

equipment leaks and process vents. Export information is needed to ensure that (1) foreign governments consent to U.S. exported wastes, (2) exported waste is actually managed at facilities listed in the original notifications, and (3) documents are available for compliance audits and enforcement actions. In general, these requirements contribute to EPA's goal of preventing contamination of the environment.

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.

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 estimated number of likely respondents under this collection of information is 130,511 (17,581 LQGs and 112,930 SQGs). The bottom line annual reporting and recordkeeping burden to respondents under this collection of information is 475,802 hours. The average annual public reporting burden per response for LQGs under this collection of information is estimated to range from 21 minutes to 32.58 hours, and the average annual public reporting burden per response for SQGs is estimated to range from 21 minutes to 7.2 hours. The average annual recordkeeping burden per response for LQGs under this collection of information is estimated to range from 2.5 hours to 3.15 hours, and the average annual recordkeeping burden per response for SQGs is estimated to range from 1.2 to 1.65 hours. The total average annual burden cost for all generators, collectively is: \$26,217,644 in labor costs; \$23,892 in capital costs; and \$30,396 in annual

O&M costs. 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: March 26, 2001.

**Elizabeth Cotsworth,**

*Director, Office of Solid Waste.*

[FR Doc. 01-8129 Filed 4-2-01; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[SWH-FRL-6960-9]

### Agency Information Collection Activities: Continuing Collection; Comment Request; Identification, Listing and Rulemaking Petitions Information Collection Request

**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): Identification, Listing and Rulemaking Petitions, ICR Number 1189.09, OMB Control Number 2050-0053, Expiration Date 9/30/01. 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 June 4, 2001.

**ADDRESSES:** Commenters must send an original and two copies of their comments referencing docket number F-2001-IL2P-FFFFF to: RCRA Docket and Information Center, Office of Solid Waste (5305G), U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460. Hand deliveries of comments should be made to the

Arlington, VA, address below. Comments may also be submitted electronically through the Internet to: [rcradocket@epa.gov](mailto:rcradocket@epa.gov). Comments in electronic format should also be identified by the docket number F-2001-IL2P-FFFFF. All electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

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. The official record is the paper record maintained in the RCRA Docket and Information Center.

Commenters should not submit any confidential business information (CBI) electronically. An original and two copies of CBI must be submitted under separate cover to: RCRA CBI Document Control Officer, Office of Solid Waste (5305W), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460.

Public comments and supporting materials are available for viewing in the RCRA Docket and Information Center, located at Crystal Gateway I, First Floor, 1235 Jefferson Davis Highway, Arlington, VA. The RCRA Docket and Information Center is open from 9 a.m. to 4 p.m., Monday through Friday, excluding federal holidays. To review docket materials, it is recommended that the public make an appointment by calling (703) 603-9230. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost \$0.15/page. This notice and the supporting documents that detail the Identification, Listing and Rulemaking Petitions ICR are available electronically. See the **SUPPLEMENTARY INFORMATION** section for information on accessing them.

**FOR FURTHER INFORMATION CONTACT:** For detailed information on specific aspects of this rulemaking, contact James Michael by phone at (703) 308-8610, by facsimile at (703) 308-0522, by mail at the Office of Solid Waste (5304W), U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460 or by e-mail at [michael.james@epa.gov](mailto:michael.james@epa.gov). For general information, contact the RCRA Call Center 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.

### SUPPLEMENTARY INFORMATION:

**Internet Availability:** Today's notice and the supporting documents that

detail the Identification, Listing and Rulemaking Petitions ICR are available on the Internet. Follow these instructions to access the information electronically: *WWW:http://www.epa.gov/epaoswer/osw/hazwaste/id/petition/index.htm*

*FTP:* ftp.epa.gov.

*Login:* anonymous.

*Password:* your Internet address.

*Path:* pub/epaoswer.

*Affected entities:* Entities potentially affected by this action are rulemaking petitioners under 40 CFR 260.20(b), 260.21 and 260.22; owners and operators of facilities requesting a variance from classification as a solid waste under 40 CFR 260.30–260.31 and 260.33; owners or operators of enclosed flame combustion devices requesting a variance under 40 CFR 260.32–260.33; generating facilities seeking a hazardous waste exclusion for certain types of wastes under 40 CFR 261.3 and 261.4; and generators and treatment, storage and disposal facilities requesting exemptions from listing as F037 and F038 wastes under 40 CFR 261.31(b)(2)(ii).

*Title:* Identification, Listing, and Rulemaking Petitions ICR Number 1189.09, expires September 30, 2001.

*Abstract:* Under 40 CFR 260.20(b), all rulemaking petitioners must submit basic information with their demonstrations, including name, address, and statement of interest in the proposed action. Under section 260.21, all petitioners for equivalent testing or analytical methods must include specific information in their petitions and demonstrate to the satisfaction of the Administrator that the proposed method is equal to or superior to the corresponding method in terms of its sensitivity, accuracy, and reproducibility. Under section 260.22, petitions to amend part 261 to exclude a waste produced at a particular facility (more simply, to delist a waste) must meet extensive informational requirements. When a petition is submitted, the Agency reviews materials, deliberates, publishes its tentative decision in the **Federal Register**, and requests public comment. EPA also may hold informal public hearings (if requested by an interested person or at the discretion of the Administrator) to hear oral comments on its tentative decision. After evaluating all comments, EPA publishes its final decision in the **Federal Register**.

40 CFR 260.30–260.31, and 260.33 comprise the standards, criteria, and procedures for variances from classification as a solid waste for three types of materials, materials that are

collected speculatively without sufficient amounts being recycled; materials that are reclaimed and then reused within the original primary production process in which they were generated; and materials which have been reclaimed, but must be reclaimed further before the materials are completely recovered. Under 40 CFR 260.32 and 260.33 a variance is available to owners or operators of enclosed flame combustion devices for classification as a boiler.

40 CFR 261.3 and 261.4 contain provisions that allow generators to obtain a hazardous waste exclusion for certain types of wastes. Facilities applying for these exclusions must either submit supporting information or keep detailed records. Under section 261.3(a)(2)(iv), generators may obtain a hazardous waste exclusion for wastewater mixtures subject to Clean Water Act regulation. Under section 261.3(c)(2)(ii)(C), generators may obtain an exclusion for certain non-wastewater residues resulting from high metals recovery processing (HTMR) or K061, K062 and F006 waste. In addition, under section 261.4(b)(6), generators of chromium-containing waste may obtain a hazardous waste exclusion under certain conditions.

Also addressed under this section is the shipment of samples between generators and laboratories for the purpose of testing to determine its characteristics or composition. Sample handlers who are not subject to DOT or USPS shipping requirements must comply with the information requirements of section 261.4(d)(2). When intended for treatability studies, hazardous waste otherwise subject to regulation under Subtitle C of RCRA is exempted from these regulations, provided that the requirements in section 261.4(e)–(f) are met, including the following information requests: initial notification, recordkeeping, reporting, and final notification. In addition, generators and collectors of treatability study samples also may request quantity limit increases and time extensions, as specified in section 261.4(e)(3).

40 CFR 261.31(b)(2)(ii) governs procedures and informational requirements for generators and treatment, storage and disposal facilities to obtain exemptions from listing as F037 and F038 wastes. Also under this section are regulations promulgated in 1990 under section 261.35(b) and (c) governing procedures and information requirements for the cleaning or replacement of all process equipment that may have come into contact with chlorophenolic formulations or

constituents thereof, including, but not limited to, treatment cylinders, sumps, tanks, piping systems, drip pads, fork lifts, and trams.

EPA anticipates that some data provided by respondents will be claimed as Confidential Business Information (CBI). Respondents may make a business confidentiality claim by marking the appropriate data as CBI. Respondents may not withhold information from the Agency because they believe it is confidential. Information so designated will be disclosed by EPA only to the extent set forth in 40 CFR part 2.

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 in 48 CFR Chapter 15.

*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:* 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.

EPA estimates that the total respondent burden for this ICR

(#1189.09) is 20,802 hours per year at a cost of \$2,046,564. This is an increase of 691 hours from the previously approved ICR (#1189.06). This increase in burden occurred for several reasons.

Based on its consultations with the EPA regions and authorized States, EPA decreased some of its estimates of the number of notifications and other paperwork submitted under the exclusions/exemptions at 40 CFR 261.3 and 261.4. In addition, EPA decreased its estimate of the number of facilities reading the parts 260 and 261 regulations. In ICR #1189.06, EPA estimated that 330 facilities would read the regulations each year; this estimate included facilities actively preparing/submitting paperwork, as well as those keeping records in support of their exemptions/exclusions. In this ICR, EPA revised this assumption, assuming that only facilities actively preparing/submitting paperwork would read the regulations (126 facilities/yr); facilities that already have been granted an exclusion or exemption likely would not re-read the regulations for that waste. These decreased universe estimates led to a decrease in the burdens for the corresponding paperwork requirements.

However, the burden decrease described above was offset because EPA increased the number of delisting petitions (from 15 per year in ICR #1189.06 to 20 per year in this ICR) and petitions for a variance from a solid waste (from 15 per year in ICR #1189.06 to 30 per year in this ICR). Again, EPA ascertained these estimates based on consultations with EPA regions and authorized States. EPA estimates that operation and maintenance (O&M) costs will be incurred for various activities. The largest of these are for sampling wastes for a delisting petition (\$28,006), and preparing a statement as part of a rulemaking petition (\$9,479). Total O&M costs for this ICR are \$886,315 per year. EPA estimates that there will be no capital costs incurred. Finally, EPA estimates that the average annual burden per respondent ranges from 3.5 hours (preparation of a nonwastewater exemption) to 748 hours (preparation of a delisting petition).

Dated: March 26, 2001.

**Elizabeth A. Cotsworth,**

*Director, Office of Solid Waste.*

[FR Doc. 01-8130 Filed 4-2-01; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-00311; FRL-6775-3]

### Partial Updating of TSCA Inventory Data Base, Production and Site Reports; Request for Comment on Renewal of Information Collection Activities

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA), EPA is seeking public comment and information on the following Information Collection Request (ICR): Partial Updating of TSCA Inventory Data Base, Production and Site Reports (EPA ICR No. 1011.05, OMB No. 2070-0070). This ICR involves a collection activity that is currently approved and scheduled to expire on June 30, 2001. The information collected under this ICR relates to the reporting of information to the EPA for purposes of periodically updating the Toxic Substances Control Act (TSCA) section 8(b) Inventory of Chemical Substances. The ICR describes the nature of the information collection activity and its expected burden and costs. Before submitting this ICR to the Office of Management and Budget (OMB) for review and approval under the PRA, EPA is soliciting comments on specific aspects of the collection.

**DATES:** Written comments, identified by the docket control number OPPTS-00311 and administrative record number AR-234, must be received on or before June 4, 2001.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit III. of the **SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, it is imperative that you identify docket control number OPPTS-00311 and administrative record number AR-234 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** *For general information contact:* Barbara Cunningham, Director, Office of Program Management and Evaluation, Office of Pollution Prevention and Toxics (7401), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

*For technical information contact:* Susan Krueger, Economics, Exposure and Technology Division (7406), Office

of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 260-1713; fax number: (202) 260-1661; e-mail address: krueger.susan@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. Does this Action Apply to Me?

You may be potentially affected by this action if you are a manufacturer, processor, or importer of chemical substances, mixtures, or categories. Potentially affected categories and entities may include, but are not limited to:

Type of business	NAICS codes
Basic chemical manufacturing	3251
Resin, synthetic rubber and artificial synthetic fibers and filaments manufacturing	3252
Paint, coating, and adhesive manufacturing	3255
Pesticide, fertilizer, and other agricultural chemical manufacturing	3253
Other chemical product and preparation manufacturing	3259
Petroleum refineries	32411

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this table could also be affected. The North American Industry Classification System (NAICS) codes are provided to assist you and others in determining whether or not this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT.**

##### II. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

###### A. Electronically

You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. On the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the