

standardized reporting form to help evaluate the potential for adverse human health and environmental effects caused by the manufacture or importation of identified chemicals. Chemicals for which a justifiable information need for production, use or exposure-related data can be satisfied by the use of the PAIR, are identified individually for one-time reporting under PAIR. In addition to EPA, other federal agencies may demonstrate a justifiable information need, and EPA will identify the chemical for reporting under PAIR. In most instances the information that EPA receives from a PAIR report is sufficient to satisfy the information need in question.

Responses to the collection of information are mandatory. Respondents may claim all or part of a notice confidential. EPA will disclose information that is covered by a claim of confidentiality only to the extent permitted by, and in accordance with, the procedures in TSCA section 14 and 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 48 CFR Chapter 15.

**Burden Statement:** The annual public reporting burden for this collection of information is estimated to be 28.45 hours per report. The Agency assumes that respondents will submit an average of 2.44 reports annually, for a per respondent burden of 69.41 hours. 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. The following is a summary of the estimates taken from the ICR:

**Respondents/Affected Entities:** Manufacturers, importers and processors of chemical substances and mixtures.

**Frequency of Collection:** One-time, on occasion.

**Estimated No. of Respondents:** 48.  
**Estimated Total Annual Burden on Respondents:** 3,355 hours.  
**Estimated Total Annual Costs:** \$609,116.

**Changes in Burden Estimates:** The total burden associated with this ICR has decreased from 3,489 hours in the previous ICR to 3,355 hours for this ICR. This adjustment in burden is attributable to carrying through in the burden hour totals the adjustment made to the unit burden of the CBI substantiation requirement, i.e., only 75 percent of sites or reports are expected to make CBI claims. This adjustment was made in the unit burden calculations in the previous ICR but was not carried through in the industry totals. In addition, a few minor mathematical corrections were made to the estimates presented in the previous ICR.

According to the procedures prescribed in 5 CFR 1320.12, EPA has submitted this ICR to OMB for review and approval. Any comments related to the renewal of this ICR should be submitted within 30 days of this notice, as described above.

#### List of Subjects

Environmental protection, Hazardous substances, Reporting and recordkeeping requirements.

Dated: May 20, 2001.

#### Oscar Morales,

Director, Collection Strategies Division.

[FR Doc. 01-14478 Filed 6-7-01; 8:45 am]

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-6993-3]

#### Agency Announcement of Information Collection Activities: Submission for OMB Review; Comment Request; Collection of 2000 Aquatic Animal Production Industry Data (EPA ICR 1988.01)

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: "Collection of 2000 Aquatic Animal Production Industry Data" (EPA ICR No. 1988.01). The ICR supporting statement describes the nature of the

information collection and its expected burden and cost; where appropriate, it includes the actual data collection instruments.

**DATES:** Comments must be submitted on or before July 9, 2001.

**ADDRESSES:** Send comments, referencing EPA ICR No. 1988.01, to the following addresses: Sandy Farmer, US Environmental Protection Agency, Collection Strategies Division (Mail Code 2822), 1200 Pennsylvania Avenue, NW., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th St., NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** For a copy of the ICR contact Sandy Farmer at EPA by phone at (202) 260-2740 or e-mail at [farmer.sandy@epa.gov](mailto:farmer.sandy@epa.gov), or download a copy off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 1988.01. For technical questions about the ICR, contact Marta Jordan by phone at (202) 260-0817 or by e-mail at [jordan.marta@epa.gov](mailto:jordan.marta@epa.gov). For economic questions about the ICR, contact Kristen Strellec by phone at (202) 260-6036 or by e-mail at [strellec.kristen@epa.gov](mailto:strellec.kristen@epa.gov).

**SUPPLEMENTARY INFORMATION:** *Title:* Collection of 2000 Aquatic Animal Production Industry Data (EPA ICR No.1988.01). This is a new collection.

*Abstract:* EPA is planning to survey aquatic animal production facilities to collect the technical and economic information EPA will need to develop effluent limitations guidelines and standards. Currently, no nationally applicable effluent limitations guidelines and standards exist to regulate discharges from facilities in this point source category. EPA is developing proposed effluent regulations for this category due, in part, to the concern that excess nutrients and other chemicals may be entering the Nation's waters from animal production and feeding operations (both aquatic and land based).

EPA is required by section 304(m) of the Clean Water Act, 33 U.S.C. 1314(m), to identify categories of sources that discharge pollutants and to establish a schedule for establishing effluent limitations guidelines for these categories. EPA is also required by the terms of a Consent Decree with the Natural Resources Defense Council, Inc. (NRDC) to propose effluent limitations guidelines and standards for the aquatic animal production point source category. *NRDC v. EPA*, (D.D.C. Civ. No. 89-2980, January 31, 1992, as modified).

EPA is conducting the surveys to collect the information EPA needs to respond to these legislative and judicial requirements.

The Collection of 2000 Aquatic Animal Production Industry Data is intended to collect, from industry, the type of technical and economic information required by EPA to develop effluent limitations guidelines and pretreatment standards. The surveys cover aquatic animal production activities for both the private and public sector. EPA will issue the survey instruments under authority of section 308 of the Clean Water Act, 33 U.S.C. 1318. Responses from survey recipients will be mandatory. EPA will mail the survey instruments to aquatic animal producers after OMB approves the ICR. Respondents will have the right to claim information as confidential business information. An Agency may not conduct or sponsor, and a person is not required to respond to, an information collection 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** document required under 5 CFR 1320.8(d) soliciting comments on this collection of information was published on September 14, 2000 (65 FR 55522).

Burden Statement: The data collection consists of 4 elements: the screener survey, a detailed survey, a follow-up collection of existing wastewater sampling data from a sample of the detailed questionnaire respondents, and a follow-up collection of economic information on multi-facility companies as necessary. The screener survey will help to identify basic information on all of the facilities EPA has identified, and will help EPA develop a more accurate mailing list and representative sampling frame for the detailed survey. The detailed survey will help EPA obtain from a representative sample of facilities more detailed information about facilities within the various industry sectors. The follow-up activities will allow EPA to obtain the additional

information discussed above. The total nationwide public reporting and record keeping burden for this information collection is estimated to be 24,840 hours (5,000 hours for the screener survey; 19,565 hours for the detailed survey; and 275 for the follow-up activities). 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; to 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; to adjust the existing ways to comply with any previously applicable instructions and requirements; to train personnel to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information.

TABLE 1.—RESPONDENT AVERAGE BURDEN PER SURVEY RESPONSE ACTIVITY

Respondent activity	Total burden per activity (hours)			
	Survey		Follow-up	
	Screener	Detailed <sup>1</sup>	Econ.	Samp.
Read Instructions .....	.25	5 4 4	0	0
Gather Information/Data .....	.25	11 8 7	2	2
Complete Survey Form .....	.25	8 7 7	0	0
Review Survey Responses .....	.25	7 7 5	0	1
All Activities .....	1	31 26 23	2	3

<sup>1</sup> EPA prepared three burden estimates depending upon the type of respondent and whether the respondent availed himself or herself of some options to lessen the burden.

TABLE 2.—COLLECTION OF AQUATIC ANIMAL PRODUCTION FACILITIES DATA

Total number of responses	Average burden per respondent (in hours)	Total burden (in hours)	Average labor costs per respondent (in dollars)	Total labor costs (in dollars)	Average O&M costs per respondent (in dollars)	Total O&M cost (in dollars)	Total costs (in dollars)
Screener Survey, Total Respondent Burden and Costs							
5,000 .....	1	5,000	21	105,000	0.84	4,200	109,200
Detailed Survey, Total Respondent Burden and Costs							
315 .....	31	9,765	762	240,030	15	4,725	244,755
315 .....	26	8,190	579	182,385	15	4,725	187,110
70 .....	23	1,610	517	36,190	15	1,050	37,240
Follow-up Activities, Total Respondent Burden Costs							
100 .....	2	200	50	\$5,000	\$10.50	1,050	6,050
25 .....	3	75	67	1,675	9.50	238	1,913

EPA has identified approximately 5,000 facilities as potential aquatic animal producers. EPA will distribute the screener survey to all of the facilities

identified, the detailed survey to a stratified random sample of about 500 to 700 facilities, and the follow-up to 125 facilities (this includes 25 for sampling

data and 100 for economic data). The estimated cost to complete the screener survey is approximately \$21 per site. The estimated cost to complete the

detailed survey is approximately \$517 to \$762 per site (depending on the type of respondent). The estimated cost for the follow-up activities is approximately \$50 to \$67 per site. The estimated total industry cost for the information collection burden is \$0.6 million.

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 addresses listed above. Please refer to EPA ICR No. 1988.01 in any correspondence.

Dated: May 21, 2001.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 01-14480 Filed 6-7-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[Docket A-2001-13; FRL 6992-9]

### Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permit for Orange Recycling and Ethanol Production Facility Pencor-Masada Oxynol, LLC; Orange County; Middletown, NY

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

**ACTION:** Notice of final order on petitions to object to State operating permit.

**SUMMARY:** This document announces that the EPA Administrator has partially granted and partially denied petitions to object to a State operating permit issued by the New York State Department of Environmental Conservation (NYSDEC) to the Orange Recycling and Ethanol Production Facility (Facility), proposed by Pencor-Masada Oxynol, LLC (Masada) for construction and operation in Middletown, NY. Pursuant to section 505(b)(2) of the Clean Air Act (Act), petitioners may seek judicial review of those portions of the petitions which EPA denied in the United States Court of Appeals for the appropriate circuit within 60 days of this decision under section 307 of the Act.

**ADDRESSES:** You may review copies of the final order, the petitions, and other supporting information at the EPA, Region 2, 290 Broadway, New York, New York 10007-1866. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day.

The final order is also available electronically at the following address:

[http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/masada\\_decision2000.pdf](http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/masada_decision2000.pdf)

**FOR FURTHER INFORMATION CONTACT:**

Steven C. Riva, Chief, Permitting Section, Air Programs Branch, Division of Environmental Planning and Protection, EPA, Region 2, 290 Broadway, 25th Floor, New York, New York 10007-1866, telephone (212) 637-4074.

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review, and object to as appropriate, operating permits proposed by State permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of this review period to object to State operating permits if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the State, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

Between June and September, 2000, the EPA received 35 petitions from 29 different petitioners, requesting that EPA object to the issuance of the title V operating permit to the Facility owned and operated by Masada and located in the city of Middletown, Orange County, New York. Robert C. LaFleur, president of Spectra Environmental Group, Inc. (Spectra), submitted the most detailed petition. Spectra's petition raised many of the same issues posed by other petitioners. Other petitions were submitted by Lois Broughton, Wanda Brown, Louisa and George Centeno with Leslie Mongilia, Maria Dellasandro, R. Dimieri, Lori Dimieri, Dawn Evesfield, Marvin Feman, Deborah Glover, Anne Jacobs, Barbara Javalli-Lesiuk, Marie Karr, June Lee, Ruth MacDonald, Bernice Mapes, Donald Maurizzio, Alice Meola, Daniel Nebus, Jeanette Nebus, Mr. and Mrs. Hillary Ragin, M. Schoonover, Mildred Sherlock, LaVinnie Sprague, Matthew Sprague, Hubert van Meurs, Alfred and Catherine Viggiani, Paul Weimer and Leonard Wodka.

The petitions with respect to this facility raised a number of distinct claims, characterized as either administrative/public participation issues or technical/regulatory issues. The petitioners alleged that the NYSDEC did not comply with the applicable public participation requirements in issuing the Masada permit because NYSDEC did not: (1)

Notify the public of the extended opportunity for comment; (2) make available to the public requisite information necessary to review the permit; (3) offer the public an opportunity to comment on significant changes to the draft permit; (4) properly inform the public of its right to petition to the EPA Administrator; (5) substantively review public comments; (6) grant requests for a second public hearing, and (7) translate the public notices and key documents for the non-English speaking members of the community. The petitioners also assert that the Masada permit did not comply with the applicable technical/regulatory requirements in that the permit: (1) Fails to assure compliance with major source preconstruction permitting requirements under the Act; (2) does not assure compliance with several allegedly applicable federal emissions standards, (3) omits required provisions governing chemical accident prevention requirements, namely section 112(r) of the Act and EPA's implementing regulations at 40 CFR part 68, and (4) does not comply with the Executive Order 12898 on environmental justice.

On May 2, 2001, the Administrator issued an order partially granting and partially denying the petitions. The order explains the reasons behind EPA's conclusion that NYSDEC must provide an opportunity for public review of certain operational requirements in the final permit issued to Masada, namely the methodology which limits the potential annual emissions of NO<sub>x</sub> and SO<sub>2</sub> from the facility. The order also requires the inclusion of certain provisions of the New Source Performance Standards (NSPS) for Industrial, Commercial and Institutional Steam Generating Units, specifically the applicable reporting and recordkeeping requirements of NSPS Subpart Db. The order provides an explanation on the reasons for denying the petitioners' remaining claims.

Date: May 24, 2001.

**William J. Muszynski,**

*Acting Regional Administrator, Region 2.*

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