applies to interim-status facilities under RCRA, section 3008(h). Item B of subpart 24 provides that '"Facility" means: 1. All contiguous land, and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment,

storage, or disposal operational units such as one or more landfills, surface impoundments, or combinations thereof. 2. For the purpose of implementing corrective action under part 7045.0485, all contiguous property under the control of the owner or operator seeking a permit under subtitle C of RCRA. This definition also applies to facilities implementing corrective action under RCRA section 3008(h).'

E. Part 7045.0020, definitions, subpart 47a, land disposal, modifies the definition of land disposal to exclude corrective action management units. The modified language is shown in brackets in the following extract. It provides, in part, that ' "Land disposal" means placement in or on the land, [except in a corrective action management unit,] and includes, but is not limited to, placement in a landfill,....'

F. Part 7045.0020, definitions, subpart 49, landfill, adds corrective action management units to the list of units excluded from the landfill definition. The amendment is shown in brackets in the extract that follows. It provides that ' "Landfill" means a disposal facility or part of a facility where hazardous waste is placed in or on land and which is not a pile, a land treatment facility, a surface impoundment, an underground injection well, a salt dome formation, a salt bed formation, an underground mine, a cave, [or a corrective action management unit].'

G. Part 7045.0020, definitions, subpart 58a, miscellaneous unit, in the bracketed portion of the extract below, adds containment buildings and corrective action management units to the list of units excluded from the miscellaneous unit definition, and the requirement that for hazardous waste

underground injection wells, which are also listed as excluded from the definition of miscellaneous units, the well must meet appropriate technical standards under title 40, Code of Federal Regulations, part 146 (notwithstanding prohibition in Minnesota). It provides that ' "Miscellaneous unit" means a hazardous waste management unit where hazardous waste is treated, stored, or disposed of and that is not a container, tank, surface impoundment, pile, land treatment unit, landfill, incinerator, boiler, industrial furnace, underground injection well [with appropriate technical standards under Code of Federal Regulations, title 40, part 146, containment building, corrective action management unit], or unit eligible for research, development, and demonstration permit under part 7001.0712.'

H. Part 7045.0020, definitions, subpart 73g, defines remediation waste. It provides that ' "Remediation waste" means all solid and hazardous wastes, and all media (including ground water, surface water, soils, and sediments) and debris, which contain listed hazardous wastes or which themselves exhibit a hazardous waste characteristic, that are managed for the purpose of implementing corrective action requirements under part 7045.0485 and RCRA section 3008(h). For a given facility, remediation wastes may originate only from within the facility boundary, but may include waste managed in implementing RCRA sections 3004(v) or 3008(h) for releases beyond the facility boundary.' Also, to keep definitions in alphabetic order for readability, existing subpart 73g was renumbered 73h.

I. Part 7045.0020, definitions, subpart 90b, defines temporary unit (TU). It provides that ' "Temporary unit" means a tank or container used to treat or

store remediation waste for a period of less than one year, as governed by part 7045.0546.' The Agency initiated defining TUs. The federal provisions use and define "corrective action management units." However, while these same provisions also use the term, "temporary units," they do not formally define the term. The MPCA believes it is reasonable to define special terms in the rules so readers understand more precisely what rules mean.

2. The federal provisions revise part 7045.0485, corrective action for solid and hazardous waste management units. The set of corrective action provisions originally proposed by the EPA, called "subpart S," was intended to replace existing corrective action regulations corresponding to those found in Minn. Rules, part 7045.0485. However, the EPA chose not to promulgate all of the subpart S provisions in its proposed regulation at this time. As a result, existing corrective action language in part 7045.0485 had to be amended with language linking it to corrective action requirements in new parts 7045.0545 and 7045.0546. The MPCA believes this federal provision is appropriate and adopts the federal language and reasoning without substantive change.

3. The federal provisions require the MPCA to create a new part 7045.0545, corrective action management units. The MPCA believes that the federal approach of developing corrective action regulations to replace regulations originally designed to prevent mismanagement of as-generated waste, is substantiated and appropriate. The MPCA is therefore adopting the federal provisions and reasoning without substantive change. Below, the MPCA describes each of the provisions and provides rationale for any language added by the MPCA, generally to improve clarity.

A. Subpart 1, applicability, provides that for purposes of remediation, the commissioner may designate areas within a facility, which meet certain conditions, as CAMUs. Also, that consolidating or placing remediation waste in a CAMU neither constitutes land disposal nor does it "constitute creation of a unit subject to minimum technology [design and operating] requirements."

The MPCA added the bracketed phrase, design and operating, near the end of the above extract of the provision. The MPCA believes this does not change the meaning of the provision but adds clarity to what minimum technology requirements involve.

B. Subpart 2 provides for regulated units. Item A provides that the Commissioner may designate regulated units as CAMUs if the unit is closed or closing, and such designation will enhance implementation of effective, protective, and reliable remedial actions for the facility. Item B provides that ground water protection, closure and post-closure, financial, and unit-specific facility or interim status facility requirements that applied to the regulated unit continue to apply after designation as a CAMU.

C. Subpart 3, conditions of designation, provides 7 criteria for the Commissioner to consider in designating a CAMU. These include that the CAMU must [be designed to] facilitate the implementation of reliable, effective, protective, and cost-effective remedies; the CAMU activities will not risk human health or the environment; the CAMU should avoid uncontaminated parts of the facility when practicable; when the CAMU is closed, remaining waste is managed to minimize future releases; CAMU designation must expedite remedial activity as practicable; the CAMU will enable technologies which reduce toxicity, mobility,

or volume of wastes that remain after closure; and any remaining waste will occupy minimum land area upon CAMU closure.

The MPCA added the clarification to the first condition shown above in brackets. The MPCA believes this improves clarity and readability of the provision without changing its meaning. The MPCA does not consider this clarification substantive.

D. Subpart 4, information requirement, requires the owner or operator to provide information sufficient for the Commissioner to determine that a CAMU complies with the criteria in subpart 3.

E. Subpart 5, CAMU requirements, provides requirements which the Commissioner must specify in a CAMU permit or order. These include the configuration of the CAMU; requirements for remediation waste management including those for design, operation, and closure; requirements for ground water monitoring sufficient to detect and characterize either existing releases from within the CAMU, or those which could occur from a CAMU where wastes remain in place after closure; and closure and postclosure requirements.

One of the federal provisions corresponding to subpart 5, item D, closure and postclosure requirements, subitem (4), forms an incomplete sentence. To provide clarity, the MPCA consulted with EPA staff and developed the bracketed phrase in the following extract of subitem (4). The MPCA believes this clarification is not a substantive change and provides the EPA's intended meaning.

"(4) [the corrective action management unit shall comply with] postclosure requirements as necessary to protect human health and the environment,

including, for areas where wastes will remain in place, monitoring and maintenance activities, and the frequency with which such activities shall be performed to ensure the integrity of any cap, final cover, or other containment system."

F. Subpart 6, documentation of reasoning, provides that the Commissioner must document the rationale for designating CAMUs and must make such documentation available to the public.

G. Subpart 7, adding CAMU to existing permit, provides that "Incorporation of a CAMU into an existing permit [or order] must be approved by the Commissioner according to the procedures for permit modifications under chapter 7001."

The MPCA added the phrase "or order" shown in brackets in the extract above. The federal counterparts use the phrase "permit or order" elsewhere in this part (e.g., subpart 5 states "The commissioner shall specify in the permit or order requirements for CAMUs to include the following.") The MPCA added the phrase to clarify that this provision applies to either permits or orders. This change is made several other places in this rule. The MPCA believes this change is not substantive and follows the intent of the federal provisions.

H. Subpart 8, other authority, provides that "The designation of a CAMU does not change the commissioner's existing authority to address clean-up levels, media-specific points of compliance to be applied to remediation at a facility, or other remedy selection decisions."

4. The federal provisions require the MPCA to create a new part 7045.0546, temporary units. These provisions are closely related to the

CAMU provisions in part 7045.0545 above. Again, the MPCA believes that the federal approach of developing corrective action regulations to replace regulations originally designed to prevent mismanagement of as-generated waste, is substantiated and appropriate. The MPCA is, therefore, adopting the federal provisions and reasoning without substantive change. Below, the MPCA describes each of the provisions and provides rationale for any language added by the MPCA, generally to improve clarity.

A. Subpart 1, applicability, provides that "For temporary tanks and container storage areas used for treatment or storage of remediation wastes; during remedial activities required under part 7045.0485 or RCRA, section 3008(h), the commissioner may determine that a design, operating, or closure standard applicable to such units may be replaced by alternative requirements which are protective of human health and the environment."

B. Subpart 2, is titled, "requirements." Item A provides that any TU to which alternative requirements are applied in accordance with subpart 1 must be located within the facility boundary. Item B provides that such a TU must be used only for treatment or storage of remediation wastes.

C. Subpart 3, conditions of designation, provides seven conditions for the Commissioner to consider in establishing standards for a TU. These include: the length of time the unit will be in operation; type of unit; volumes of wastes to be managed; physical and chemical characteristics of the wastes involved; potential for releases; hydrogeological and environmental factors relevant to any potential releases; and potential for exposing humans and the environment if a release were to occur.

D. Subpart 4, permit or order conditions, provides that "The commissioner shall specify in the permit or order the length of time a temporary unit will be allowed to operate, to be no longer than a period of one year. The commissioner shall also specify the design, operating, and closure requirements for the unit."

E. Subpart 5, time extension conditions, provides that "The commissioner may extend the operational period of a TU once for no longer than a period of one year beyond that originally specified in the permit or order, if the commissioner determines that: A. continued operation of the unit will not pose a threat to human health and the environment; and B. continued operation of the unit is necessary to ensure timely and efficient implementation of remedial actions at the facility."

F. Subpart 6, adding temporary units to existing permit, provides that "Incorporation of a temporary unit or a time extension for a temporary unit into an existing permit shall be: A. approved in accordance with the procedures for agency-initiated permit modifications under part 7001.0170 and 7001.0730; or B. requested by the owner or operator according to the procedures under parts 7001.0190 and 7001.0730."

G. Subpart 7, documentation of reasoning, provides that "The commissioner shall document the rationale for designating a temporary unit and for granting time extensions for temporary units and shall make such documentation available to the public."

5. Part 7045.0552 addresses facilities governed by interim status. Subpart 1 of this part provides that the CAMU and TU provisions found in new

parts 7045.0545 and 7045.0546 apply to owners and operators of interim status facilities. The Agency believes the federal provision is appropriate and adopts the federal language and reasoning without substantive change.

6. Part 7045.0450, relationship to interim status standards, provides that "A facility owner or operator who has fully complied with the requirements for interim status under part 7045.0554 shall comply with parts 7045.0552 to 7045.0642 in lieu of parts 7045.0450 to 7045.0544 until final administrative disposition of the permit application is made. The treatment, storage, or disposal of hazardous waste is prohibited except in accordance with a permit and except for the extent to which parts 7045.0552 to 7045.0642 provide for the continued operation of an existing facility which meets certain conditions until final administrative disposition of the owner's or operator's permit application is made, [except as provided under parts 7045.0485, 7045.0545, and 7045.0546]." The federal amendment is shown in brackets in the above extract. The MPCA believes the federal provision is appropriate and adopts the federal language and reasoning without substantive change.

V. SMALL BUSINESSES CONSIDERATIONS IN RULEMAKING

Minn. Stat. § 14.115, subd. 2 (1994) requires the MPCA, when proposing amendments to existing rules which may affect small businesses, to consider the impact of the rule amendments on small business. These provisions are designed to improve efficiency of remedial actions, thereby reducing associated costs. Therefore, the MPCA believes this rulemaking should have a net positive effect on commercial interests, including small business.

VI. CONSIDERATION OF ECONOMIC FACTORS

In exercising its powers, the MPCA is required by Minn. Stat. § 116.07, subd. 6 (1994) to give due consideration to economic factors. The statute provides:

In exercising all its powers the Pollution Control Agency shall give due consideration to the establishment, maintenance, operation, and expansion of business, commerce, trade, industry, traffic, and other economic factors and other material matters affecting the feasibility and practicability of any proposed action, including, but not limited to, the burden on a municipality of any tax that may result therefrom, and shall take or provide for such action as may be reasonable, feasible, practical under the circumstances.

The MPCA believes this rulemaking will improve the economics of corrective action by providing regulations designed specifically for waste remediation. This will facilitate more efficient corrective action.

VII. IMPACT ON AGRICULTURAL LANDS AND FARMING OPERATIONS

The MPCA believes this rulemaking will have no significant effect on agricultural lands or farming operations. It governs corrective action at RCRA hazardous waste facilities.

VIII. COSTS TO LOCAL PUBLIC BODIES

The MPCA believes this rulemaking will have no negative economic effect on local units of government.

IX. REVIEW BY COMMISSIONER OF TRANSPORTATION

The MPCA believes this rulemaking will have no negative effect on transportation or public roads.

X. COMMISSIONER OF FINANCE APPROVAL OF FEE

The MPCA is not creating or changing fees in this rulemaking. Some permitted facilities, which will be regulated by these provisions, are subject to existing fee programs.

XI. CONCLUSION

The MPCA has, in this document and its exhibits, made its presentation of facts establishing the need for and reasonableness of the proposed amendments to Minnesota's hazardous waste corrective action rules. This document constitutes the MPCA's Statement of Need and Reasonableness for the proposed amendments to Minnesota's hazardous waste corrective action rules.

XII. LIST OF EXHIBITS

Available for review either at the MPCA's offices at 520 Lafayette Road North, St. Paul, Minnesota 55155, or from EPA. This Statement of Need and Reasonableness can be made available in other formats, including Braille, large print and audio tape. TDD: (612)297-5353 or 1(800)627-3529.

The MPCA is relying on the following documents to support these proposed amendments:

1. Federal Register, Vol. 58, No. 29, Tues., Feb. 16, 1993, beginning on page 8658, "Corrective Action Management Units and Temporary Units; Corrective Action Provisions Under Subtitle C [of RCRA]". See Exhibit 1, attached.

2. The official state record for this rulemaking is located at the above address. The record is available for inspection by appointment between the hours of 9 a.m. and 4 p.m., Monday through Friday, excluding holidays. A reasonable fee may be charged for copying services.

3. The official federal record for its regulation is located in files called the "RCRA Docket," found at Room 2427, EPA, 401 M Street SW, Washington, D.C. 20460 (phone 202/260-9327). The record is available for inspection by appointment only, between the hours of 9 a.m. and 4 p.m., Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying services.

Date:

April 25, 1995

Ann Glumac

for Charles W. Williams
Commissioner

