

**ENVIRONMENTAL PROTECTION  
AGENCY**

[FRL-5996-8]

**Agency Information Collection  
Activities: Submission for OMB  
Review; Comment Request; Facility  
Ground-Water Monitoring  
Requirements**
**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 the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Facility Ground-Water Monitoring Requirements, EPA ICR #959.10; OMB Control Number 2050-0033; expiring 5/31/98. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before May 15, 1998.

**FOR FURTHER INFORMATION OR A COPY:** Contact Sandy Farmer at EPA by phone at (202) 260-2740, by email at farmer.sandy@epamail.epa.gov, or download off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 959.10.

**SUPPLEMENTARY INFORMATION:**

*Title:* Facility Ground-Water Monitoring Requirements, OMB Control Number 2050-0033; EPA ICR #959.10; expiring 5/31/98. This is a request for an extension of a currently approved collection.

*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 **Federal Register** Notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on 1/26/98 (63FR 3737); two comments were received.

*Burden Statement:* The annual public reporting burden for this collection of information is estimated to average 11.1 hours per year, and the annual record keeping burden is estimated at 23.6 hours per year; these estimates represent the overall reporting and record keeping burdens placed on permitted facilities, regardless of whether they are performing detection monitoring, compliance monitoring or corrective action. The specific burden estimates for these activities include: (1) For facilities performing detection monitoring, average reporting burden of 5.2 hours per year and an average record keeping burden of 25.5 hours per year; (2) for facilities performing compliance monitoring, average reporting burden of 9.0 hours per year and an average record

keeping burden of 24.5 hours per year; (3) for facilities performing corrective action, average reporting burden of 20.0 hours per year and an average record keeping burden of 20.5 hours per year. 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.

*Reasons for change in burden:* The burden estimates reflect a revised analysis of burden that resulted from better identification of (1) capital and (2) operational and maintenance (O&M) costs. The overall annual burden hour estimate has decreased from 181,179 hours to 64,181 hours, a decrease of 116,998 hours per year. This burden hour decrease is better attributed to burden costs for the purchases of O&M services in the amount of \$80,106,000.

*Respondents/Affected Entities:* Owners or operators of RCRA hazardous waste facilities that treat, store, or dispose of hazardous waste in regulated units (these include surface impoundments, waste piles, land treatment units, and landfills).

*Estimated Number of Respondents:* 1,647.

*Frequency of Response:* Varies.

*Estimated Total Annual Hour Burden:* 64,181 hours.

*Estimated Total Annualized Cost Burden:* \$80,106,000.

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. 959.10 and OMB Control No. 2050-0033 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OPPE Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460. (or E-mail Farmer.Sandy@epamail.epa.gov) 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: April 9, 1998.

**Joseph Retzer,**

*Director, Regulatory Information Division.*

[FR Doc. 98-10008 Filed 4-14-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[AMS-FRL-5997-1]

### California State Motor Vehicle Pollution Control Standards; Waiver of Federal Preemption—Notice of Waiver Decision and Within the Scope Determination; Notice of Correction and Republication and Opportunity for Public Hearing

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice Regarding Waiver of Federal Preemption and Within the Scope Determination and Opportunity for Public Hearing.

**SUMMARY:** On February 6, 1998, EPA published a Notice Regarding Waiver of Federal Preemption and Within the Scope Determination granting California a waiver of Federal preemption for certain motor vehicle emission standards and determining that certain amendments to its vehicle emission warranty statute and regulations were within the scope of previous waivers of Federal preemption. (63 FR 6173, February 6, 1998). Because of administrative error, this Notice was published before the Decision Document was signed by the Assistant Administrator for Air and Radiation, and thus the effective dates listed in the February 6 notice are incorrect. The Decision Document has now been signed, and EPA is announcing that decision in this **Federal Register** notice.

EPA is granting California a waiver of Federal preemption pursuant to section 209(b) of the Clean Air Act, as amended, 42 U.S.C. 7543(b) (Act), beginning in the 1998 model year to enforce amendments to its motor vehicle pollution control program which set new standards, and certification and test procedures for newly-established categories of "Low-Emission" medium-duty vehicles (MDVs). Additionally, EPA today has determined that California's amendments to its warranty statute and regulations for the 1994 and later model years for various motor vehicles are within the scope of previous waivers of

Federal preemption granted pursuant to section 209(b) of the Act to adopt and enforce its revised emission standards and accompanying enforcement procedures for 1979 and later model year vehicles and engines. EPA received a request for a hearing on our within the scope determination contained in the February 6 publication and will consider that request as applying to today's notice as well. Although EPA is not required by the Act to offer a hearing on within the scope determinations, after receiving this hearing request, EPA has decided to offer the opportunity for a hearing regarding whether EPA should reconsider its determination.

**DATES:** EPA has tentatively scheduled a public hearing for May 8, 1998. Any person who wishes to testify on the record at the hearing must notify EPA in writing by April 24, 1998 that he or she will attend the hearing to present oral testimony regarding EPA's determination. If EPA receives one or more requests to testify, this hearing will be held. If EPA does not receive any requests to testify, this hearing will be canceled. Anyone who plans to attend the hearing should call Robert M. Doyle at (202) 564-9258 to determine if this hearing will be held. Regardless of whether or not a hearing is held, any party may submit written comments regarding EPA's determination by or before June 5, 1998.

**ADDRESSES:** If EPA receives one or more requests to testify, EPA will hold the May 8, 1998 public hearing announced above at EPA-Judiciary Square Building, first floor conference room, 501 3rd Street, NW., Washington, D.C. Any requests to testify at the public hearing, and/or any comments on the within the scope findings described above should be filed with Mr. Robert F. Montgomery, Manager, Engine Compliance Programs Group, Engine Programs and Compliance Division (6403J), U.S. Environmental Protection Agency, 401 M Street, SW, Washington DC 20460.

The Agency's decisions as well as all documents relied upon in reaching these decisions, including those submitted by the California Air Resources Board (CARB), are available for public inspection in the Air and Radiation Docket and Information Center during the working hours of 8:00 a.m. to 4:00 p.m. at the Environmental Protection Agency, Air Docket (6102), Room M-1500, Waterside Mall, 401 M Street, SW., Washington, DC 20460. All documents submitted in the Low-emission MDV waiver request can be found in Docket A-91-71; all documents submitted in the within the

scope request for the warranty amendments, including the request for a hearing recently received, can be found in Docket A-91-16. Copies of the Decision Document (which discusses both the waiver and the within the scope determination) can be obtained from EPA's Engine Programs and Compliance Division by contacting Robert M. Doyle, as noted below, or can be accessed on the EPA Office of Mobile Sources Internet Home Page, also noted below.

#### FOR FURTHER INFORMATION CONTACT:

Robert M. Doyle, Attorney/Advisor, Engine Programs and Compliance Division (6403J), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. Telephone: (202) 564-9258, FAX:(202) 565-2057, E-Mail:

Doyle.Robert@EPAMAIL.EPA.GOV.

#### SUPPLEMENTARY INFORMATION:

#### I. Obtaining Electronic Copies of Documents

Electronic copies of this Notice and the accompanying Decision Document are available via the Internet on the Office of Mobile Sources (OMS) Home page (<http://www.epa.gov/OMSWWW/>). Users can find these documents by accessing the OMS Home Page and looking at the path entitled "Regulations." This service is free of charge, except for any cost you already incur for Internet connectivity. The electronic **Federal Register** version of the Notice is made available on the day of publication on the primary Web site (<http://www.epa.gov/docs/fedrgstr/EPA-AIR/>).

Please note that due to differences between the software used to develop the documents and the software into which the documents may be downloaded, changes in format, page length, etc., may occur.

#### II. Procedures for Public Participation

Any party desiring to make an oral statement on the record at the tentatively scheduled public hearing should submit ten (10) copies, if feasible, of the proposed testimony and other relevant material to Mr. Robert F. Montgomery at the address listed above not later than May 1, 1998. In addition, the party should submit 15 copies, if feasible, of the planned statement to the presiding officer at the time of the hearing.

In recognition that a public hearing is designed to give interested parties an opportunity to participate in this proceeding, there are no adverse parties as such. Statements by participants will not be subject to cross-examination by