ENVIRONMENTAL PROTECTION AGENCY

[FRL–5636–7]

Agency Information Collection Activities Under OMB Review; Standards of Performance for Onshore Natural Gas Processing Plants

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) for Standards of Performance for Onshore Natural Gas Processing Plants described 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 burden and cost; where appropriate, it includes the actual data collection instrument.

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

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, (202) 260–2740, and refer to EPA ICR No. 1086.05.

SUPPLEMENTARY INFORMATION:

Title: [NSPS Subparts KKK (for VOC emissions) and LLL (for SO_2 emissions), Standards of Performance for Onshore Natural Gas Processing Plants], (OMB Control No. 2060–0120; EPA ICR No. 1068). This is a request for extension of a currently approved collection.

Abstract: Owners/Operators of Onshore Natural Gas Processing Plants subject to Subparts KKK and LLL must notify EPA of construction, modification, startups, shutdowns, malfunctions, dates and results of initial performance tests. Owners/operators subject to these standards must make one-time-only reports of notification of the date of construction or reconstruction and notification of the anticipated and actual startup dates. Owners/operators subject to these standards must also report on the notification of any physical or operational change that may cause emissions increases and are also required to maintain records of the occurrence and duration of any startup, shutdown or malfunction in the operation of an affected facility, or any period in which the monitoring system is inoperable.

Facilities subject to Subpart KKK must provide information on leaks, including the date when the leak was detected, the repair method used and other pertinent details. Facilities subject to Subpart LLL must submit information on excess SO_2 emissions. Large facilities subject to Subpart LLL must install, calibrate, maintain and operate SO_2 CEMS. These facilities would also have to submit the results of initial performance tests. Owners/operators of all affected facilities must report semiannually on the operating information contained in the records. This information is collected and used to ensure that the standards for VOC and SO_2 emissions are being met. 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 3/26/96 (61 FR 13172).

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 101 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This 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.

Estimated Number of Affected Entities: 332.

Frequency of Response: Semiannually and as needed.

Estimated Total Annual Hour Burden: 46,032 hours.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 1086.05 and OMB Control No. 2060–0120 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OPPE Regulatory Information Division (2137), 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 Street, NW, Washington, DC 20503.

Dated: October 9, 1996.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 96–26450 Filed 10–15–96; 8:45 am]

BILLING CODE 6560–50–M

[FRL–5619–2]

Water Pollution Control; Approval of Application by Utah to Administer the Sludge Management (Biosolids) Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Approval of Application.

SUMMARY: The State of Utah submitted an application to EPA to administer and enforce the sludge management program for regulating sludge management activities in the State. The program was authorized effective June 14, 1996.

FOR FURTHER INFORMATION CONTACT: Bob Brobst at (303) 312–6129, Water Permits Team (8P2–W–P); USEPA, Region VIII; One Denver Place, 999 18th Street, Suite 500; Denver, CO 80202–2466.

SUPPLEMENTARY INFORMATION: The application of the Utah Department of Environmental Quality (UDEQ) was received by EPA on October 10, 1995. Modifications were made to the Addendum to the Memorandum of Agreement for Sludge Management Program, based on discussions between EPA, UDEQ, and the Office of the State Attorney General.

UDEQ's application was described in the April 17, 1996 Federal Register at Vol. 61, No. 75, pages 16787 and 16788, and in notices published in the Salt Lake Tribune and Deseret News and the St. George Daily Spectrum on April 20, 1996.

Copies of UDEQ's application package were available for public review at the EPA Region VIII Office and at the UDEQ office in Salt Lake City, Utah.

EPA provided copies of the public notice to permitted facilities, tribal councils and tribal environmental agencies, certain Federal agencies, and environmental groups within Utah. The mailing list used is part of the record of the program application and review process. EPA and UDEQ discussed the program application with the Utah Office of the U.S. Fish & Wildlife Service and received their concurrence

that the proposed program authorization was unlikely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of habitat of such species. By letter dated April 4, 1996, EPA provided a copy of Utah's application to the Utah State Historic Preservation Officer and received their concurrence by letter dated April 16, 1996. EPA accepted written comments from the public. All comments or objections received in writing by EPA Region VIII by May 20, 1996 were considered by EPA.

Two comments were received.

The first comment concerned jurisdiction on Indian Country. The Blackfeet Nation, Blackfeet Environmental Office, stated that:

''Utah DEQ should only be able to permit on lands outside the exterior boundary of the Indian reservations in Utah. The Environmental Protection Agency has the sole responsibility of permitting on the reservation if the tribes do not or are not capable of permitting themselves. I feel that to ensure environmental justice to Indian Tribes, permitting should only be done by Tribes or EPA, not States.''

As outlined in EPA's April 17, 1996 Federal Register and April 20, 1996 newspaper notices, EPA withheld from sludge management program authorization consideration those lands which were in Indian Country or for which there was significant controversy over whether or not the land was Indian Country. The notices also acknowledged that the exact geographical extent of Indian Country within the Uintah and Ouray Indian Reservation was currently under litigation in Federal court, and until that litigation was complete, that the EPA would enter into discussions with the Ute Indian tribe of the Uintah and Ouray Reservation and with the State of Utah to determine the best interim approach to managing the program in the disputed area. In withholding authorization for these areas, EPA was not making a determination as to whether or not Utah had adequate jurisdiction. As noted earlier, EPA provided copies of Utah's public notices to tribal councils and tribal environmental agencies located within or abutting the State of Utah.

It should be noted that there are no EPA-issued sludge management permits for facilities or activities in Indian Country at this time. Operators or owners of facilities or activities subject to the sludge management program which are located on or within the Uintah and Ouray Reservation should send permit applications to EPA. Persons with questions as to whether their facilities may be in Indian Country are advised to consult with the Bureau of Indian Affairs and the EPA.

The second comment, from the Milwaukee Metropolitan Sewerage District, supported approval of Utah's request for delegation of the biosolids program. The District also requested that EPA issue national guidance explicitly providing for reciprocity for other-state issued permits for ''exceptional quality'' bulk or bagged sludge. This request was outside the purview of this authorization action and was forwarded to the EPA Office of Water.

Conclusion

The State of Utah has demonstrated that it adequately meets the requirements for program modification to include sludge management as defined in the Clean Water Act, 40 CFR Part 123, and 40 CFR Part 503. The U.S. Fish & Wildlife Service concurred with the EPA ''no adverse effect'' determination regarding program authorization. The State Historic Preservation Office concurred with the EPA ''no affect'' determination.

At this time, EPA is withholding authorization to administer the sludge management program on Indian Country located within Utah, including lands for which there is significant controversy over whether or not the land is Indian Country.

Federal Register Notice of Approval of State NPDES Programs or Modifications

EPA must provide Federal Register notice of any action by the Agency approving or modifying a State NPDES program. The following table will provide the public with an up-to-date list of the status of NPDES permitting authority throughout the country. Today's Federal Register notice is to announce the approval of Utah's authority to administer the sludge management program.

STATE NPDES PROGRAM STATUS

State	Approved state NPDES permit program	Approved to regulate Federal facilities	Approved State pretreatment program	Approved general permits program	Approved sludge management program
Alabama	10/19/79	10/19/79	10/19/79	06/26/91	
Arkansas	11/01/86	11/01/86	11/01/86	11/01/86	
California	05/14/73	05/05/78	09/22/89	09/22/89	
Colorado	03/27/75			03/04/83	
Connecticut	09/26/73	01/09/89	06/03/81	03/10/92	
Delaware	04/01/74			10/23/92	
Florida [1]	05/01/95	05/01/95	05/01/95	05/01/95	
Georgia	06/28/74	12/08/80	03/12/81	01/28/91	
Hawaii	11/28/74	06/01/79	08/12/83	09/30/91	
Illinois	10/23/77	09/20/79		01/04/84	
Indiana	01/01/75	12/09/78		04/02/91	
Iowa	08/10/78	08/10/78	06/03/81	08/12/92	
Kansas	06/28/74	08/28/85		11/24/93	
Kentucky	09/30/83	09/30/83	09/30/83	09/30/83	
Maryland	09/05/74	11/10/87	09/30/85	09/30/91	
Michigan	10/17/73	12/09/78	04/16/85		
Minnesota	06/30/74	12/09/78	07/16/79	12/15/87	
Mississippi	05/01/74	01/28/83	05/13/82	09/27/91	
Missouri	10/30/74	06/26/79	06/03/81	12/12/85	
Montana	06/10/74	06/23/81		04/29/83	
Nebraska	06/12/74	11/02/79	09/07/84	07/20/89	
Nevada	09/19/75	08/31/78		07/27/92	
New Jersey	04/13/82	04/13/82	04/13/82	04/13/82	
New York	10/28/75	06/13/80		10/15/92	
North Carolina	10/19/75	09/28/84	06/14/82	09/06/91	

STATE NPDES PROGRAM STATUS—Continued

State	Approved state NPDES permit program	Approved to regulate Federal facilities	Approved State pretreatment program	Approved general permits program	Approved sludge management program
North Dakota	06/13/75	01/22/90	.....	01/22/90	
Ohio	03/11/74	01/28/83	07/27/83	08/17/92	
Oregon	09/26/73	03/02/79	03/12/81	02/23/82	
Pennsylvania	06/30/78	06/30/78	.....	08/02/91	
Rhode Island	09/17/84	09/17/84	09/17/84	09/17/84	
South Carolina	06/10/75	09/26/80	04/09/82	09/03/92	
South Dakota	12/30/93	12/30/93	12/30/93	12/30/93	
Tennessee	12/28/77	09/30/86	08/10/83	04/18/91	
Utah	07/07/87	07/07/87	07/07/87	07/07/87	06/14/96
Vermont	03/11/74	.....	03/16/82	08/26/93	
Virgin Islands	06/30/76	.....	.....	.....	
Virginia	03/31/75	02/09/82	04/14/89	05/20/91	
Washington	11/14/73	.....	09/30/86	09/26/89	
West Virginia	05/10/82	05/10/82	05/10/82	05/10/82	
Wisconsin	02/04/74	11/26/79	12/24/80	12/19/86	
Wyoming	01/30/75	05/18/81	.....	09/24/91	
Totals	41	36	29	39	1

Number of Fully Authorized Programs (Federal Facilities, Pretreatment, General Permits, Sludge Management)=1.

[1] The Florida authorizations of 05/01/95 represents a phased NPDES program authorization to be completed by the year 2000.

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. EPA recognizes that small entities may own and/or operate facilities or businesses that will become subject to the requirements of an approved state sludge management program. However, since such small entities which own and/or operate sludge management facilities or businesses are already subject to the requirements in 40 CFR parts 423 and 503, this authorization does not impose any additional burdens on these small entities. This is because EPA's authorization would result in an administrative change (i.e., whether EPA or the State administers the sludge management program in that State), rather than result in a change in the substantive requirements imposed on small entities. Once EPA authorizes a State to administer its own sludge management program, these same small entities will be able to own and operate their facilities or businesses under the approved state program, in lieu of the Federal program. Moreover, this authorization, in approving a State program to operate in lieu of the Federal program, eliminates duplicative requirements for owners and operators of sludge management facilities and businesses in that particular State.

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 authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively approves the Utah program to operate in lieu of the Federal program, thereby eliminating duplicative requirements for sludge management facility or business operators or owners in the State. It does not impose any new burdens on small entities. This document, therefore, does not require a regulatory flexibility analysis.

Executive Order 12866

The Office of Management and Budget has exempted this document from Executive Order 12866.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UNRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

Today's document contains no Federal mandates for State, local or tribal governments or the private sector. The Act excludes from the definition of a ''Federal mandate'' duties that arise from participation in a voluntary Federal program, except in certain cases where a ''federal intergovernmental mandate'' affects an annual federal entitlement program of $500 million or more that are not applicable here. Utah's request for approval of its sludge management program is voluntary and imposes no Federal mandate within the meaning of the Act. Rather, by having

its sludge management program approved, the State will gain the authority to implement the program within its jurisdiction, in lieu of EPA thereby eliminating duplicative State and Federal requirements. If a State chooses not to seek authorization for administration of a sludge management program, regulation is left to EPA.

In any event, EPA has determined that this document does not contain a Federal mandate that may result in expenditures $100 million or more for State, local, and tribal governments in the aggregate, or the private sector in any one year. EPA does not anticipate that the approval of Utah's sludge management program referenced in today's notice will result in annual costs of $100 million or more. EPA's approval of state programs generally may reduce, not increase, compliance costs for the private sector since the State, by virtue of the approval, may now administer the program in lieu of EPA and exercise primary enforcement. Hence, owners and operators of sludge management facilities or businesses generally no longer face dual Federal and State compliance requirements, thereby reducing overall compliance costs. Thus, today's document is not subject to the requirements of sections 202 and 205 of the UMRA.

EPA has determined that this document contains no regulatory requirements that might significantly or uniquely affect small governments. The Agency recognizes that small governments may own and/or operate sludge management facilities that will become subject to the requirements of an approved State sludge management program. However, such small governments which own and/or operate sludge management facilities or businesses are already subject to the requirements in 40 CFR parts 123 and 503 and are not subject to any additional significant or unique requirements by virtue of this program approval. Once EPA authorizes a State to administer its own sludge management program and any revisions to that program, these same small governments will be able to own and operate their sludge management facilities or businesses under the approved State program, in lieu of the Federal program.

Dated: August 28, 1996.

Jack W. McGraw,

Acting Regional Administrator, Environmental Protection Agency, Region VIII.

[FR Doc. 96–26328 Filed 10–15–96; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

Licensee Order To Show Cause

The Assistant Chief, Audio Services Division, Mass Media Bureau, has before him the following matter:

Licensee	City/State	MM Docket No.
Group Communications, Inc.	West Valley City, UT.	96–201

(regarding the silent status of Station KRGQ(AM))

Pursuant to Section 312(a)(3) and (4) of the Communications Act of 1934, as amended, Group Communications, Inc. has been directed to show cause why the license for Station KRGQ(AM) should not be revoked, at a proceeding in which the above matter has been designated for hearing concerning the following issues:

(1) To determine whether Group Communications, Inc. has the capability and intent to expeditiously resume the broadcast operations of KRGQ(AM), consistent with the Commission's Rules.

(2) To determine whether Group Communications, Inc. has violated Sections 73.1740 and/or 73.1750 of the Commission's Rules.

(3) To determine, in light of the evidence adduced pursuant to the foregoing issues, whether Group Communications, Inc. is qualified to be and remain the licensee of Station KRGQ(AM).

A copy of the complete Show Cause Order and HDO in this proceeding is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 239), 1919 M Street, N.W., Washington, D.C. The complete text may also be purchased from the Commission's duplicating contractor, International Transcription Service, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037 (telephone 202–857–3800).

Federal Communications Commission

Stuart B. Bedell.

Assistant Chief, Audio Services Division, Mass Media Bureau.

[FR Doc. 96–26433 Filed 10–15–96; 8:45 am]

BILLING CODE 6712–01–P

Renewal Application Designated for Hearing

1. The Assistant Chief, Audio Services Division, has before him the following application for renewal of broadcast license

Licensee	City/State	File No.	MM Docket No.
L.T. Simes and Raymond Simes.	Marianna, AR.	BR–960201BE	96–200

(seeking renewal of the license for KZOT(AM))

2. Pursuant to Section 309(e) of the Communications Act of 1934, as amended, the above application has been designated for hearing in a proceeding upon the following issues:

(a) To determine whether L.T. Simes and Raymond Simes have the capability and intent to expeditiously resume the broadcast operations of KZOT(AM), consistent with the Commission's Rules.

(b) To determine whether L.T. Simes and Raymond Simes have violated Sections 73.1740 and/or 73.1750 of the Commission's Rules.

(c) To determine, in light of the evidence adduced pursuant to the foregoing issues, whether grant of the subject renewal of license application would service the public interest, convenience and necessity.

A copy of the complete HDO in this proceeding is available for inspection and copying during normal business hours in the dockets section of the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C. The complete text may also be purchased from the Commission's duplicating contractor, International Transcription Service, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037 (telephone 202–857–3800).

Federal Communications Commission.

Stuart B. Bedell,

Assistant Chief, Audio Services Division, Mass Media Bureau.

[FR Doc. 96–26432 Filed 10–15–96; 8:45 am]

BILLING CODE 6712–01–P

[Report No. 2159]

Petitions for Reconsideration and Clarification of Action in Rulemaking Proceedings

October 10, 1996.

Petitions for reconsideration and clarification have been filed in the Commission's rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of these document are available for viewing and copying in Room 239, 1919 M Street, N.W., Washington, D.C. or may be purchased from the Commission's copy contractor,