

reduction in reporting frequency was respondent to the Office of Management and Budget's (OMB's) previous questions regarding the need for quarterly versus semiannual reporting.

The standards require initial notification reports with respect to construction, modification, reconstruction, startups, shutdowns, and malfunctions (specified in 40 CFR 60.7(a)).

Notification of construction and startup indicated to enforcement personnel when a new affected facility has been constructed and, therefore, is subject to the standard.

Under the standard, the data collected by the affected industry is retained at the facility for a minimum of two years.

As mentioned above, if the information required by the standards were not collected, the Agency would have no means for ensuring that compliance with the NSPS is achieved and maintained by new, modified, or reconstructed sources subject to the regulations. An owner or operator could elect to reduce operating expenses by not installing, maintaining, or otherwise operating the control technology required by the standards. In the absence of the information collection requirements, compliance with the standards could be ensured only through continuous on-site inspections by regulatory agency personnel. Consequently, not collecting the information would result in either greatly increased expenditures of resources, or the inability to ensure compliance with the standards.

The information collected from recordkeeping and reporting requirements is also used for targeting inspections, and is of sufficient quality to be used as evidence in court.

All reports are sent to the delegated State or local level authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA Regional Office.

In addition to reviewing notifications or semiannual reports, the reviewing authority may elect to also conduct inspections. After a notification, Agency personnel may want to conduct an inspection to ensure that the equipment is properly installed and operated, as was indicated in the performance test report. Agency personnel may also conduct periodic inspections to obtain additional data, as a check for source operation and maintenance and for compliance determinations.

The data that is gathered from inspections is summarized and published for internal Agency use in compliance and enforcement programs. Information from the reports is entered

into the Aerometric Information Retrieval System (AIRS) Facility Subsystem (AFS) which is operated and maintained by EPA's Office of Air Quality, Planning and Standards.

An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9.

The EPA would like to solicit comments to:

(i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) enhance the quality, utility, and clarity of the information to be collected; and

(iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Burden Statement:** The Agency computed the burden for each of the recordkeeping and reporting requirements applicable to the industry for the currently approved 1992 Information Collection Request (ICR). Where it was appropriate, the Agency identified specific tasks and made assumptions, while being consistent with the concept of burden under the Paper Work Reduction Act.

The estimate for reporting and recordkeeping burden includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The estimate was based on the assumption that 14 sources were subject to the standard and that an additional 0.6 sources per year became subject to the standard over the past three years.

The average annual burden to industry over the past three year period, since the currently approved ICR, from

recordkeeping and reporting requirements had been estimated at 1,547 person-hours. The respondents costs was calculated on the basis of \$14.50 per hour plus 110 percent overhead. The average annual burden to industry over the past three years was estimated to be \$47,112.

The following is a breakdown of burden used in the ICR. Burden is calculated as two hours for respondents to write the reports for; notification of construction or reconstruction, notification of physical or operational changes, notification of anticipated startup, notification of actual startup, notification of initial performance test, notification of demonstration of COM. Initial performance tests are allocated 72 burden hours. It is assumed that 20% of all affected facilities will have to repeat performance tests. The ICR allocates four hours for Method 9 tests and assumed there will be approximately 30. These are all one time only burdens. It is assumed that all sources use venturi scrubbers for pollution control and half of the affected facilities have reportable low pressures. Ten burden hours are assumed for the low pressure measurement report.

Recordkeeping is the only ongoing burden associated with this ICR. The recordkeeping burden is estimated to be 15 minutes to enter records of operating parameters. It is assumed that the plant will operate 365 days a year, therefore, this information will be recorded 365 times a year. There is no additional third party burden relevant to this ICR.

Dated: September 22, 1995.

Eric Schaeffer,  
Acting Director, Office of Compliance Official.  
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[FRL-5306-5]

### Agency Information Collection Activities

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that EPA is planning to submit the following proposed and/or continuing Information Collection Requests (ICRs) to the Office of Management and Budget (OMB). Before submitting the ICRs to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collections as described below.

**DATES:** Comments must be submitted on or before November 28, 1995.

**ADDRESSES:** Chemical Emergency Preparedness and Prevention Office, Office of Solid Waste and Emergency Response, U.S. Environmental Protection Agency, 401 M Street SW., Washington DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Vanessa Rodriguez, Chemical Emergency Preparedness and Prevention Office. (202) 260-7913.

**SUPPLEMENTARY INFORMATION:**

*Affected entities:* Entities potentially affected by this action are those which may petition EPA to modify, by addition or deletion, the list of regulated substances under section 112(r) of the Clean Air Act of 1990 as Amended (CAA or the Act). Any person may petition EPA to modify, by addition or deletion, the list of regulated substances. Potential petitioners are likely to include environmental groups, industries producing, using, or storing listed regulated substances, and state and local agencies.

*Title:* Information Requirements For Petitions to Modify The List of Regulated Substances Under Section 112(r) of the Clean Air Act, as Amended.

*Abstract:* This information collection addresses the requirements for submitting petitions to modify the list of regulated substances under section 112(r) of the CAA. CAA section 112(r) requires EPA to promulgate a list of at least 100 substances ("regulated substances") that are known to cause, or may be reasonably anticipated to cause, death, injury, or serious adverse effects to human health or the environment. EPA is also required to set threshold quantities for each listed substance. The list and threshold quantities will determine the need for owners and operators of facilities to comply with subsequent regulations addressing the prevention and detection of accidental releases. The act also requires the Agency to develop procedures for the addition and deletion of substances from the list. Accordingly, EPA has published a list of regulated substances and threshold quantities and also the requirements for the petition process that will be used to add or delete chemicals from the final list.

The listing rule requires the petitioner to submit information in support of a petition to modify the list of regulated substances. The petitioner must provide EPA with sufficient information to specifically support the request to add or delete a substance from the list of regulated substances. The Agency will use this information in making the

decision to grant or deny a petition. The information collection addresses the burden of collecting and submitting supporting information in accordance with EPA's proposed petition process. Information will be collected on a voluntary basis, and all the information collected requesting modification of the substance listings will be stored in a docket created for that purpose.

This information collection is authorized under CAA section 112(r), 42 U.S.C. 7412(r). CAA section 112(r)(3) states, in relevant part, "The Administrator shall establish procedures for the addition and deletion of substances from the list established under this paragraph consistent with those applicable to the list in subsection (b)." The information collected during the petition process will provide the primary basis for EPA to determine if it is appropriate to add or delete the substance from the list. To be consistent with the petition process under CAA section 112(b), EPA is required to consider and respond to petitions to modify the list of regulated substances for accidental release prevention within 18 months of submission of the petition; complete data supporting the petition are necessary to allow EPA to complete its review within that time period. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9.

The EPA would like to solicit comments to:

(i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) enhance the quality, utility, and clarity of the information to be collected; and

(iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Burden Statement:* Public reporting for this collection of information in the petition process is estimated to be approximately 138 hours per response, including time for reviewing

instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. EPA estimates that there will be an average of 11 petitions per year. The total annual burden is estimated to be 1,518 hours, (138 hours×11 petitions). This estimate includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Dated: September 25, 1995.

James Makris,

Director, Chemical Emergency Preparedness and Prevention Office.

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[OPPTS-00178; FRL-4982-2]

**Request for Comments; Agency Information Collection Activities**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this notice announces that EPA is planning to submit a new Information Collection Request (ICR) to the Office of Management and Budget (OMB). This proposed ICR is for the one-time information collection activity entitled "Voluntary Dioxin Information and Data Call-In" (EPA ICR No. 1762.01). Before submitting this ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before November 28, 1995.

**ADDRESSES:** Submit three copies identified by administrative record number "AR-138" and EPA ICR number "1762.01" by mail to: TSCA Document Receipts (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: