

VI. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601 et seq., requires Federal agencies to perform a regulatory flexibility analysis if a proposed regulation is likely to have a significant economic impact on a substantial number of small entities. Western has determined that (1) this rulemaking relates to services offered by Western, and, therefore, is not a rule within the purview of the Act, and (2) the impacts of an allocation from Western would not cause an adverse economic impact on a substantial number of such entities. The requirements of this Act can be waived if the head of the agency certifies that the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. By his execution of this Federal Register notice, Western's Administrator certifies that no significant economic impact on a substantial number of small entities will occur.

VII. Review Under the Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980, 44 U.S.C. 3501-3520, Western has received approval from the Office of Management and Budget (OMB) for the collection of customer information in this rule, under control number 1910-1200.

VIII. Review Under the National Environmental Policy Act

Western has completed an environmental impact statement on the Program, pursuant to the National Environmental Policy Act of 1969 (NEPA). The Record of Decision was published in the Federal Register on October 12, 1995 (60 FR 53181). Western's NEPA review will assure all environmental effects related to these procedures have been analyzed.

IX. Determination Under Executive Order 12866

DOE has determined that this is not a significant regulatory action because it does not meet the criteria of Executive Order 12866, 58 FR 51735. Western has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by OMB is required.

Issued in Golden, Colorado, January 19, 1996.

J.M. Shafer,
Administrator.

[FR Doc. 96-1394 Filed 1-26-96; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL 5408-1]

Agency Information Collection Activities Under OMB Review; Measures of Success for Compliance Assistance Reporting Form

AGENCY: Environmental Protection Agency (EPA).

ACTION: None.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) Measures of Success for Compliance Assistance Reporting Form abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden; where appropriate, it includes the actual data collection instrument.

DATES: Comments must be submitted on or before February 28, 1996.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, 202-260-2740, and refer to EPA ICR No. 1758.02.

SUPPLEMENTARY INFORMATION:

Title: Measures of Success for Compliance Assistance Reporting Form. (OMB Control No. XXXX-XXXX: EPA ICR No. 1758.02) This is a new collection.

Abstract: This will be a voluntary collection of program information on the accomplishments of state and regional compliance assistance programs. The information will be collected so that EPA can better understand the effectiveness of compliance assistance programs vis a vis enforcement programs and so that success stories can be shared between state programs. This is a voluntary information collection request. This information will be used by EPA's Office of Enforcement and Compliance Assurance (OECA) in order to evaluate the effectiveness of regional and state compliance assistance programs as a supplementary tool to traditional enforcement methods. EPA regions and state programs will also use the information to learn about other compliance assistance programs. 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 and 48 CFR Chapter 15. The Federal Register Notice required under 5 CFR 1320.8(d), soliciting comments on

this collection of information was published on November 7, 1995, FR 56,148.

Burden Statement: The annual public reporting and record keeping burden for this collection of information for states is estimated to average 2 hours per response and for third-party respondents it will average 1 hour per response. This estimate includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for 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 respond to a collection of information; search existing data sources; complete and review the collection of information; and transmit or otherwise disclose the information. No person is 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 displayed in 40 CFR Part 9.

Respondents/Affected Entities: state and small businesses

Estimated No. of Respondents: 3,286

Estimated Total Annual Burden of Respondents: 5,830

Frequency of Collection: Annually

Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to the following addresses. Please refer to EPA ICR No. 1758.02 and OMB Control No. XXXX-XXXX in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Information Policy Branch (2136) 401 M Street, SW., Washington, DC 20460

and
Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th St, NW., Washington, DC 20503.

Dated: January 11, 1996.

Joseph Retzer,

Regulatory Information Division.

[FR Doc. 96-1556 Filed 1-26-96; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5409-2]

Acid Rain Program: Notice of Final Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of permits.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is approving 5-year Phase I Acid Rain permits or permit modifications including sulfur dioxide (SO₂) and/or nitrogen oxides (NO_x) compliance plans in accordance with the Acid Rain Program regulations (40 CFR parts 72 and 76), for the following 21 utility plants: E C Gaston, Gadsden, Gorgas, and J.H. Miller in Alabama; Big Bend, Crist, Jack Watson, Lansing Smith, Scholz, and Victor J. Daniel in Florida; Arkwright, Harlee Branch, McIntosh, Mitchell, Port Wentworth, and Scherer in Georgia; Dunkirk and Roseton in New York; and Harrison, Rivesville, and Willow Island in West Virginia.

FOR FURTHER INFORMATION CONTACT: Contact the following persons for more information about a permit listed in this notice: for plants in Alabama, Florida, and Georgia, call Scott Davis, (404) 347-5014; for plants in New York, call Gerry DeGaetano, (212) 637-4020; and for plants in West Virginia, call Linda Miller, (215) 597-7547.

Dated: January 23, 1996.

Brian J. McLean,

Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 96-1547 Filed 1-26-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5409-3]**Clean Air Act; Acid Rain Provisions**

AGENCY: Environmental Protection Agency.

ACTION: Notice of the 1996 EPA SO₂ Allowance Auctions.

SUMMARY: Pursuant to Title IV of the Clean Air Act and 40 CFR Part 73, the EPA is responsible for implementing a program to reduce emissions of sulfur dioxide (SO₂), a precursor of acid rain. The centerpiece of the SO₂ control program is the allocation of transferable allowances, or authorizations to emit SO₂, which are distributed in limited quantities for existing utility units and which eventually must be held by virtually all utility units to cover their SO₂ emissions. These allowances may be transferred among polluting sources and others, so that market forces may govern their ultimate use and distribution, resulting in the most cost-effective sharing of the emissions control burden. In addition, EPA is directed under Section 416 of the Act to conduct annual sales and auctions of a small portion of allowances (2.8%)

withheld from the total allowances allocated to utilities each year. Sales and auctions are expected to stimulate and support such a market in allowances and to provide a public source of allowances, particularly to new units for which no allowances are allocated. Today, the Acid Rain Division is giving notice of the fourth annual SO₂ allowance auctions. The regulations governing the auctions and sales were promulgated on December 17, 1991 (40 CFR Part 73, Subpart E).

EPA has delegated the administration of the EPA allowance auctions to the Chicago Board of Trade (CBOT). The auctions will be conducted under the regulations cited above. Anyone can participate in the EPA auctions and bidders are not restricted as to the quantity or price of their bid. Allowances sold at the auctions will be sold to the highest bidder until no allowances remain. The 1996 auctions will consist of one "spot" auction and two "advance" auctions. Allowances sold in the spot auction are useable for compliance beginning in 1996. Allowances sold in the 6-year advance auction are useable for compliance beginning in 2002; allowances sold in the 7-year advance auction are useable for compliance beginning in 2003. 25,000 allowances—the unsold allowances from the 1995 direct sale—will be sold in the 6-year advance auction, 150,000 allowances will be sold in the spot auction and 100,000 allowances will be sold in the 7-year advance auction. Bid Forms for the 1996 auctions must be received by the CBOT by the close of business on March 19, 1996. The auctions themselves will be conducted on March 25, 1996, with the results announced the next day.

All bids in previous auctions were required to be in whole dollars. Beginning with the March 1996 auctions, bids will be accepted in increments of \$0.01.

CBOT will also sell in the 1996 auctions any spot, 6-year advance, or 7-year advance allowances that are offered by others holding allowances in EPA's Allowance Tracking System. However, offered allowances will be sold after the allowances that were withheld from the utilities, so offered allowances will consequently be sold at a lower price than the withheld allowances. Owners of offered allowances may set a minimum price for their allowances. However, under 40 CFR § 73.70, such offered allowances must have a minimum price in whole dollars. To offer allowances in the EPA auctions, owners of allowances must submit a SO₂ Allowance Offer Form to EPA by the close of business on March 1, 1996.

The auction and sale regulations require that offer forms be received by EPA no later than 15 business days prior to the date of the auctions.

ADDRESSES:

U.S. EPA Acid Rain Division (6204J),
Attn: Auctions and Sales, 401 M St.,
S.W., Washington, DC 20460.

Chicago Board of Trade, Attn: EPA
Auctions, 141 W. Jackson Blvd., Suite
2240, Chicago, IL 60604.

Forms needed to participate in the EPA auctions are available from the Acid Rain Division. To obtain forms, call the Acid Rain Hotline at (202) 233-9620.

FOR FURTHER INFORMATION: Information on bidding in the 1996 EPA auctions can be found in the brochure "How to Bid in the EPA SO₂ Allowance Auctions, Fourth Annual Auctions—March 25, 1996;" general information on the EPA auctions can be found in the "Acid Rain Program Allowance Auctions and Direct Sales" fact sheet. These publications can be obtained by calling the Acid Rain Hotline, by writing to EPA at the address listed above, or by accessing the Acid Rain Program home page on the Internet at <http://www.epa.gov/docs/acidrain/ardhome.html> where additional information on the Acid Rain Program is also available.

Dated: January 19, 1996.

Brian J. McLean,

Director, Acid Rain Division.

[FR Doc. 96-1548 Filed 1-26-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5408-4]**Notice of Rechartering of the Local Government Advisory Committee**

The Environmental Protection Agency's (EPA) Local Government Advisory Committee (LGAC) has been rechartered through December 31, 1997, as a necessary committee which is in the public interest, and in accordance with the provisions of the Federal Advisory Committee Act (FACA). The purpose of the LGAC is to provide authoritative analysis and advice to the EPA Administrator regarding how to achieve more effective and efficient implementation of Federal environmental programs by local governments. The Committee membership is balanced with representation from Local and State government officials, Congressional staff, environmental interest groups, and labor unions.