

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-5971-1]

**Agency Information Collection Activities: Proposed Collection; Comment Request; State Small Business Stationary Source Technical and Environmental Compliance Assistance Program (SBTCP) Under the Clean Air Act as Amended in 1990**

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 continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB):

State Small Business Stationary Source Technical and Environmental Compliance Assistance Program (SBTCP), EPA ICR number 1748.02, OMB Control Number 2060-0337, expiration 7/31/98. Before submitting the ICR 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 27, 1998.

**ADDRESSES:** Office of the Small Business Ombudsman, U.S. Environmental Protection Agency, 401 M Street, SW (2131), Waterside Mall Room 3423, Washington, DC 20460, 202-260-1390. Interested persons may receive a copy of the ICR without charge by writing or calling the above Office. The ICR also is posted on the Small Business Environmental Assistance homepage at <http://www.smallbiz-enviroweb.org>.

**FOR FURTHER INFORMATION CONTACT:** Karen V. Brown, Small Business Ombudsman, telephone 202-260-1390, facsimile 202-401-2302, and e-mail [brown.karen@epamail.epa.gov](mailto:brown.karen@epamail.epa.gov).

**SUPPLEMENTARY INFORMATION:**

*Affected entities:* Entities potentially affected by this action are those which are in *one* of the following state or territory offices, including the District of Columbia: environmental agency, commerce or economic development department, governor's office, or ombudsman's office.

*Title:* State Small Business Stationary Source Technical and Environmental Compliance Assistance Program (SBTCP), EPA ICR number 1748.02, OMB Control Number 2060-0337, expiration 7/31/98.

*Abstract:* As part of the Clean Air Act Amendments of 1990, the U.S. Congress included, as part of section 507, the requirement that each state establish a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (SBTCP) to assist small businesses comply with the Act. EPA must provide the Congress with periodic reports from the EPA Small Business Ombudsman (SBO) on these programs, including their effectiveness, difficulties encountered, and other relevant information. Each state assistance program will submit requested information to EPA for compilation and summarization.

This collection of information in mandatory pursuant to section 507 (a), (d), and (e) of the Clean Air Act as amended in 1990, Pub. L. 101-549, November 15, 1990. This Act directs EPA to monitor the SBTCPs and to provide a report to Congress. This responsibility has been delegated to the EPA SBO.

Response to the collection is not required to obtain or retain a benefit.

Information in the Annual Report to Congress is aggregated and is not of a confidential nature. None of the information collected by this action results in or requests sensitive information of any nature from the states.

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.

• The EPA SBO shall report the results of the collection to Congress, including an objective summary of conclusions and recommendations relative to funding or other environmental legislative considerations. This information also will be provided to Congressional staffs and committees interested in environmental matters and small business assistance activities at the state and local levels. In addition, this information will be provided to small business trade associations for their further use in promoting the utility and viability of assistance programs to EPA Headquarters and regional offices, to

other federal agencies such as the Small Business Administration, to all state small business ombudsmen and small business assistance program directors, state environmental commissioners, state Governors, and other interested state environmental officials.

Both state and federal officials have used the information not only to evaluate how well the programs are functioning, but also in planning how to render more effective, less costly and more timely assistance. The constantly evolving nature of these programs means that information of this nature should be made available to decision-makers, whether they be at federal, state, or local levels.

(ii) Evaluate the accuracy of the agency's burden estimate for the proposed information collection, including the validity of the methodology and assumptions used.

• The Reporting Form was discussed with the state ombudsmen or small business assistance program directors from 6 of the 53 section 507 reporting programs (i.e., the 50 states, the District of Columbia, and the territories of Puerto Rico and the Virgin Islands). A general consensus was taken to establish how long it would take to complete the Reporting Form and who would likely be responsible from each state to complete the task.

From the pretest, the information requested was confirmed to be, for the most part, the normal program activity information the SBTCPs collect on an on-going basis. Where a few state environmental agencies have delegated or contracted management of their technical assistance program, this information is part of the project management responsibilities. The requested reporting information typically would be compiled by either an entry-level technical person or maintained by experienced clerical staff.

On an average, the requested information can be compiled readily and maintained by the state within 80 hours (assuming the state organization continuously maintains their records in a reasonably efficient manner) using a mix of management, entry-level technical people, and experienced clerical staff. The 80-hour forecast includes 4 hours for record keeping and 76 hours for reporting the required information.

The respondent information will be compiled electronically and summarized by an outside contractor using a mix of management, technical, and clerical staff. EPA will provide oversight of all contractor activities. An estimated 274 EPA hours and 1,564.5

contractor hours will be required to complete the Report to Congress.

(iii) Enhance the quality, utility, and clarity of the information to be collected.

- Recent revisions to the Reporting Form were conducted by representatives from the SBTCPs, who have been reporting on the activities of their programs since 1995 and are familiar with these reporting requirements. They provided extensive review of the proposed Reporting Form and suggested modifications, which then were incorporated into the Reporting Form.

Pretesting of the original collection instrument was accomplished by consolidating all comments received following the states' review of a draft of the Reporting Form and an extensive discussion of the Form at the 1995 National Small Business Ombudsman and Small Business Assistance Program Conference.

(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).

- Each year, every state will be provided with the Reporting Form on disk and in hard copy along with instructions for gathering the data and completing the Form. States may complete their Report by typing the information on the disk and submitting the disk to the EPA SBO.

As more states gain Internet access, the Reporting Form also may be made available online, downloaded for completion, and returned via Internet to the EPA SBO.

*Burden Statement:* This annual information collection involves responses from all 50 states, 2 territories (Puerto Rico and the Virgin Islands), and the District of Columbia, for a total of 53 respondents.

The requested information, for the most part, is collected as normal program activity information for the SBTCPs. On an average, the information can be compiled and maintained by the state within 80 hours annually (assuming the state organization continuously maintains their records in a reasonably efficient manner). The 80 hour per state estimate includes 4 hours for record keeping and 76 hours for reporting.

For each respondent, the annual cost burden is estimated to be \$2,102.76. Total capital and start-up cost component annualized over its expected useful life is \$0. Total operations and maintenance is estimated at \$0, and the

cost for purchase of services is estimated at \$0.

Total annual burden for the 53 respondents is estimated at 4,240 hours at a cost of \$111,446.28.

Federal burden is estimated to be 274 hours at an annual labor cost of \$14,085.32. Total capital and start-up costs are \$0. Total operations and maintenance costs are estimated to be \$11,506. The cost to purchase services is \$75,000.

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: February 19, 1998.

**Thomas E. Kelly,**

*Director, Office of Regulatory Management and Information, Office of Policy, Planning, and Evaluation.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5971-3]

### National Advisory Committee to the U.S. Representative to the North American Commission on Environmental Cooperation

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

**ACTION:** Notice.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (P.L. 92-463), the U.S. Environmental Protection Agency (EPA) gives notice of a meeting of the National Advisory Committee (NAC) to the U.S. Government Representative to the North American Commission on Environmental Cooperation (CEC).

The Committee is established within the U.S. Environmental Protection Agency (EPA) to advise the Administrator of the EPA in her capacity as the U.S. Representative to

the CEC. The Committee is authorized under Article 17 of the North American Agreement on Environmental Cooperation, North America Free Trade Implementation Act, P.L. 103-182 and is directed by Executive Order 12915, entitled "Federal Implementation of the North American Agreement on Environmental Cooperation." The Committee is responsible for providing advice to the U.S. Representative on implementation and further elaboration of the agreement.

The Committee consists of 12 independent representatives drawn from among environmental groups, business and industry, public policy organizations and educational institutions.

**DATES:** The Committee will meet on March 5, 1998 from 8:30 a.m. to 5:00 p.m. and March 6, 1998 from 8:00 a.m. to 4:30 p.m.

**ADDRESSES:** The Horton Grand Hotel, 311 Island Avenue, San Diego, California. The meeting is open to the public, with limited seating on a first-come, first-served basis.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gregory Kenyon, Designated Federal Officer, U.S. EPA, Office of Cooperative Environmental Management, telephone 202-260-8169.

Dated: February 9, 1998.

**Gregory Kenyon,**

*Acting Designated Federal Officer, National Advisory Committee.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5971-2]

### Governmental Advisory Committee to the U.S. Representative to the North American Commission on Environmental Cooperation

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

**ACTION:** Notice.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (P.L. 92-463), the U.S. Environmental Protection Agency (EPA) gives notice of a meeting of the Governmental Advisory Committee (GAC) to the U.S. Government Representative to the North American Commission on Environmental Cooperation (CEC).

The Committee is established within the U.S. Environmental Protection Agency (EPA) to advise the Administrator of the EPA in her capacity as the U.S. Representative to