

**DEPARTMENT OF ENERGY****Federal Energy Regulatory  
Commission**

[Docket No. RM01-12-000]

**Electricity Market Design and  
Structure; Notice of Options Paper**

April 10, 2002.

Take notice that the Commission has distributed an options paper for resolving rate and transition issues for standardized transmission service and wholesale electric market design. The purpose of this paper is to stimulate public discussion that can guide the development of a proposed rulemaking on these issues. Parties filing comments are requested to make recommendations on the options that should be included in the proposed rulemaking as well as to address the pros and cons of the various options contained in the paper.

The options paper is being placed in the record of this rulemaking docket. It will also be available on the Commission's website at <http://www.ferc.gov/Electric/RTO/mrkt-struct-comments/discussion—paper.htm>.

Comments on this paper should be filed with the Commission by May 1, 2002. Comments may be filed in paper format or electronically. For paper filings, the original and 14 copies of the comments should be submitted to the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington DC 20426. For electronic filings via the Internet, see 18 CFR 385.2001(a)(1)(iii) (2001) and the instructions on the Commission's web site under the "e-Filing" link. All comments will be placed in the Commission's public files and will be available for inspection in the Commission's Public Reference Room at 888 First Street, NE., Washington, DC 20426, during regular business hours. Additionally, all comments may be viewed, printed, or downloaded remotely via the Internet through FERC's Homepage using the RIMS link. User assistance for RIMS is available at 202-208-2222, or by e-mail to [rismaster@ferc.gov](mailto:rismaster@ferc.gov).

**Magalie R. Salas,**  
Secretary.

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**ENVIRONMENTAL PROTECTION  
AGENCY**

[FRL-7172-3]

**Agency Information Collection  
Activities: Proposed Collection;  
Comment Request; Risk Management  
Program Requirements and Petitions  
To Modify the List of Regulated  
Substances under Section 112(r) of the  
Clean Air Act (CAA)**

**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 EPA is planning to submit the following continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): Risk Management Program Requirements and Petitions to Modify the List of Regulated Substances under section 112(r) of the Clean Air Act (CAA), EPA ICR Number 1656.09, OMB Control Number 2050-0144, expiring September 30, 2002. 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 17, 2002.

**ADDRESSES:** Chemical Emergency Preparedness and Prevention Office, Mailcode 5104A, U.S. EPA, 1200 Pennsylvania Avenue NW, Washington DC 20004. Interested persons may obtain a copy of the ICR without charge by contacting the person in **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Sicy Jacob, 202-564-8019, fax no. 202-564-8233, or e-mail: [jacob.sicy@epamail.epa.gov](mailto:jacob.sicy@epamail.epa.gov).

**SUPPLEMENTARY INFORMATION:**

**Affected entities:** Entities potentially affected by this action are those stationary sources that have more than a threshold quantity of a regulated substance in a process. Entities more likely to be affected by this action may include chemical and non-chemical manufacturers, petroleum refineries, utilities, federal sources, etc.

**Title:** Risk Management Program Requirements and Petitions to Modify the List of Regulated Substances under section 112(r) of the Clean Air Act (CAA), EPA ICR No. 1656.09, OMB Control No. 2050-0144 expiring 09/30/02.

**Abstract:** This information collection request (ICR) addresses the following information requirements: (1)

Documenting sources risk management programs and submitting a source risk management plan (RMP) under CAA section 112(r)(7). The regulations include requirements for covered sources to implement and maintain documentation for a risk management program and submit an RMP (including information on a source's hazard assessment, prevention program, and emergency response program) to EPA. (2) Collecting and submitting information to support petitions to modify the list of regulated substances under CAA section 112(r)(3). The regulations include requirements for a petitioner to submit sufficient information in support of a petition to scientifically support the request to add or delete a chemical from the list of regulated substances. The Agency will use this information in making the decision to grant or deny a petition. EPA developed and promulgated these regulations through several rulemakings. The rules are codified in 40 CFR part 68.

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 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 estimates of the universe used in the previous ICRs have been revised to reflect the actual number of RMPs submitted to EPA, adjusted for non-compliance based on reports from the EPA Regions and state implementing agencies. As a result, there has been a decrease in the estimate of the number of facilities subject to these requirements to about 16,635 respondents. Because of the schedule

for certain activities established in Part 68, some costs occur in the three-year time period covered by this ICR did not occur during the previous three-year period. Most sources will have to revise their RMPs and update their process hazard analyses, hazard reviews, and offsite consequence analyses in 2004, five years after submitting their initial RMPs. Consequently, the record keeping and reporting costs for Part 68 fluctuate considerably from ICR to ICR.

The public reporting burden will depend on the regulatory program tier into which sources are categorized. In this ICR, EPA estimates that only certain entities will be newly subject to the RMP during the three years covered by this ICR. For these newly affected sources, the public reporting burden for rule familiarization, is estimated to be 35 hours per source and 11 hours for other initial compliance. The respondent to prepare and submit an RMP is estimated to take 5.0 hours for retailers to 28 hours for complex chemical manufacturers. The respondent burden to maintain on-site documentation is estimated to range from 4.5 hours for retailers to 355 hours for complex chemical manufacturers. The reporting burden for CBI claims is estimated to be 9.5 hours for certain chemical manufacturing sources. The total respondent burden to become familiar with the rule, complete and submit (or revise) the risk management plan, maintain on-site documentation, and substantiate claims for confidential business information is estimated to be about 273,000 hours over three years, or an annual burden of 91,000 hours. The three-year burden estimated for 15 states that may be implementing Part 68 program is 18,480 hours, or an annual burden of 6,160 hours. Therefore, the total burden for all sources and states is estimated to be 291,480 hours for three years, or an annual burden of 97,160 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.

Dated: April 10, 2002.

**David Speight,**

*Acting Director, Chemical Emergency Preparedness and Prevention Office.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**[OPPT-2002-0002; FRL-6832-3]**

**TSCA Section 8(c) Health and Safety Data Reporting Rule; 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) (44 U.S.C. 3501 *et seq.*), EPA is seeking public comment on the following Information Collection Request (ICR): TSCA Section 8(c) Health and Safety Data Reporting Rule (EPA ICR No. 1031.07, OMB No. 2070-0017). This ICR involves a collection activity that is currently approved and scheduled to expire on August 31, 2002. The information collected under this ICR relates to requirements under TSCA section 8(c) that companies that manufacture, process, or distribute in commerce any chemical substance or mixture maintain records of significant adverse reactions to health or the environment alleged to have been caused by such substance or mixture. 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 OPPT-2002-0002 and administrative record number AR-239, must be received on or before May 16, 2002.

**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 OPPT-2002-0002 and administrative record number AR-239 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** *For general information contact:* Barbara Cunningham, Acting Director, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, 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:* Gerry Brown, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-8086; fax number: (202) 564-4765; e-mail address: brown.gerry@epa.gov.

**SUPPLEMENTARY INFORMATION:**

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

You may be potentially affected by this action if you are a company that manufactures, processes, imports, or distributes in commerce chemical substances or mixtures. Potentially affected categories and entities may include, but are not limited to:

Type of business	NAICS codes	SIC codes
Basic chemical manufacturing	3251	2869
Resin, synthetic rubber and artificial synthetic fibers, and filaments manufacturing	3252	2821
Paint, coating, and adhesive manufacturing	3255	2851
Pesticide, fertilizer, and other agricultural chemical manufacturing	3253	2879
Petroleum refineries	32411	2911

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 and the Standard Industrial Classification (SIC) 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.**