

identify any health and safety studies in their possession, copy and process relevant studies, list studies that are currently in progress, and submit this information to EPA.

EPA uses this information to construct a complete picture of the known effects of the chemicals in question, leading to determinations by EPA of whether additional testing of the chemicals is required. The information enables EPA to base its testing decisions on the most complete information available and to avoid demands for testing that may be duplicative. EPA will use information obtained via this collection to support its investigation of the risks posed by chemicals and, in particular, to support its decisions on whether to require industry to test chemicals under section 4 of TSCA.

Responses to the collection of information are mandatory (see 40 CFR part 716). 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.

V. What are EPA's Burden and Cost Estimates for this ICR?

Under the PRA, "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. For this collection it 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 ICR provides a detailed explanation of this estimate, which is only briefly summarized in this notice. The annual public burden for this collection of information is estimated to average 4.1 hours per response. The following is a summary of the estimates taken from the ICR:

Respondents/affected entities: 569.
Frequency of response: On occasion.
Estimated average number of responses for each respondent: 12.5.
Estimated total annual burden hours: 2,344.

Estimated total annual burden costs: \$203,512.

VI. Are There Changes in the Estimates from the Last Approval?

There is a decrease of 2,198 hours (from 4,542 hours to 2,344 hours) in the total estimated respondent burden compared with that identified in the information collection request most recently approved by OMB. This change results from an updated analysis of the historical reporting patterns and the number of chemicals listed on the section 8(d) reporting rule (adjustment). Specifically, because no new chemicals were added to the rule during the previous ICR reporting period, the number of chemicals added during the 1993 through 1996 period were averaged over 8 years (1993 through 2000) to provide an estimate of expected reporting over the coming 3 year period of this ICR renewal. Unit burden estimates have not changed.

VII. What is the Next Step in the Process for this ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

List of Subjects

Environmental protection, Reporting and recordkeeping requirements.

Dated: May 10, 2002.

Stephen L. Johnson,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7213-9]

Proposed Alternative Tier 2 Requirements for PuriNO_x Diesel Fuel

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed requirements.

SUMMARY: The Lubrizol Corporation (Lubrizol) has developed a motor-vehicle diesel fuel, known as PuriNO_x, that contains significant amounts of water and methanol. The purpose of this notice is to announce that EPA has notified Lubrizol, by certified letter, of proposed Alternative Tier 2 testing requirements for PuriNO_x Generation 2 Winter Diesel Fuel Emulsion (Winter PuriNO_x) under the fuel and fuel additive registration testing requirements. EPA is also proposing that testing performed by Lubrizol on Winter PuriNO_x and a warm-climate PuriNO_x is sufficient to cover intermediate versions of PuriNO_x. A copy of the letter has been placed in the public record. The purpose of these proposals is to assist in characterizing potential health risks associated with the use of this fuel. The public is invited to comment on these proposals.

DATES: Comments must be submitted on or before June 20, 2002. Comments on the proposed Alternative Tier 2 provisions must be received from Lubrizol within 60 days of Lubrizol's receipt of the notification letter.

ADDRESSES: Written comments should be addressed to Public Docket No. A-2002-07, Waterside Mall (Room M-1500), Environmental Protection Agency, Air Docket Section, 401 M Street, SW., Washington, DC, 20460-0001. Relevant materials have been placed in this docket. It may be inspected from 8 a.m. to 5:30 p.m., Monday through Friday. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: James W. Caldwell, Environmental Engineer, U.S. Environmental Protection Agency, Office of Transportation and Air Quality, Mail Code 6406J, 1200 Pennsylvania Avenue, NW, Washington, DC, 20460-0001, (202) 564-9303, fax (202) 565-2085, caldwell.jim@epa.gov.
SUPPLEMENTARY INFORMATION: Regulated Entity. The entity potentially regulated by this action is Lubrizol.

I. Introduction

Pursuant to sections 211(b)(2) and 211(e) of the Clean Air Act (CAA) EPA promulgated regulations requiring manufacturers of designated fuels and fuel additives (F/FA) to conduct tests to determine the potential health effects of the F/FA emissions. The final rule, promulgated May 27, 1994, established new health-effects testing requirements for the registration of designated F/FAs (59 FR 33042).

The registration requirements are organized within a three-tier structure. Tier 1 requires F/FA manufacturers to supply to EPA (1) the identity and

concentration of certain emission products, and (2) any available information regarding the health and welfare effects of the whole and speciated emissions. 40 CFR 79.52. Tier 2 requires that combustion emissions of each F/FA subject to the testing requirements be tested for subchronic systemic and organic toxicity, as well as the assessment of specific health-effect endpoints. 40 CFR 79.53. Tier 3 testing may be required, at EPA's discretion, when remaining uncertainties as to the significance of observed health or welfare effects, or emissions exposures, interfere with EPA's ability to reasonably assess the potential risks posed by the emissions from a F/FA. 40 CFR 79.54. EPA's regulations permit submission of adequate existing test data in lieu of conducting new, duplicative tests. 40 CFR 79.53(b).

At its discretion, EPA may modify the standard Tier 2 health-effects testing requirements for a F/FA (or group thereof) by substituting, adding, or deleting testing requirements, or changing the underlying vehicle/engine specifications. 40 CFR 79.58(c). EPA will not, however, delete a testing requirement for a specific end point in the absence of existing adequate information, or an alternative testing requirement for that endpoint. 40 CFR 79.58(c).

II. Proposed Alternative Tier 2 Requirements for PuriNO_x

The purpose of this document is to announce that EPA has notified Lubrizol of proposed Alternative Tier 2 testing requirements under 40 CFR 79.58(c) for Lubrizol's Winter PuriNO_x formulation. The proposed Alternative Tier 2 testing requirements are identical to the standard Tier 2 requirements with the exception that the test fuel will be the Winter PuriNO_x formulation, consisting of 74% diesel fuel, 16.8% water, 5.7% methanol, and 3.5% PuriNO_x Generation 2 Additive Package. Under the standard Tier 2 requirements the water and methanol would have been tested separately in diesel fuel. EPA believes that, since such separate formulations will never occur in the production of Winter PuriNO_x, testing of the proposed test fuel, which corresponds with its commercial composition, will produce more meaningful health-effects testing results.

Lubrizol has already conducted standard Tier 2 testing on a warm-climate PuriNO_x formulation, consisting of 77% diesel fuel, 20% water, and 3% PuriNO_x 1121A Additive Package. We propose that this testing, in conjunction with the Alternative Tier 2 testing for

Winter PuriNO_x, will be sufficient to meet the Tier 2 requirements for intermediate PuriNO_x combinations of diesel fuel, water, methanol, and additive package.¹

EPA requests public comment on these proposals. A copy of the notification to Lubrizol has been placed in Public Docket No. A-2002-07 noted above. The notification is also available from the contact noted above and at www.epa.gov/otaq/fuels.

III. Environmental Impact

This document will result in no immediate environmental impact, but may provide a basis for further regulatory action, should the collected data indicate that there may be a risk to public health or welfare.

IV. Economic Impact

This document will reduce the testing expense for Lubrizol by reducing the number of test fuels. Since this applies only to Lubrizol, which is not a small entity, there is no economic impact on small entities.

Dated: May 14, 2002.

Robert Brenner,

Acting Assistant Administrator, Office of Air and Radiation.

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ENVIRONMENTAL PROTECTION AGENCY

[AMS-FRL-7214-3]

California State Motor Vehicle Pollution Control Standards; Request for Waiver of Federal Preemption; Within the Scope Request; Opportunity for Public Hearing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Opportunity for public hearing and comment.

SUMMARY: The California Air Resources Board (CARB) has notified EPA that it has adopted amendments to its Low-Emission Vehicle (LEV) regulations including amendments to its exhaust emission standards, evaporative emission standards, its certification requirements, and to its Zero-Emission-Vehicle (ZEV) program (collectively the "LEVII" amendments; the ZEV amendments are referred to as the "1999

¹ Thus, if the Winter PuriNO_x Alternative Tier 2 testing is successfully completed, the Tier 2 health effects testing requirements would be met for PuriNO_x formulations consisting of 100%-74% diesel fuel, 0%-20% water, 0%-5.7% methanol, 0%-3.5% PuriNO_x Generation 2 Additive, or 0%-3% PuriNO_x 1121A.

ZEV amendments"). By letter dated May 30, 2001, California requested that EPA grant a waiver of preemption under section 209(b) of the Clean Air Act (CAA), 42 U.S.C. 7543(b) for the LEVII amendments. By letter dated February 7, 2002, California requested that EPA confirm CARB's determination that a limited portion of the LEVII amendments, the 1999 ZEV amendments, are within-the-scope of previously issued waivers granted by EPA. This notice announces that EPA has tentatively scheduled two successive public hearings concerning California's requests and that EPA is accepting comments on these requests. EPA invites comments on all relevant aspects of California's requests, in particular, whether EPA should waive preemption of California's LEVII amendments, and whether the 1999 ZEV amendments are within the scope of previous waivers and, if not, whether EPA should waive preemption for the 1999 ZEV amendments.

DATES: EPA has tentatively scheduled a public hearing concerning the 1999 ZEV amendments on June 20, 2002 beginning at 10:00 a.m. EPA has also tentatively scheduled a public hearing concerning the LEVII amendments to commence immediately following the hearing for the 1999 ZEV amendments and may carry over until the following day. EPA will hold hearings only if a party notifies EPA by June 10, 2002, expressing its interest in presenting oral testimony regarding the 1999 ZEV amendments and/or the LEVII amendments. By June 17, 2002, any person who plans to attend the hearing(s) should call David Dickinson at (202) 564-9256 to learn if either hearing will be held. If EPA does not receive a request for one or both public hearings, then EPA will not hold one or both hearings, and instead consider CARB's requests based on written submissions to the docket. Any party may submit written comments by July 22, 2002.

ADDRESSES: EPA will make available for public inspection at the Air and Radiation Docket and Information Center written comments received from interested parties, in addition to any testimony given at the public hearing. The Air Docket is open during working hours from 8 a.m. to 4 p.m. at EPA, Air Docket (6102), Room M-1500, Waterside Mall, 401 M St., SW., Washington, DC 20460. The reference number for this docket is A-99-26. Parties wishing to present oral testimony at either public hearing should provide written notice to David Dickinson at the address noted below;