

*Login:* anonymous  
*Password:* your Internet address  
 Files are located in /pub/epaoswer

The official record for this action will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into paper form and place them in the official record, which will also include all comments submitted directly in writing.

EPA responses to comments, whether the comments are written or electronic, will be in a notice in the **Federal Register**. EPA will not immediately reply to commenters electronically other than to seek clarification of electronic comments that may be garbled in transmission or during conversion to paper form, as discussed above.

**FOR FURTHER INFORMATION CONTACT:** For general information, contact the RCRA Hotline at 800 424-9346 or TDD 800 553-7672 (hearing impaired). In the Washington, DC, metropolitan area, call 703 412-9810 or TDD 703 412-3323.

For more detailed information on specific aspects of this rulemaking, contact Hugh Davis, Office of Solid Waste 5303W, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (703) 308-8633, or davis.hugh@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:**

*Affected entities:* Entities potentially affected by this action are those which own or operate surface impoundments, waste piles, land treatment units, and landfills which manage hazardous waste regulated under the Resource Conservation and Recovery Act.

*Title:* Facility Ground-Water Monitoring Requirements, EPA ICR #959.09; OMB Control Number 2050-0033; expiration date 5/31/98.

*Abstract:* Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA) creates a comprehensive program for the safe management of hazardous waste. Section 3004 of RCRA requires owners and operators of facilities that treat, store, or dispose of hazardous waste to comply with standards established by EPA that are "necessary to protect human health and the environment." Section 3005 provides for implementation of these standards under permits issued to owners and operators by EPA or authorized States. Section 3005 also allows owners and operators of facilities in existence when the regulations came into effect to comply with applicable notice requirements to operate until a permit is issued or denied. This statutory authorization to operate prior to permit determination is commonly known as "interim status." Owners and operators of interim status facilities also

must comply with standards set under Section 3004.

EPA promulgated ground-water monitoring standards for interim status facilities in 1980 (45 FR 33154 May 19, 1980), codified in 40 CFR Part 265, Subpart F, and for permitted facilities in 1982 (47 FR 32274 July 26, 1982), codified in 40 CFR Part 264, Subpart F. Both sets of standards establish programs for protecting ground water from releases of hazardous wastes from land disposal facilities with regulated units (these include surface impoundments, waste piles, land treatment units, and landfills).

The ground-water monitoring requirements for regulated units follow a tiered approach whereby releases of hazardous contaminants are first detected, then confirmed, and, if necessary, are required to be cleaned up. Each of these tiers requires collection and analysis of groundwater samples. Owners or operators that conduct groundwater monitoring are required to report information to the oversight agencies on releases of contaminants and to maintain records of ground-water monitoring data at their facilities. The goal of the ground-water monitoring program is to prevent and quickly detect releases of hazardous contaminants to groundwater, and to establish a program whereby any contamination is expeditiously cleaned up.

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 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:* For both permitted and interim status land disposal facilities, the estimated total annual hour burden for this information collection is 196,363 hours. The estimated total annual cost burden for this information collection is \$67,303,862, which includes labor, capital, operations and maintenance, and purchased service costs. For 623 permitted land disposal facilities, the annual reporting hour burden is estimated to average 112.4 hours per response, and the annual record keeping hour burden is estimated to average 26.0 hours per response, regardless of whether the facility is performing detection monitoring, compliance monitoring or corrective action. For 1,024 interim status land disposal facilities, the annual reporting hour burden is estimated to average 74.7 hours per response, and the annual record keeping hour burden is estimated to average 32.8 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.

Dated: January 20, 1998.

**Matthew Hale,**

*Acting Director, Office of Solid Waste.*

[FR Doc. 98-1759 Filed 1-23-98; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-5953-8]

**Notice of Information Collection Activities; Detailed Industry Questionnaire: Phase II Cooling Water Intake Structures**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of information collection activities.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C.

3501 *et seq.*), this document announces that the United States Environmental Protection Agency (EPA) is planning to seek approval from the Office of Management and Budget (OMB) to administer an information collection request (ICR) entitled "Detailed Industry Questionnaire: Phase II Cooling Water Intake Structures," EPA ICR 1838.01. Before the Agency submits the proposed ICR to OMB for review and approval, EPA is soliciting comments from the public, as described below, on the specific aspects of the Detailed Industry Questionnaire (Phase II) for facilities potentially subject to section 316(b) of the Clean Water Act, 33 U.S.C. 1326(b).

**DATES:** Comments and requests for information must be received by EPA no later than March 27, 1998.

**ADDRESSES:** Address comments on the draft Detailed questionnaire to Ms. Deborah G. Nagle, U.S. EPA, Engineering and Analysis Division, Mail Code (4303), Office of Science and Technology, 401 M Street S.W., Washington, DC 20460. EPA will also accept comments electronically. The E-mail address for comments is "nagle.deborah@epamail.epa.gov." Electronic comments must include the sender's name, address, and telephone number. There are five versions of the detailed questionnaire, which primarily reflect the diversity of industries from an economic viewpoint. They are: (1) Publicly Owned Utilities; (2) Major Privately Owned Electric Utilities; (3) Rural Electric Cooperatives; (4) Nonutility Power Producers; and (5) Manufacturers. A copy of each proposed detailed questionnaire can be obtained from the Internet at "http://www.epa.gov/owm/new.htm." You must use ADOBE ACROBAT READER to read the document; the document is a PDF file. If you do not have Internet access, you may obtain a copy of the detailed questionnaire by sending a FAX to Deborah Nagle at (202) 260-7185 (be sure to identify the specific questionnaire of interest). The draft questionnaire that is being made available includes all pertinent instructions, information request questions, and definitions.

**SUPPLEMENTARY INFORMATION:**

**Affected Entities:** Entities potentially affected by this action are those which are subject to section 316(b) of the Clean Water Act. These entities include, among others, facilities in the following industry sectors: Utility Steam Electric Generation; Nonutility Steam Power Producers; Paper and Allied Products; Chemical and Allied Products; Petroleum and Coal Products; and Primary Metals. EPA also intends to

collect information related to the regulatory burden of implementing final section 316(b) regulation on state governmental authorities that are responsible for issuing National Pollutant Discharge Elimination System permits. Impacts on these state government entities could include either increased costs as a result of additional efforts needed to implement a final section 316(b) rule or cost savings realized from using final section 316(b) regulations instead of facility-specific best professional judgment to establish permit requirements.

**Title:** Detailed Industry Questionnaire: Phase II Cooling Water Intake Structures.

**Abstract:** The U.S. Environmental Protection Agency (EPA) is currently developing regulations under section 316(b) of the Clean Water Act, 33 U.S.C. 1326(b). Section 316(b) provides that any standard established pursuant to section 301 or 306 of the Clean Water Act (CWA) and applicable to a point source shall require that the location, design, construction, and capacity of cooling water intake structures shall reflect the best technology available (BTA) for minimizing adverse environmental impact.

Such impacts occur as a result of impingement (where fish and other aquatic life are trapped in cooling water intake screens) and entrainment (where aquatic organisms, eggs and larvae are sucked into the cooling system, through the heat exchanger, and then pumped back out). As the result of a lawsuit by a coalition of environmental groups headed by the Hudson Riverkeeper (*Cronin, et al. v. Reilly*, 93 Civ. 0314 (AGS)), the United States District Court, Southern District of New York entered a Consent Decree on October 10, 1995. The Consent Decree established a seven-year schedule for EPA to take final action with respect to regulations addressing impacts from cooling water intake structures.

To ensure that the regulations are based upon accurate information, EPA is conducting a variety of data-gathering activities. The detailed questionnaire represents one mechanism through which EPA is gathering background technical and cost data on cooling water intake structures. The proposed survey instrument will provide EPA with preliminary technical and economic data needed to help quantify the adverse environmental impacts from cooling water structures, evaluate the efficacy of control technologies, and determine the economic reasonableness of the final rule.

EPA has designed the detailed questionnaire to collect information on

such topics as cooling water use within industry groups; cooling water intake structure location, design configurations, construction, and capacity; and other cooling water intake structure impingement and entrainment control technologies. These data will enable EPA to characterize cooling water intake structure operations across industry. The Agency is also collecting data on the types of intake water sources and environmental assessment data associated with cooling water intake structures. The Agency does not intend to rely completely on the environmental data collected through the proposed questionnaire to assess adverse environmental impacts (impingement and entrainment) or BTA efficacy. The Agency's intent is to use the environmental assessment data and BTA data from the questionnaire, in part, to identify potential facilities for on site sampling and analysis in order to collect more in depth data on adverse environmental impacts and BTA efficacy. Lastly, EPA is requesting facility and firm level economic data. These economic data will enable EPA to consider cooling water use across a broad variety of facility and firm sizes. The economic data will also enable EPA to carry out required economic analyses, including a Regulatory Impact Analysis (RIA), and requirements of the Small Business Regulatory Enforcement Fairness Act (SBREFA). EPA will consider both technical and economic factors when developing the final regulations.

The Agency has divided the potentially affected entities into five groups: (1) Publicly Owned Utilities; (2) Major Privately Owned Electric Utilities; (3) Rural Electric Cooperatives; (4) Nonutility Power Producers; and (5) Manufacturers. The first three groups (Publicly Owned Utilities, Major Privately Owned Electric Utilities, and Rural Electric Cooperatives) are collectively categorized as Electric Utilities. To help determine which questionnaire a facility may be required to complete, the two tables below describe, for the purposes of this questionnaire, the major distinguishing characteristics of each group. Table 1 differentiates between Electric Utilities, Nonutility Power Producers, and Manufacturers. If a facility is classified as an Electric Utility, table 2 is used to further classify the facility as a Publicly Owned Utility, Major Privately Owned Electric Utility, or Rural Electric Cooperative.

TABLE 1.—ELECTRIC UTILITY, NONUTILITY POWER PRODUCER, AND MANUFACTURER CHARACTERISTICS

Primary category	Major characteristics
(1) Electric Utility .....	<ul style="list-style-type: none"> <li>• A corporation, person, agency, authority, or other legal entity or instrumentality that owns and/or operates facilities for the generation, transmission, distribution, or sale of electric energy primarily for use by the public.</li> <li>• Files forms listed in the Code of Federal Regulations, Title 18, Part 141.</li> </ul>
(2) Nonutility Power Producers .....	<ul style="list-style-type: none"> <li>• A corporation, person, agency, authority, or other legal entity or instrumentality that owns electric generating capacity and is not an electric utility.</li> <li>• Includes FERC (Federal Energy Regulatory Commission) Qualifying Cogenerators, FERC Qualifying Small Power Producers, and Other Nonutility Generators (including Independent Power Producers) without a designated franchised service area.</li> <li>• Does not file forms listed in the Code of Federal Regulations, Title 18, Part 141.</li> </ul>
(3) Manufacturers .....	<ul style="list-style-type: none"> <li>• All other industrial facilities which do not qualify as an Electric Utility or Nonutility Power Producer as defined above.</li> </ul>

TABLE 2.—UTILITY SUBCATEGORY CHARACTERISTICS

Utility subcategory	Major characteristics
(1) Major Privately Owned Electric Utility	<ul style="list-style-type: none"> <li>• Earns a return for investors; either distribute their profits to stock holders as dividends or reinvest the profits.</li> <li>• Is granted service monopoly in certain geographic areas.</li> <li>• Is regulated by State and sometimes Federal governments, which in turn approve rates that allow a fair rate of return on investment.</li> <li>• Most are operating companies that provide basic services for generation, transmission, and distribution.</li> </ul>
(2) Publicly Owned Electric Utility .....	<ul style="list-style-type: none"> <li>• Ownership is Federal, State, or local agencies (e.g., Federal Authorities, Municipals, Public Power Districts, State Authorities, Irrigation Districts).</li> <li>• Power not generated for profit.</li> <li>• Serves at cost; return excess funds to the consumers in the form of community contributions, economic and efficient facilities, and reduced rates.</li> </ul>
(3) Rural Electric Cooperatives .....	<ul style="list-style-type: none"> <li>• Owned by members (small rural farms and communities).</li> <li>• Provides service mostly to members only.</li> <li>• Incorporated under State law and directed by an elected board of directors which, in turn, selects a manager.</li> </ul>

The detailed questionnaire will be administered under authority of section 308 of the Clean Water Act, 33 U.S.C. 1318; therefore, all recipients of the detailed questionnaire are required to complete and return the questionnaire to EPA. The survey instrument will be mailed after OMB approves 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. The ICR that EPA intends to submit to OMB will include a discussion of the comments on the proposed detailed questionnaire that EPA has received to date and the comments received as the result of today's announcement. EPA solicits comment on all aspects of the detailed questionnaire, and specifically solicits comment on the following information collection functional areas:

- (i) whether the proposed detailed questionnaire is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (ii) the accuracy of the Agency's estimate of the burden of the proposed

detailed questionnaire, including the validity of the methodology and assumptions used;

- (iii) the detailed questionnaire's quality, utility, and clarity; and
- (iv) minimization of the burden of the detailed questionnaire on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technology collection techniques or other forms of information technology collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Burden Statement:* The total national burden estimate for all parts of this detailed questionnaire is 272,800 hours. The burden estimates are based on EPA administering 1,705 detailed questionnaires. The Agency intends to conduct a census of the facilities within the Electric Utility category (this group did not receive a screener questionnaire), and to select a statistically valid sample of the nonutility power producers and manufacturers that received the screener questionnaire. The Agency anticipates administering the detailed questionnaire to 905 electric utility facilities, 500 nonutility power producer facilities,

and 300 manufacturers. EPA estimates that each facility will require, on the average, 160 hours to complete the detailed questionnaire. 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.

In developing the detailed questionnaire, EPA conducted a program of outreach to industry and other government entities with the objective of minimizing reporting burdens. The outreach program included distribution of the draft

detailed questionnaire to industry associations and environmental groups plus a meeting to discuss comments. EPA also made presentations at many professional and industry association meetings. The following are the industry associations that participated in the EPA outreach program: Utility Water Act Group, American Forest and Paper Association, American Iron and Steel Institute, American Petroleum Institute, Chemical Manufacturers Association, and Edison Electric Institute. EPA also requested comments on the detailed questionnaire from the Electric Power Research Institute. Environmental group outreach included the Hudson Riverkeeper, the New York and New Jersey Baykeeper and other interested environmental group representatives. Based on comments received from these early outreach activities, EPA decided to first administer a screener questionnaire (except to electric utilities) followed by a detailed questionnaire. The screener is designed to assist EPA in selecting an appropriate sample of facilities that employ cooling water intake structures to receive the detailed technical questionnaire. Electric utilities will not receive a screener questionnaire because of the large volume of publicly available data.

The Agency has coordinated extensively with the Energy Information Association (EIA) to determine what pertinent information is publicly available. EPA does not intend to request, in the detailed questionnaire, information that is publicly available. For that reason, the Agency has greatly reduced the financial and economic information burden on the electric utilities. The majority of the information EIA collects from nonutility power producers is confidential business information not available to EPA.

EPA significantly lowered the burden to industry by systematically reducing the number of industrial facilities to receive the detailed questionnaire from a possible 412,000 facilities to about 1,700 facilities. Based on water intake and cooling water use from the 1982 Census of Manufacturers, EPA identified six industrial sectors to receive the screener or the detailed questionnaire or both. These six industrial sectors are: Electric Utilities, Nonutility Power Producers, Chemicals & Allied Products, Primary Metals Industry, Petroleum & Coal Products, and Paper & Allied Products. Together, EPA estimates that these six sectors account for more than 99 percent of all cooling water withdrawals and include about 50,000 facilities. EPA limited the sample frame for electric utilities and nonutility power producers to only

those facilities that have a prime mover which utilizes a steam cycle operation (a steam cycle operation requires cooling water). EPA also limited data collection to industrial subcategories which documented significant cooling water use, thereby further reducing the potential number of facilities to be surveyed to about 7,515. To help further refine the sample frame for the detailed questionnaire, EPA decided to administer a screener survey to five of the six industrial sectors (excluding electric utility). The Agency anticipates administering the screener to approximately 6,700 facilities. As stated earlier, EPA expects to administer the detailed survey to approximately 1,705 facilities. Limiting the survey sample frame as described above is not intended to limit the scope or applicability of the section 316(b) regulation.

Finally, EPA will maintain a temporary, no-charge telephone number that survey recipients may call to obtain assistance in completing the data collection surveys. EPA believes that the no-charge telephone number will greatly reduce burden by helping recipients to answer specific questions within the context of their individual operations.

Dated: January 19, 1998.

**Tudor T. Davies,**

*Director, Office of Science and Technology.*

[FR Doc. 98-1760 Filed 1-23-98; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5953-7]

### EPA's National Drinking Water Contaminant Occurrence Data Base

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

**ACTION:** Announcement of a stakeholder meeting on the National Drinking Water Contaminant Occurrence Data Base.

**SUMMARY:** The Environmental Protection Agency (EPA) has scheduled a two-day public meeting on EPA's National Drinking Water Contaminant Occurrence Data Base. At the upcoming meeting, EPA is seeking input from stakeholders, including national and state representatives, environmental organizations, industry, the public, and other interested parties. The purpose of the meeting is to seek input from stakeholders on the design of the national drinking water contaminant occurrence data base to include such issues as data elements, data element standardization, reporting, storage,

retrieval, use and access. EPA encourages the full participation of stakeholders throughout this process.

**DATES:** The stakeholder meeting on the National Drinking Water Contaminant Occurrence Data Base will be held on February 12, 1998 from 9:00-5:00 p.m. EST and on February 13 from 9:00-3:00 p.m. EST.

**ADDRESSES:** Resolve, Inc. (an EPA contractor) will provide logistical support for the stakeholders meeting. The meeting will be held at Resolve, Inc., 1255 23rd Street, NW, Suite 275, Washington, D.C. 20037.

**FOR FURTHER INFORMATION CONTACT:** For general information about the meeting logistics, please contact Mr. Jeff Citrin at Resolve, Inc., 1255 23rd Street, NW, Suite 275, Washington, D.C. 20037; phone: (202) 944-2300; fax: (202) 338-1264, or e-mail at jcitrin@resolv.org.

Members of the public wishing to attend the meeting may register by phone by contacting Mr. Jeff Citrin by February 2, 1998. Those registered for the meeting will receive background materials prior to the meeting.

For other information on the National Drinking Water Contaminant Occurrence Data Base, please contact Charles Job at the U.S. Environmental Protection Agency, Phone: 202-260-7084, Fax: 202-260-3762, or e-mail at job.charles@epamail.epa.gov.

#### SUPPLEMENTARY INFORMATION:

#### A. Background on the National Drinking Water Contaminant Occurrence Data Base

The Safe Drinking Water Act, SDWA, as amended in 1996, states that: Not later than three years after the date of enactment of the Safe Drinking Water Act Amendments of 1996, the Administrator shall assemble and maintain a national drinking water contaminant occurrence data base using information on the occurrence of both regulated and unregulated contaminants in public water systems obtained under section 1445(a)(1)(A) or section 1445(a)(2) and reliable information from other public and private sources. The National Drinking Water Contaminant Occurrence Data Base is required to be developed by August 6, 1999.

#### B. Request for Stakeholder Involvement

EPA has convened this public meeting to hear the views of stakeholders on the next stage (i.e., design) of the National Drinking Water Contaminant Occurrence Data Base development. The EPA National Contaminant Occurrence Data Base (NCOD) project Team will soon be making final recommendations on the