

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7022-2]

**Agency Information Collection Activities: Submission for OMB Review; Comment Request, Standards of Performance for New Stationary Sources—Phosphate Rock Plants****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 Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Standards of Performance for New Stationary Sources—Phosphate Rock Plants—NSPS Subpart NN; (OMB Control Number 2060-0111), expiring August 31, 2001. 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 August 31, 2001.

**ADDRESSES:** Send comments, referencing EPA ICR Number 1078.06 and OMB Control Number 2060-0111, to the following addresses: Susan Auby, U.S. Environmental Protection Agency, Collection Strategies Division (Mail Code 2822), 1200 Pennsylvania Avenue, NW., Washington, DC 20460-0001; and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** For a copy of the ICR contact Susan Auby at EPA by phone at (202) 260-4901, by E-Mail at [Auby.Susan@epamail.epa.gov](mailto:Auby.Susan@epamail.epa.gov) or download off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No.1078.06. For technical questions about the ICR contact Stephen J. Howie, phone number 202-564-4146.

**SUPPLEMENTARY INFORMATION:**

*Title:* ICR for NSPS Subpart NN—Phosphate Rock Plants Subject to New Source Performance Standards, OMB Control Number 2060-0111, EPA ICR Number 1078.06, expiring August 31, 2001. This is a request for extension of a currently approved collection.

*Abstract:* Particulate matter emissions from phosphate rock plants cause or contribute to air pollution that may reasonably be anticipated to endanger

public health or welfare. Therefore, NSPS were promulgated for this source category.

The control of emissions of particulate matter from phosphate rock plants requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of particulate matter from phosphate rock plants are the result of operation of the calciners, dryers, grinders, and ground rock handling and storage facilities. These standards rely on the capture of particulate emissions by a baghouse or wet scrubber.

In order to ensure compliance with these standards, adequate reporting and recordkeeping is necessary. In the absence of such information enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act.

All reports are sent to the delegated State or local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA Regional Office. Notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated. Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standard and note the operating conditions (flow rate and pressure drop) under which compliance was achieved. The quarterly reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations. The standard also requires semiannual reporting of deviations from monitored scrubber pressures or opacity, as these are good indicators of the source's compliance status.

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** document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on September 15, 2000, (65 FR 55955). No comments were received.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 97 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.

*Respondents/Affected Entities:* Phosphate Rock Plants.

*Estimated Number of Respondents:* 31.

*Frequency of Response:* On occasion.

*Estimated Total Annual Hour Burden:* 3002 hours.

*Estimated Total Annualized Capital/Startup & O&M Cost Burden:* \$326,450.

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. 1078.06 and OMB Control No. 2060-0111 in any correspondence.

Dated: July 25, 2001.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 01-19165 Filed 7-31-01; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7021-9]

**Proposed Settlement Agreement****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** Notice of accordance with section 113(g) of the Clean Air Act, as amended, 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement in *The Fertilizer Institute v. U.S. Environmental Protection Agency*, No. 99-1317 (D.C. Cir.).

This case concerns a challenge to the rule entitled National Emission Standards for Hazardous Air Pollutants Phosphoric Acid Manufacturing and Phosphate Fertilizers Production,