

0155.05. OMB No. 2070-0029. Renewal. Current expiration date: June 30, 1997.

Affected entities: Parties affected by this information collection are pesticide applicators who require certification to apply restricted use pesticides, and States, Indian tribes, and Federal Agencies with EPA-approved certification plans.

Abstract: The Federal Insecticide, Fungicide, and Rodenticide Act allows a pesticide to be classified as "restricted use" if the pesticide meets certain toxicity criteria. Restricted use pesticides, because of their potential to harm people or the environment, may be applied only by a certified applicator or someone under the direct supervision of a certified applicator. In order to become a certified applicator, a person must meet certain standards of competency. The primary mechanism for certifying pesticide applicators is State certification plans approved by EPA. 40 CFR part 171 establishes the criteria for State and EPA-administered certification plans. In addition, these regulations establish criteria for certification plans from Federal agencies or Indian tribes who wish to develop their own programs in lieu of using State certification programs.

The recordkeeping and reporting requirements in these regulations allow the Agency to ensure that restricted use pesticides are used only by or under the direct supervision of properly trained and certified applicators, and to monitor the application of restricted use pesticides.

Burden Statement: Small entities are affected by this information collection activity as the regulations apply to individuals who are certified applicators. However, the records required of pesticide applicators and their employees are minimal and would generally be kept for the applicator's own use even in the absence of this regulation. The information is to be retained for 2 years and is only made available upon request by State or EPA authorized officials. States supply information through annual reports on the status of certified applicators, enforcement of restricted use pesticides, and any significant changes in the plan.

The annual respondent burden for this program is estimated to average 5 hours for pesticide dealer recordkeeping, 3.5 hours for certified applicator recordkeeping, 10 minutes for completing applicator certification forms, and 150 hours for State annual reports, including time for: reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection.

Any 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 contained in 40 CFR part 9.

II. Request for Comments

EPA solicits comments to:

- (i) Evaluate whether the proposed collections of information described above are 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 estimates of the burdens of the proposed collections of information.
- (iii) Enhance the quality, utility, and clarity of the information to be collected.
- (iv) Minimize the burden of the collections of information on those who are to respond, including through the use of appropriate automated or electronic collection technologies or other forms of information technology, e.g., permitting electronic submission of responses.

Send comments regarding these matters, or any other aspect of these information collections, including suggestions for reducing the burdens, to the docket under ADDRESSES listed above.

List of Subjects

Environmental protection and Information collection requests.

Dated: February 14, 1997.

Susan H. Wayland,
*Acting Assistant Administrator for
Prevention, Pesticides and Toxic Substances.*

[FR Doc. 97-4623 Filed 2-25-97; 8:45 am]

BILLING CODE 6560-50-F

[FRL-5694-2]

Agency Information Collection Activities: Proposed Collection; Comment Request; Notification of Episodic Releases of Oil and Hazardous Substances

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 continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): Notification of Episodic Releases of Oil and Hazardous Substances, EPA ICR

Number 1049.07, OMB Control Number 2050-0046, expiring June 30, 1997. Before submitting the ICR renewal package 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 April 28, 1997.

ADDRESSES: Comments should be submitted in triplicate to the following address: Office of Emergency and Remedial Response (5201G), Attention: Superfund Docket Clerk, Docket Number 102RQ-ER, U.S. Environmental Protection Agency, 401 M Street SW, Washington, DC 20460, (703) 603-9232. Materials relevant to this rulemaking are contained in Public Docket No. 102RQ-ER. This docket is located at 1235 Jefferson Davis Highway (ground floor), Arlington, VA. Dockets may be inspected, by appointment only, from 9:00 a.m. to 4:00 p.m., Monday through Friday. A reasonable fee may be charged for copying docket material.

FOR FURTHER INFORMATION CONTACT:

Lynn Beasley, (703) 603-9086.
Facsimile number: (703) 603-9104.
Electronic address:
beasley.lynn@epamail.epa.gov. Note that questions but not comments will be accepted electronically.

SUPPLEMENTARY INFORMATION:

Affected Entities: Entities potentially affected by this action are those persons in charge of a facility or vessel that has released a reportable quantity or more of a hazardous substance into the environment or that has discharged oil into U.S. waters, causing a sheen, violating applicable water quality standards, or causing a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

Title: Notification of Episodic Releases of Oil and Hazardous Substances, EPA ICR Number 1049.07, OMB Control Number 2050-0046, expiring June 30, 1997.

Abstract: This ICR addresses the reporting and record keeping activities required to comply with the release notification requirements for hazardous substances and oil specified in section 103(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, and section 311 of the Clean Water Act (CWA). These reporting requirements are codified at 40 CFR parts 110, 117, and 302. This ICR renews the collection activity previously approved under OMB No. 2050-0046 and applies to the period

July 1, 1997 through June 30, 2000. Estimates of the burden placed on industry to comply with the release notification requirements are presented annually.

CERCLA section 103(a) and CWA section 311 require the person in charge of a facility or vessel to immediately notify the National Response Center (NRC) of hazardous substance releases into the environment and oil discharges into U.S. waters. The regulated community is expected to:

- Gather necessary release data, such as the time, quantity, and source of the release;
- Brief the facility manager;
- Consult with the environmental compliance expert;
- Report the release to the NRC using a toll-free telephone number, a facsimile number, or a telex number; and
- Keep a log of release data such as the time, date, and circumstance of the release. (This information is expected, but not required under the regulations).

There are no record keeping requirements specified under CERCLA section 103(a), CWA section 311, or their implementing regulations. The person in charge of the facility or vessel, however, may elect to maintain a log detailing the time, date, and circumstances associated with the reported release. The purpose of maintaining a log of reported releases is to track correspondence with response authorities and to document compliance with release notification requirements under CERCLA and the CWA. Because

the respondent will probably perform this activity, burden and cost estimates associated with record keeping are included in the ICR.

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. For this ICR, 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 current ICR assumes that notification requires approximately two person-hours for releases of hazardous substances and oil, including one hour of technical

personnel time and one hour of managerial time. Although neither CERCLA nor CWA require that records of releases be kept, a facility would probably keep a log of any calls made to government organizations. The burden associated with internal record keeping is estimated at one technical hour and one clerical hour per release; a ratio of one-tenth managerial hour to each hour of clerical time is also assumed.

The estimated costs of completing the episodic release reports required under CERCLA and the CWA are a function of the time expended by industrial personnel and the hourly rates for the appropriate labor categories. The number of burden hours is the same for the renewal ICR as for the current ICR. The unit cost estimates for each category of activities are based upon a managerial wage rate of \$38.72 per hour, a technical wage rate of \$28.37 per hour, and a clerical wage rate of \$17.48 per hour. These wage rates, from the Bureau of Labor Statistics, are the same as those used in the notice for renewal of the Spill Prevention and Control Countermeasure ICR (61 FR 15246, April 5, 1996). They include wages and salaries, benefit costs including paid leave, supplemental pay, insurance, retirement and savings, legally required benefits, severance pay, and supplemental unemployment benefits and overhead costs, calculated in December, 1995 dollars.

BURDEN HOURS AND UNIT COST PER RESPONDENT ACTIVITY AND ANNUAL BURDEN HOURS AND COSTS INCURRED BY A TYPICAL RESPONDENT

Collection activity	Management (\$38.72/hr)	Technical (\$28.37/hr)	Clerical (\$17.48/hr)	Total burden hours	Unit cost
Initial Telephone Call	1.0	1.0	0	2.0	\$67.09
Record keeping	0.1	1.0	1.0	2.1	49.72
Annual Burden for a Typical Release	1.1	2.0	1.0	4.1	116.81

Past release reports were used to project future release reports. The next exhibit shows the projected annual release reports, burden hours, and costs under the current ICR. Projections were based on the conservative use of assumptions and methodologies that tend to err on the side of over predicting the number of releases.

ESTIMATED ANNUAL BURDEN HOURS AND COSTS

Type of release	Collection activity	Number of reportable releases/year	Unit burden hours	Unit cost	Total burden hours	Annual cost (Thousand \$)
All CERCLA Hazardous Substances	Telephone Notification	6,519	2.0	\$67.09	13,038	\$437
	Record keeping	6,519	2.1	49.72	13,690	324
Oil	Telephone Notification	22,685	2.0	67.09	45,307	1,522
	Record keeping	22,685	2.1	49.72	47,639	1,128
Total Aggregate Releases	Telephone Notification	29,204	2.0	67.09	58,408	1,959
	Record keeping	29,204	2.1	49.72	61,329	1,452
Annual Total	29,204	4.1	116.81	119,737	3,411

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 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.

Dated: February 13, 1997.

Stephen D. Luftig,

Director, Office of Emergency and Remedial Response.

[FR Doc. 97-4752 Filed 2-25-97; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5685-9]

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 April 28, 1997.

ADDRESSES: Written comments should be sent to: Docket A-91-60, Central Docket Section, South Conference Room 4, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC, 20460. Interested persons may make a copy of the ICR without charge from the docket. The docket is open between 8 a.m. and 4 p.m. on weekdays. The telephone number is (202) 260-7549, and the fax number is (202) 260-4400. To expedite review of comments, a second copy of the comments should be sent to Mavis Sanders, Stratospheric Protection division, Mail Code 6205J, EPA, 401 M Street, Washington, DC 20460. Overnight mail should be sent to

our 501-3rd Street, NW, Washington, DC 20001 street address.

FOR FURTHER INFORMATION CONTACT: Mavis Sanders at (202) 233-9737, or fax (202) 233-9665.

SUPPLEMENTARY INFORMATION:

Affected entities: Entities potentially affected by this action include manufacturers, distributors, retailers, importers, and recyclers/reclaimers that manufacture, sell or distribute products made with or containing class I or class II substances.

Title: Protection of Stratospheric Ozone: Labeling, Final Rulemaking under Title VI of the Clean Air Act Amendments of 1990, OMB Control No. 2060-0342, Expiration Date: 9/30/97.

Abstract: The Office of Air and Radiation (OAR) promulgated regulations on February 11, 1993, and a subsequent amendment on January 19, 1995, that became effective as of October 1, 1995. Pursuant to the enactment of the reauthorized Paperwork Reduction Act (PRA), labeling requirements are no longer exempt from review under the PRA. OAR is submitting this renewal ICR relative to the requirements in effect on October 1, 1995, in compliance with the reauthorized PRA.

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 regulations require that all containers of class I and II substances, products containing class I substances, and products manufactured with class I substances be labeled. The required warning must state: "WARNING: Contains (Manufactured with) [insert name of substance], a substance which harms public health and environment by destroying the ozone in the upper atmosphere." Labels must be applied when a product enters into interstate commerce or is imported into the U.S. Exceptions are available under a variety of circumstances including:

- Those products manufactured prior to May 15, 1993, do not need to be labeled.
- Those products where a component product made with a class I substance is sold to another party and incorporated into another product do not need to bear the warning label.
- Those products manufactured by a company that achieved a 95% reduction over its 1990 use of methyl chloroform and CFC-113 used as solvents (if petitioned before May 15, 1994) are exempt from bearing the warning label.

• Incidental uses of class I substances are exempt.

- Products that are manufactured with class I substances, where those substances are destroyed at the end of the process, are exempt from labeling.
- Waste containing a class I substance and bound for discard is exempt.
- Spare parts manufactured with a class I substance and sold to a distributor or a repairperson, to be used for repair purposes, are exempt from the label pass-through requirement.
- Products repaired using a class I substance do not need to be labeled.
- Products containing trace quantities of class I impurities resulting from inadvertent production, unreacted feedstock, or process agents are exempt.

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: EPA estimates the projected hour burden of the renewed information collection is an annual total of 3024 hours. In comparison with the original labeling ICR, this estimate of hourly burden reflects a 40% reduction in the number of manufacturers that use a class I substance in their manufacturing process. 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.