

DATES: Comments must be submitted on or before January 16, 1997.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, (202) 260-2740, and refer to EPA ICR No. 1395.03.

SUPPLEMENTARY INFORMATION:

Title: Emergency Planning and Release Notification Requirements (EPCRA sections 302, 303, 304), (OMB #2050-0092, EPA ICR #1395.03) expiring 01/31/97. This is an extension of a currently approved ICR.

Abstract: EPCRA established broad emergency planning and facility reporting requirements. Section 302 (40 CFR 355.30) requires facilities where an extremely hazardous substance (EHS) is present in an amount at or in excess of the threshold planning quantity (TPQ) to notify the State Emergency Response Commission (SERC) by May 17, 1987. This activity has been completed; the section 302 costs and burden hours for this ICR, therefore, reflect only the estimate of cost and burden incurred by facilities newly regulated during years 1996 through 1999.

Section 303 (40 CFR 355.30) requires local emergency planning committees (LEPCs) to prepare local emergency plans. Facilities subject to section 302 are required to provide information for the development and implementation of these local emergency plans.

Section 304 (40 CFR 355.40) requires facilities to report to SERCs and LEPCs releases of EHSs and hazardous substances in excess of reportable quantities established by EPA. In addition, these facilities must provide written follow-up information on the release, its impacts, and any actions taken in response to the release.

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 September 30, 1996 (61 FR 51107). One comment was received.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 20.75 hours per response for newly regulated facilities and 11.5 hours for existing facilities. 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.

Respondents/Affected Entities: Business or other for profit; State, Local or Tribal Governments.

Estimated Number of Respondents: 106,400.

Frequency of Response: one per year.
Estimated Total Annual Hour Burden: 965,982 hours.

Estimated Total Annualized Cost Burden: \$21,363,000.

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. 1395.03 and OMB Control No. 2050-0092 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 11, 1996.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 96-31970 Filed 12-16-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5666-6]

Notice of Proposed Prospective Purchaser Agreement Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as Amended by the Superfund Amendments and Reauthorization Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.

SUMMARY: Notice is hereby given that a proposed prospective purchaser agreement associated with the Rutledge

Property Superfund Site in York County, South Carolina was executed by the Agency on October 6, 1996, and executed by the Department of Justice on December 3, 1996. This Agreement is subject to final approval after the comment period. The Prospective Purchaser Agreement would resolve certain potential EPA claims under sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as Amended by the Superfund Amendments and Reauthorization Act of 1986 ("CERCLA"), against Cherry St. Associates, L.L.C., the prospective purchaser ("the Purchaser"). The settlement would require the Purchaser to exercise due care at the Site with respect to any existing contamination and to provide EPA access to the Site.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement. The Agency's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region 4, 100 Alabama St., S.W., Atlanta, Georgia 30303.

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AVAILABILITY: The proposed settlement is available for public inspection at the U.S. Environmental Protection Agency, Region 4, 100 Alabama St., S.W., Atlanta, Georgia 30303. A copy of the proposed agreement may be obtained from Sherri Panabaker, Remedial Project Manager, U.S. Environmental Protection Agency, Region 4, 100 Alabama St., S.W., Atlanta, Georgia 30303. Comments should reference the "Rutledge Property Superfund Site Prospective Purchaser Agreement" and should be forwarded to Sherri Panabaker, Remedial Project Manager, at the above address.

FOR FURTHER INFORMATION CONTACT:

Kevin T. Beswick, Assistant Regional Counsel, United States Environmental Protection Agency, Region 4, 100 Alabama St., S.W., Atlanta, Georgia 30303, (404) 562-9580, or by E-Mail at "beswick.kevin@epamail.epa.gov".

A. Stanley Meiburg,

Acting Regional Administrator.

[FR Doc. 96-31969 Filed 12-16-96; 8:45 am]

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