

EPA is very aware of the concerns of non-Indians regarding fair treatment before tribal governments, but has no reason to believe that tribal governments are either more fair or less fair than other governments. However, the Agency is today considering only the question whether the State of South Dakota has regulatory authority, not whether the tribes have or should have such authority. The question of tribal regulatory authority is addressed only when a tribe applies for program authorization, as the State of South Dakota has done here.

Several commenters discussed the design, permitting and siting of the proposed landfill at Lake Andes, making thoughtful and detailed comments both for and against the landfill, including health, safety and environmental impacts, as well as issues of environmental justice and racism. Today's decision, however, is limited to the question whether the State of South Dakota has met the requirements of Section 4005 of RCRA and 40 CFR Part 258 regarding authorization of the State's Program for the Lake Traverse and Yankton Sioux Reservations and the diminished portion of the Rosebud Sioux Reservation. Accordingly, the Agency is not required to address the merits of the Lake Andes siting, design and permitting criteria. However, all permits issued under a State or Tribal program determined by EPA to be adequate must meet minimum Federal standards, including a permit to Roberts County for a new sanitary landfill.

Compliance With Executive Order 12866

The Office of Management and Budget has exempted this notice from the requirements of Section 6 of Executive Order 12866.

Certification Under the Regulatory Flexibility Act

EPA has determined that this authorization will not have a significant economic impact on a substantial number of small entities. By approving State/Tribal municipal solid waste permitting programs, owners and operators of municipal solid waste landfills who are also small entities will be eligible to use the site-specific flexibility provided by Part 258 to the extent the State/Tribal permit program allows such flexibility. However, since such small entities which own and/or operate municipal solid waste landfills are already subject to the requirements in 40 CFR Parts 258 or are exempted from certain of these requirements, such as the groundwater monitoring and design provisions, this approval does

not impose any additional burdens on these small entities.

Therefore, EPA provides the following certification under the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act. Pursuant to the provision at 5 U.S.C. 605(b), I hereby certify that this approval will not have a significant economic impact on a substantial number of small entities. It does not impose any new burdens on small entities; rather this approval creates flexibility for small entities in complying with the 40 CFR Part 258 requirements. This rule, therefore, does not require a regulatory flexibility analysis.

Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (the Act), P.L. 104-4, which was signed into law on March 22, 1995, EPA generally must prepare a written statement for rules with Federal mandates that may result in estimated costs to State, local, and tribal governments in the aggregate, or to the private sector, of \$100 million or more in any one year. When such a statement is required for EPA rules, under section 205 of the Act EPA must identify and consider alternatives, including the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. EPA must select that alternative, unless the Administrator explains in the final rule why it was not selected or it is inconsistent with law. Before EPA establishes regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must develop under section 203 of the Act a small government agency plan. The plan must provide for notifying potentially affected small governments, giving them meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising them

on compliance with the regulatory requirements.

The Agency does not believe that approval of the State's program would result in estimated costs of \$100 million or more to State, local, and tribal governments in the aggregate, or to the private sector, in any one year. This is due to the additional flexibility that the State can exercise (which will reduce, not increase, compliance costs). Thus, today's notice is not subject to the written statement requirements in sections 202 and 205 of the Act.

As to section 203 of the Act, the approval of the State program will not significantly or uniquely affect small governments other than the applicant, the State of South Dakota. As to the applicant, the State has received notice of the requirements of an approved program, has had meaningful and timely input into the development of the program requirements, and is fully informed as to compliance with the approved program. Thus, any applicable requirements of section 203 of the Act have been satisfied.

Authority: This notice is issued under the authority of Sections 2002, 4005, and 4010 of the Solid Waste Disposal Act as amended; 42 U.S.C. 6912, 6945, and 6949(a).

Dated: June 24, 1996.

Jack W. McGraw,

Acting Regional Administrator.

[FR Doc. 96-23653 Filed 9-13-96; 8:45 am]

BILLING CODE 6560-50-P

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comments Request

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Commission announces that it intends to submit to the Office of Management and Budget (OMB) a request to extend without change the existing collection of information listed below. The Commission is seeking public comments on the proposed extension.

DATES: Written Comments on this notice must be submitted on or before November 15, 1996.

ADDRESSES: Comments should be submitted to Frances M. Hart, Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 10th Floor, 1801 L Street, NW., Washington, DC 20507. As a

convenience to commentators, the Executive Secretariat will accept comments transmitted by facsimile ("FAX") machine. The telephone number of the FAX receiver is (202) 663-4114. (This is not a toll free number.) Only comments of six or fewer pages will be accepted via FAX transmittal. This limitation is necessary to assure to the equipment. Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4078 (voice) or (202) 663-4074 (TDD). (These are not toll free telephone numbers.) Copies of comments submitted by the public will be available for review at the Commission's library, Room 6502, 1801 L Street NW., Washington, DC 20507 between the hours of 9:30 a.m. and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Joachim Neckere, Director, Program Research and Surveys Division, Equal Employment Opportunity Commission, 1801 L Street, NW., Room 9222, Washington, DC 20507, (202) 663-4958 or (202) 663-7063 (TDD). A copy of the collection of information, EEOC Form 274, with instructions, may be obtained by contacting Mr. Neckere.

SUPPLEMENTARY INFORMATION:

Collection Title: Equal Employment Opportunity Local Union Report EEO-3.

OMB Control Number: 3046-0006.

Form Number: EEOC Form 274.

Frequency of Report: Biennial.

Type of Respondent: Referral unions with 100 or more members.

Standard Industrial Classification (SIC) Code: 863.

Description of Affected Public: Labor unions and similar labor organizations.

Responses: 3,000.

Reporting Hours: 4,500.

Federal Cost: \$43,500.00.

Number of Forms: 1.

Abstract: Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-8(c), require employers to make and keep records relevant to a determination of whether unlawful employment practices have been or are being committed and to make reports therefrom as required by the Commission. Pursuant to 29 U.S.C. 1602.7, referral unions with 100 or more members are required to submit EEO-3 reports biennially. The EEO-3 data collection program has existed since 1967. The individual reports are confidential.

EEO-3 data are used by the Commission to investigate charges of employment discrimination against

local referral unions. Pursuant to Section 709(d) of Title VII, EEO-3 data are shared with 89 state and local fair employment practices agencies, and with other federal agencies.

Burden Statement: The respondent burden for this collection is minimal. The estimated number of respondents included in the EEO-3 survey is 3,000 local unions. The estimated number of responses per respondent union is one EEO-3 report, taking an estimated one and one half hours to complete. The total number of annual burden hours therefore is estimated to be 4,500.

This is an average burden estimate and is based on a long history (since 1985) of identical reporting experience. The burden is dependent on the size of the local union and on the number of referrals made by the union during the reporting period. Smaller unions may well take under an hour to complete the report. Over the years, the Commission has reduced the reporting and record keeping burden by eliminating all local unions with fewer than 100 members, by requiring record keeping for a two month period only, by changing the data collection instrument, and by changing the frequency of the data collection from an annual to a biennial basis. Further reductions, such as filing by diskette or magnetic tape, have been less successful as local unions appear less likely to have computerized record keeping and reporting capabilities.

Pursuant to the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, and OMB regulation 29 CFR 1320.8(d)(1), the Commission solicits public comment to enable it to:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the Commission's functions, including whether the information will have practical utility;

(2) Evaluate the accuracy of the Commission's estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection on the respondents, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., electronic submission of responses.

Dated: September 10, 1996.

For the Commission.

Maria Borrero,

Executive Director.

[FR Doc. 96-23648 Filed 9-13-96; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

FEDERAL RESERVE SYSTEM

FEDERAL DEPOSIT INSURANCE CORPORATION

Proposed Agency Information Collection Activities; Comment

AGENCIES: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); and Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the OCC, the Board, and the FDIC (the "agencies") may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid Office of Management and Budget (OMB) control number. The Federal Financial Institutions Examination Council (FFIEC), of which the agencies are members, has recently approved the agencies' publication for public comment of proposed revisions to the Consolidated Reports of Condition and Income (Call Report), which are currently approved collections of information. At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the FFIEC should modify the proposed revisions prior to giving its final approval. The agencies will then submit the revisions to OMB for review and approval. Comments are invited on:

(a) Whether the proposed revisions to the following collections of information are necessary for the proper performance of the agencies' functions, including whether the information has practical utility; (b) the accuracy of the agencies' estimate of the burden of the information collections as they are proposed to be revised, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d)