

marine tank vessels with petroleum and gasoline. Delegated states and EPA Regional Offices use the data to determine compliance with the NESHAP rule. The purpose is to assure compliance with emission requirements in 40 CFR part 63, subpart Y. In general, records will be stored on site and shown to inspectors when requested. These will be hard copy records for the most part. Other information for periodic reports are sent to the state or to the Regional Office. It will cost 105 facilities, a total of 28,131 hours each year at a total cost of \$1,535,817.

Under sections 40 CFR part 63, subpart Y, information collection is mandatory, not voluntary. All information submitted to EPA for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in 40 CFR part 2, subpart B—Confidentiality of Business Information.

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 August 17, 2001 (66 FR 43253); no comments were received.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 32 hours to prepare excess emissions. 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 previous 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:** Owners and Operators of Marine Tank Vessel Loading Operations.

**Estimated Number of Respondents:** 105.

**Frequency of Response:** On occasion.

**Estimated Total Annual Hour Burden:** 28,131 hours per year.

**Estimated Total Annualized Capital, O&M Cost Burden:** 0.

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.1679.04 and OMB Control No. 2060-0289 in any correspondence.

Dated: February 25, 2002.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 02-5184 Filed 3-4-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7152-2]

### Proposed Settlement Agreement

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** In 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 *American Foundrymen's Society, et al. v. EPA*, No. 00-1208 (D.C. Circuit). This case concerns the National Emission Standard for Hazardous Air Pollutants for Secondary Aluminum Production, 40 CFR part 63, subpart RRR, published at 65 FR 15710 on March 23, 2000. The proposed settlement agreement was lodged with the United States Court of Appeals for the District of Columbia Circuit on January 11, 2002.

**DATES:** Written comments on the proposed settlement agreement must be received by April 4, 2002.

**ADDRESSES:** Written comments should be sent to Timothy D. Backstrom, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. A copy of the proposed settlement agreement is available from Phyllis J. Cochran, (202) 564-7606. A copy of the proposed settlement agreement was also lodged in the case with the Clerk of the United States Court of Appeals for the District of Columbia Circuit on January 11, 2002.

**SUPPLEMENTARY INFORMATION:** EPA promulgated the National Emission Standard for Hazardous Air Pollutants for Secondary Aluminum Production, 40 CFR part 63, subpart RRR, on March 23, 2000. 65 FR 15170. Because

aluminum die casters and aluminum foundries may conduct some of the same operations as other secondary aluminum producers, Subpart RRR was intended to apply to those die casters and foundries which conduct such operations.

During the original rulemaking, representatives of the aluminum die casters and foundries argued that they are not really secondary aluminum producers and should therefore be wholly exempt from the rule. In response, EPA agreed that not all die casters and foundries engage in secondary aluminum operations, and that those who do not should not be subject to the rule. EPA also agreed during the rulemaking to permit die casters and foundries to melt contaminated internal scrap without thereby becoming subject to the standard. However, industry representatives insisted that too many facilities would remain subject to the standard. Immediately prior to promulgation, EPA agreed that it would withdraw Subpart RRR as applied to aluminum die casters and foundries and develop a separate MACT standard for these facilities.

After promulgation of the rule, the Petitioners the American Foundrymen's Society, the North American Die Casting Association, and the Non-Ferrous Founders' Society ("Petitioners") petitioned for judicial review. The parties then negotiated an initial settlement agreement establishing a process to effectuate the commitment by EPA to develop a new MACT standard for these facilities, which was lodged with the D.C. Circuit on July 31, 2000. In that first settlement, EPA agreed that it would stay the current standard for these facilities, collect comprehensive data to support an alternate standard, and then promulgate an alternate standard. However, while collecting information to support the new standard, the parties began exploring the possibility of a new settlement agreement which would be based instead on amendments of the current standard.

In the new settlement, EPA has agreed to propose changes in the present standard which would permit customer returns to be treated as internal scrap, and would permit facilities operated by the same company at different locations to be aggregated for purposes of determining what is internal scrap. Some other technical changes intended to eliminate potential anomalies in applicability determinations will also be proposed. The settlement requires the EPA Administrator to sign a proposed rule incorporating these changes by May

10, 2002, and to take final administrative action concerning that proposal by December 13, 2002.

For a period of thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, based on any comment which may be submitted, that consent to the settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

Dated: February 22, 2002.

**Alan W. Eckert,**

*Associate General Counsel, Air and Radiation Law Office.*

[FR Doc. 02-5189 Filed 3-4-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7152-3]

### Environmental Laboratory Advisory Board (ELAB) Meeting Dates, and Agenda

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of teleconference meeting.

**SUMMARY:** The Environmental Protection Agency's Environmental Laboratory Advisory Board (ELAB) will have a teleconference meeting on March 20, 2002, at 11 A.M. EST to discuss the ideas and views presented at the previous ELAB meetings, as well as new business. Items to be discussed include: (1) Update on recommendations to restructure the National Environmental Laboratory Accreditation Conference (NELAC) to allow it to better serve the future needs of EPA, the States, and the private sector; (2) approaches to facilitate NELAP accreditation of smaller environmental laboratories; (3) review of ELAB recommendations to EPA; and (4) the reports from ELAB work groups. ELAB is soliciting input from the public on these and other issues related to the National Environmental Laboratory Accreditation Program (NELAP) and the NELAC standards. Written comments on NELAP

laboratory accreditation and the NELAC standards are encouraged and should be sent to Mr. Edward Kantor, DFO, PO Box 93478, Las Vegas NV 89193, faxed to (702) 798-2261, or emailed to [kantor.edward@epa.gov](mailto:kantor.edward@epa.gov). Members of the public are invited to listen to the teleconference calls, and time permitting, will be allowed to comment on issues discussed during this and previous ELAB meetings. Those persons interested in attending should call Edward Kantor at 702-798-2690 to obtain teleconference information. The number of lines are limited and will be distributed on a first come, first serve basis. Preference will be given to a group wishing to attend over a request from an individual.

**Gareth Pearson,**

*Acting Director, Environmental Sciences Division, National Environmental Research Laboratory.*

[FR Doc. 02-5186 Filed 3-4-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7152-7]

### Proposed CERCLA Section 122(h) Administrative Agreement for Recovery of Past Costs for the Carroll & Dubies Site, Town of Deer Park, Orange County, NY

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given by the U.S. Environmental Protection Agency ("EPA"), Region II, of a proposed administrative agreement pursuant to section 122(h) of CERCLA, 42 U.S.C. 9622(h), for recovery of past response costs concerning the Carroll & Dubies Site ("Site") located in the Town of Deer Park, Orange County, New York. The settlement requires the settling parties, Kolmar Laboratories, Inc. and Wichhen Products, Inc. to pay \$75,000 in reimbursement of EPA's past response costs at the Site. The settlement includes a covenant not to sue the settling parties pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a), in exchange for their payment of monies. For thirty (30) days following the date of publication of this notice, EPA will receive written comments

relating to the settlement. EPA will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations that indicate that the proposed settlement is inappropriate, improper or inadequate. EPA's response to any comments received will be available for public inspection at EPA Region II, 290 Broadway, New York, New York 10007-1866.

**DATES:** Comments must be submitted on or before April 4, 2002.

**ADDRESSES:** The proposed settlement is available for public inspection at EPA Region II offices at 290 Broadway, New York, New York 10007-1866. Comments should reference the Carroll & Dubies Site located in the Town of Deer Park, Orange County, New York, Index No. CERCLA-02-2002-2009. To request a copy of the proposed settlement agreement, please contact the individual identified below.

#### FOR FURTHER INFORMATION CONTACT:

Sharon E. Kivowitz, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 17th Floor, 290 Broadway, New York, New York 10007-1866. Telephone: 212-637-3183.

Dated: February 14, 2002.

**William J. Muszynski,**

*Deputy Regional Administrator, Region 2.*

[FR Doc. 02-5188 Filed 3-4-02; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Meeting Notice Correction

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of meeting correction.

**SUMMARY:** The Federal Communications Commission published a document in the **Federal Register** on February 15, 2002 announcing a meeting of the Network Reliability and Interoperability Council to be held on Monday, March 22. The document incorrectly specified that March 22 was a Monday.

**FOR FURTHER INFORMATION CONTACT:** Robert Kimball at 202-418-2339 or TTY 202-418-2989.

#### Correction

In the **Federal Register** of February 15, 2002 in FR Doc. 02-3696, on page 7178, correct the **DATES** caption to read:

**DATES:** Friday, March 22, 2002 at 10 a.m. to 1 p.m.