

dioxide and/or particulate matter results. Records of startups, shutdowns, and malfunctions should be noted as they occur. Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least two years following the date of such measurements.

The reporting requirements for this type of facility currently include the initial notifications listed, the initial performance test results, and quarterly report of SO<sub>2</sub> emissions, and instances of excess opacity. Semiannual opacity reports are required when there is no excess opacity. Semiannual excess emission reports and monitoring system performance reports shall include the magnitude of excess emissions, the date and time of the exceedance or deviance, the nature and cause of the malfunction (if known) and corrective measures taken, and identification of the time period during which the CMS was inoperative (this does not include zero and span checks nor typical repairs/adjustments).

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 15. The Federal Register Notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on July 15, 1996.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 23.5 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 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.

**Respondents/Affected Entities:** Small Industrial-Commercial-Institutional Steam Generating Units.

**Estimated Number of Respondents:** 319.

**Frequency of Response:** 4.

**Estimated Total Annual Hour Burden:** 229,673 Hours.

**Estimated Total Annualized Cost Burden:** \$9,940,000.00.

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. 1564.04 and OMB Control No. 2060-0202 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: December 6, 1996.

Richard T. Westlund,

Acting Director, Regulatory Information Division.

[FR Doc. 96-31557 Filed 12-11-96; 8:45 am]

BILLING CODE 6560-50-P

[AD-FRL-5663-8]

**Agency Information Collection Activities Under OMB Review; Industrial Combustion Coordinated Rulemaking Information Collection Request**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3507(a)(1)(D)), this notice announces that the Information Collection Request (ICR) 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; and, it includes the actual data collection instrument (questionnaire).

**DATES:** Comments must be submitted on or before January 13, 1997.

**FOR FURTHER INFORMATION OR A COPY CALL:** Sandy Farmer at EPA, (202) 260-2740, and refer to EPA ICR No. 1796.01. The ICR supporting statement and other relevant materials are also available electronically on the Technology Transfer Network (TTN). Choose the "ICCR-Industrial Combustion Coordinated Rulemaking Process" selection from the Technical

Information Areas menu. To download the ICR from the main menu, select "<R> Download Forms for Replies". The TTN is one of EPA's electronic bulletin boards. The TTN provides information and technology exchange in various areas of air pollution control. The service is free except for the cost of a phone call. Dial (919) 541-5742 for up to a 14,400 bits-per-second (bps) modem. The TTN is also accessible through the Internet via TELNET at "TELNET ttnbbs.rtpnc.epa.gov", or at the Internet World Wide Web site "http://ttnwww.rtpnc.epa.gov". If more information on the TTN is needed, call the help desk at (919) 541-5384. The help desk is staffed from 11:00 a.m. to 5:00 p.m., Eastern time. A voice menu system is available at other times.

**SUPPLEMENTARY INFORMATION:**

**Title:** Industrial Combustion Coordinated Rulemaking (ICCR) Questionnaire (EPA ICR No. 1796.01). This is a new collection.

**Abstract:** An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information that is sent to ten or more persons unless it displays a currently valid OMB control number. The OMB control numbers for EPA's approved information collection requests are listed in 40 CFR Part 9 and 48 CFR 15. The Federal Register Notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information, was published on July 29, 1996 (61 FR 39450). Seven comments were received. A brief summary of the ICR is provided below; however, for more detail, refer to the previous Federal Register Notice and to the ICR supporting statement.

Sections 112 and 129 of the Clean Air Act (the Act) require EPA to develop regulations to limit emissions of toxic or hazardous air pollutants, and in some cases, emissions of certain criteria air pollutants as well, from several categories of combustion sources, including industrial boilers, commercial/institutional boilers, process heaters, industrial/commercial waste incinerators, other solid waste combustors, stationary combustion turbines, and stationary internal combustion engines. These combustion sources are used pervasively for energy generation and waste disposal in a wide variety of industries and commercial and institutional establishments. They combust fuels including oil, coal, natural gas, wood, and non-hazardous wastes. Both hazardous air pollutants and criteria pollutants are emitted.

These regulations could affect hundreds of thousands of combustion

sources nationwide and will have significant environmental, health, and cost impacts. The EPA has decided to coordinate the development of these regulations in a single effort termed the "Industrial Combustion Coordinated Rulemaking" (ICCR).

The overall goal of the ICCR is to develop a unified set of Federal air emissions regulations that will maximize environmental and public health benefits in a flexible framework at a reasonable cost of compliance, avoiding duplicative and overlapping regulatory requirements, within the constraints of the Act. A Federal Advisory Committee Act (FACA) advisory committee and a series of work groups, composed of stakeholders and EPA, have been established to develop recommendations that will assist EPA in implementing the ICCR. This will permit active stakeholder participation in all aspects of regulatory development.

Additional information about the ICCR, as well as information on how to participate in the ICCR, is available in the document "Industrial Combustion Coordinated Rulemaking—Proposed Organizational Structure and Process." This document may be downloaded from the TTN, described above under "For Further Information Contact:".

The Clean Air Act requires development of six of the seven regulations by November 2000, which in turn necessitates proposal by November 1999—only three years from now. To ensure that the 1999 and 2000 dates are met, the necessary information to develop these regulations must be collected by early 1997, analyses of the information must be completed in 1997, regulatory alternatives must be identified and various analyses of the impacts associated with these alternatives must be completed in 1998, and the proposed rule(s) must be developed and proposed in 1999.

It should be noted that EPA is under Court Order to develop regulations under section 129 of the Act for industrial and commercial waste incinerators, which is one of the source categories included in the ICCR. The litigants have agreed to an interim extension of the court-ordered proposal date for these regulations from May 30, 1996 to January 15, 1997. As a condition associated with this extension, EPA must develop a formal questionnaire under section 114 of the Act by January 1997 to collect all the information EPA feels is necessary to develop regulations for industrial and commercial solid waste incinerators. The EPA will meet with the litigants in January 1997 to discuss whether sufficient information to develop regulations for industrial and

commercial solid waste incinerators is likely to be obtained more quickly and effectively by sending out the questionnaire or by other means, such as through the ICCR.

It is EPA's hope that through the efforts of the stakeholders participating in the ICCR, there will be no need—or only a limited need—for EPA to use the authority of section 114 of the Act (which requires mandatory response) to send the formal questionnaire to thousands of combustion sources. It is the goal and the task of the Source Work Groups working under the ICCR FACA Advisory Committee to devise and implement a means for gathering the information necessary to develop regulations from all sources—including industry—in a voluntary and cooperative manner.

While initial response to the ICCR has been positive from all stakeholders, including industry, State/local agencies, environmental groups, etc., and EPA is committed to doing everything it can to ensure the success of the ICCR, EPA must be prepared and in a position to meet the statutory dates in the Act for adoption of the regulations. Consequently, EPA must proceed with development of an ICR for all the combustion sources included in the ICCR, and must proceed along this path in parallel with the Source Work Group activities under the ICCR. This will permit EPA to send out the questionnaire to gather the necessary information and do the necessary analyses in time to meet the statutory and court-ordered deadlines if the ICCR Work Group information collection efforts do not succeed.

If the judgment in January 1997 is that the information collection efforts through the ICCR have failed or proven to be inadequate, then EPA will implement the formal questionnaire by mid-January 1997. However, if it appears that the ICCR will be successful in collecting the needed information voluntarily, the questionnaire will not be sent out, or a scaled back version could be used to collect only the information that can not be obtained by other means.

*Questionnaire Description:* To develop regulations, EPA will need information to determine the maximum achievable control technology (MACT) floor; identify regulatory alternatives (i.e., possible regulations) more stringent than the MACT floor; and analyze the environmental and public health benefit, as well as the cost and economic impacts of the alternatives. These analyses of impacts are the basis for decisions about which regulatory

alternative(s) to propose as the regulation.

The proposed questionnaire has five parts: general facility information; combustor information; control device information; emissions information; and capital and annual costs. As discussed above, the questionnaire would be mailed—either in total or in part, as appropriate—in hardcopy form to the intended recipients. An electronic version of the questionnaire is being planned to allow for electronic completion and submittal.

Because of their pervasive use, these combustion devices are located in establishments in nearly every, if not all, 2-digit standard industrial classification (SIC) codes. The questionnaire would be sent to a statistical sampling of over 8 million establishments that are classified by SIC codes.

Recipients of this questionnaire would be required to respond under the authority of section 114 of the Act. If a respondent believes the disclosure of certain information requested would compromise a trade secret, it would need to be clearly identified as such and will be treated as confidential until a determination is made. Any information subsequently determined to constitute a trade secret will be protected under 18 U.S.C. 1905. If no claim of confidentiality accompanies the information when it is received by EPA, it may be made available to the public without further notice (40 CFR 2.203, September 1, 1976).

*Burden Statement:* The one-time public burden for this collection of information is estimated to range from 50 to 400 hours per response for owners or operators of one or more combustion device, with an average of 200 hours for respondents with 5 combustion devices. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, 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 purpose 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.

*Respondents/Affected Entities:* owners or operators of industrial

boilers, institutional/commercial boilers, process heaters, industrial/commercial solid waste incinerators or other solid waste incinerators (not including hazardous waste incinerators, medical waste incinerators, or municipal waste incinerators burning more than 40 tons/day of municipal solid waste), stationary gas turbines, or stationary internal combustion engines.

*Estimated Number of Respondents:* 35,000

*Frequency of Response:* One-time

*Estimated Total Annual Hour Burden:* 2.34 million

*Estimated Total Annualized Cost Burden:* \$90.8 million

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. 1796.01 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency (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: December 6, 1996.

Richard T. Westlund,

*Acting Director, Regulatory Information Division.*

[FR Doc. 96-31559 Filed 12-11-96; 8:45 am]

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[FRL-5663-6]

### Calculation of the Economic Benefit of Noncompliance in EPA's Civil Penalty Enforcement Cases

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

**ACTION:** Extension of time for request for comment.

**SUMMARY:** On October 9, 1996, the Environmental Protection Agency ("EPA") published a notice in the Federal Register (Pages 53025-30) requesting comment on how it calculates the economic benefit obtained by regulated entities as a result of violating environmental requirements. By this notice, EPA is extending the deadline for comment from January 1, 1997 to March 3, 1997.

**DATES:** Comments must be received by EPA at the address below by March 3, 1997.

**ADDRESSES:** Written comments should be submitted in triplicate to: U.S. Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Economic Benefit Docket Clerk, Mail Code 2248-A, 401 M Street, SW, Washington, D.C. 20460.

EPA will maintain a record of all written comments submitted pursuant to this notice. Copies of the comments may be reviewed at the Ariel Rios Federal Building, 1200 Pennsylvania Avenue, Washington, DC 20044. Persons interested in reviewing the comments must make advance arrangements to do so by calling (202) 564-2235.

**FOR FURTHER INFORMATION CONTACT:**

Copies of the BEN computer model and the BEN Users Manual may be obtained from the National Technological Information Service by calling (703) 487-4650. Callers should request order number PB95-502514INC. Electronic copies of these items are also downloadable through the Office of Enforcement and Compliance Assurance's communications network called "EnviroSenSe." EnviroSenSe is a free public network accessible via the World Wide Web on the Internet (<http://es.inel.gov>). The actual internet address of the BEN model is: <http://es.inel.gov/oeca/models/ben.html>. The internet address of the BEN Users Manual is: <http://es.inel.gov/oeca/models/benmanual.html>. For further information, contact Jonathan Libber, Office of Regulatory Enforcement, Multimedia Enforcement Division, at (202) 564-6011.

Dated: December 3, 1996.

Steven A. Herman,

*Assistant Administrator, Office of Enforcement and Compliance Assurance.*

[FR Doc. 96-31561 Filed 12-11-96; 8:45 am]

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[FRL-5664-4]

### Request for Nominations of Candidates for the National Environmental Education Advisory Council

**SUMMARY:** Section 9 (a) and (b) of the National Environmental Education Act of 1990 (Pub. L. 101-619) mandates a National Environmental Education Advisory Council. The Advisory Council provides advice, consults with, and makes recommendations to the Administrator of the U.S. Environmental Protection Agency (EPA) on matters relating to the activities, functions, and policies of EPA under the Act. EPA is requesting nominations of candidates for membership on the

Council. The Act requires that the Council be comprised of eleven (11) members appointed by the Administrator of EPA, after consultation with the Secretary of U.S. Department of Education. Members represent a balance of perspectives, professional qualifications, and experience. The Act specifies that members must represent the following:

- Primary and secondary education (one of whom shall be a classroom teacher)—two members.
- Colleges and universities—two members.
- Not-for-profit organizations involved in environmental education—two members.
- State departments of education and natural resources—two members.
- Business and industry—two members.
- Senior Americans—one member.

Members are chosen to represent the various geographic regions of the country, and the Council shall have minority representation. The professional backgrounds of Council members include scientific, policy, and other appropriate disciplines. Each member of the Council shall hold office for a one (1) to three (3) year period, which runs from November to November of each calendar year. Members are expected to participate in up to two (2) meetings per year and bi-monthly or more conference calls per year. Members of the Council shall receive compensation and allowances, including travel expenses, at a rate fixed by the Administrator. There are currently six (6) vacancies on the Advisory Council that must be filled. These include the following:

- Classroom teacher—one vacancy (Nov. 1996–Nov. 1998).
- Not-for-profit organization—one vacancy (Nov. 1996–Nov. 1999).
- State department of education—one vacancy (Nov. 1996–Nov. 1999).
- Business and Industry—two vacancies (Nov. 1996–Nov. 1999).
- Colleges and Universities—one vacancy (Nov. 1996–Nov. 1999).

EPA particularly seeks candidates with demonstrated experience and/or knowledge in any of the following environmental education issue areas:

- Integrating environmental education into state and local education reform and improvement;
- State, national and tribal level environmental education;
- Cross-sector partnerships; leveraging resources for environmental education;
- Professional development for teachers and other education professionals; and