

the period of August 1, 2003 through July 31, 2006. During the period covered by this ICR renewal, respondents will: Complete their 2004 section 305(b) reports and 2004 section 303(d) lists; complete their 2006 section 305(b) reports and 2006 section 303(d) lists; transmit annual electronic updates of their section 305(b) databases in 2003 through 2006; and continue to develop TMDLs according to their established schedules. EPA will prepare two biennial Reports to Congress: one in 2003, one in 2005, and EPA will review TMDL submissions from respondents.

The respondent community for section 305(b) reporting consists of 50 States, the District of Columbia, 5 Territories (Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands), and 3 River Basin Commissions. The Ohio River Valley Sanitation Commission, the Delaware River Basin Commission, and the Interstate Sanitation Commission have jurisdiction over basins that lie in multiple States. Indian Tribes are exempt from the section 305(b) reporting requirement, but some Tribes choose to participate as a way of presenting assessments and water quality issues to the public and Congress. One Tribe or Tribal Group prepared section 305(b) reports in 1996 and 1997. However, since Tribal section 305(b) reporting is a voluntary effort, it is not included in the burden estimates for this ICR.

The respondent community for section 303(d) activities consists of 50 States, the District of Columbia, and 5 Territories (Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands). Although Indian Tribes can be authorized to meet section 303(d) requirements, none are currently authorized nor have applied for authorization. Further, very few Tribes have established water quality standards, and EPA is currently in the process of preparing standards where they are needed. Therefore, we assume that there would be no burden to Indian Tribes over the period covered by this ICR for section 303(d) activities.

The burden of specific activities that States undertake as part of their sections 305(b) and 303(d) programs are derived from an ongoing project among EPA, States and other interested stakeholders to develop a tool for estimating the States' resource needs for State water quality management programs. This project has developed the State Water Quality Management Workload Model (SWQMWM), which estimates and sums the workload involved in more than one hundred activities or tasks comprising a

State water quality management program. Over twenty States have contributed information about their activities that became the basis for the model. According to the SWQMWM, the States will carry out the following activities or tasks to meet the sections 305(b) and 303(d) reporting requirements: Watershed characterization; modeling and analysis; development of a TMDL document for public review; public outreach; formal public participation; tracking; planning; legal support; *etc.* In general, respondents have conducted each of these reporting and record keeping activities for past sections 305(b) and 303(d) reporting cycles and thus have staff and procedures in place to continue their sections 305(b) and 303(d) reporting programs. The burden associated with these tasks is estimated in this ICR to include the total number of TMDLs that may be submitted during the period covered by this ICR.

The biennial frequency of the collection is mandated by section 305(b)(1) of the CWA. Section 305(b) originally required respondents to submit water quality reports on an annual basis. In 1977, the annual requirement was amended to a biennial requirement in the CWA. EPA has determined that abbreviated reporting for hard-copy section 305(b) reports, combined with annual electronic reporting using respondent databases, will meet the CWA reporting requirements while reducing burden to respondents. The biennial period with annual electronic reporting ensures that information needed for analysis and water program decisions is reasonably current, yet abbreviated reporting requirements provides respondents with sufficient time to prepare the reports.

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 in 40 CFR are listed in 40 CFR part 9 and are identified on the form and/or instrument, if applicable.

**Burden Statement:** For the 3 respondents that have section 305(b) responsibility only the annual public reporting and recordkeeping burden for this collection of information is estimated to average 3,659 hours. For the 56 other respondents with both sections 305(b) and 303(d) responsibilities the annual public reporting and recordkeeping burden for this collection of information is estimated to average 66,590 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.

**Respondents/Affected Entities:** States, District of Columbia, Territories, River Basin commissions, and Indian Tribes.

**Estimated Number of Respondents:** 59.

**Frequency of Response:** Biannually.

**Estimated Total Annual Hour Burden:** 3,740,017.

**Estimated Total Annual Cost:** \$155,322,906, includes \$0 annualized capital or O&M costs.

**Changes in the Estimates:** There is a decrease of 749,130 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This decrease is due to: Adjustment Changes in Burden for sections 305(b) and 303(d) reporting. The total annual respondent burden for sections 305(b) and 303(d) reporting has increased from ICR 1560.05 and 1560.06 due to improved estimates of respondent activity.

Dated: August 27, 2003.

**Doreen Sterling,**

*Acting Director, Collection Strategies Division.*

[FR Doc. 03-22641 Filed 9-4-03; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[RCRA-2002-0024; FRL-7553-7]

**Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; The 2003 Hazardous Waste Report, EPA ICR Number 0976.11, OMB Control Number 2050-0024**

**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 an Information Collection Request

(ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request for a renewal of an existing approved collection. This ICR is scheduled to expire on June 30, 2003. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. This ICR describes the nature of the information collection and its estimated burden and cost.

**DATES:** Additional comments may be submitted on or before October 6, 2003.

**ADDRESSES:** Submit your comments, referencing docket ID number RCRA-2002-0024, to (1) EPA online using EDOCKET (our preferred method), by e-mail to [RCRA-docket@epa.gov](mailto:RCRA-docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, RCRA Docket, Mail Code 5305T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, and (2) OMB at: 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:**

Dave Levy, Office of Solid Waste, Mail Code 5303W, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 703-308-8479; fax number: 703-308-8433; e-mail address: [levy.dave@epa.gov](mailto:levy.dave@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On March 18, 2003 (68 FR 12902), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA has addressed the comments received.

EPA has established a public docket for this ICR under Docket ID No. RCRA-2002-0024, which is available for public viewing at the RCRA Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the RCRA Docket is (202) 566-0270. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>.

Please use EDOCKET to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available

electronically. Once in the system, select "search," then key in the docket ID number identified above.

Any comments related to this ICR should be submitted to EPA and OMB within 30 days of this notice. EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to [www.epa.gov/edocket](http://www.epa.gov/edocket).

**Title:** The 2003 Hazardous Waste Report.

**Abstract:** This ICR renews an ongoing information collection from hazardous waste generators and hazardous waste treatment, storage, or disposal facilities. This collection is done on a two-year cycle as required by sections 3002 and 3004 of the Resource Conservation and Recovery Act (RCRA). The information is collected via a mechanism known as the Hazardous Waste Report for the required reporting year (EPA Form 8700-13 A/B)(also known as the Biennial Report). Both RCRA sections 3002 and 3004 require EPA to establish standards for recordkeeping and reporting of hazardous waste. Section 3002 applies to hazardous waste generators and section 3004 applies to hazardous waste treatment, storage, and disposal facilities. The implementing regulations are found at 40 CFR 262.40(b) and (d); 262.41(a)(1)-(5), (a)(8), and (b); 264.75(a)-(e) and (j); 265.75(a)-(e) and (j); and 270.30(l)(9). This is mandatory reporting by the respondents.

The respondents' submissions (reports) describe each generated hazardous waste, the activity by which they generated the waste, and the waste quantity; the reports also list the management method by which each waste is treated, recycled, or disposed and the quantity managed. There are a

number of uses of Biennial Report data. EPA uses Biennial Report data for planning and developing regulations, compliance monitoring, and enforcement. Also, Biennial Report data allows the Agency to determine whether its regulations are having the desired effect on the generation and management of hazardous waste. For example, Biennial Report data provides information on whether waste management has shifted from one method of disposal to another. Some State uses of Report data include support of planning, fee assessment, compliance monitoring, and enforcement.

Some businesses consider some of their hazardous waste information to be Confidential Business Information (CBI). A business may, if it desires, protect its Biennial Report information from public disclosure by asserting a claim of confidentiality covering all or part of its information. When a claim is made EPA will treat the information in accordance with the confidentiality regulations in 40 CFR part 2, subpart B. EPA also ensures that the information collection procedures comply with the Privacy Act of 1974 and OMB Circular 108.

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 in 40 CFR are listed in 40 CFR part 9 and are identified on the form and/or instrument, if applicable.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average about 19 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:** Those facilities which generate, treat, store, recycle, or dispose of hazardous waste.

**Estimated Number of Respondents:** 10,178.

*Frequency of Response:* Biennially.  
*Estimated Total Annual Hour Burden:* 196,976.

*Estimated Total Annual Cost:* \$10,311,438, includes \$0 annualized capital and \$25,336 O&M costs.

*Changes in the Estimates:* There is an increase of 8,352 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This increase is due to several reasons. Based on reported data for the 2001 Hazardous Waste Report, EPA estimates a slight increase in the number of respondents, an additional 42; we estimate the increase in the number of submitted forms to be 15,218. The completion of the RCRA Subtitle C Site Identification Form will require an estimated additional 20 minutes. This has resulted in a minor increase for those manually filling out the forms (resulting in an approximately one percent annual burden reduction to the regulated community overall).

Dated: August 12, 2003.

**Doreen Sterling,**

*Acting Director, Collection Strategies Division.*

[FR Doc. 03-22642 Filed 9-4-03; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OEI-2003-0003; FRL-7553-6]

### Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Confidentiality Rules, EPA ICR Number 1665.06, OMB Control Number 2020-0003

**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 an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. The current ICR is scheduled to expire on September 30, 2003. Under OMB regulations, EPA may continue to conduct or sponsor the collection of information while this submission is pending at OMB. This renewal notice describes the nature of the information collection and its estimated burden and cost.

**DATES:** Additional comments may be submitted on or before October 6, 2003.

**ADDRESSES:** Submit your comments, referencing docket ID number OEI-2003-0003, to (1) EPA online using EDOCKET (our preferred method), by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, OEI Docket, (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460, and (2) OMB at: 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:** Jeffrey Kohn, Collection Strategies Division, Office of Information Collection (2822T), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-1407; fax number: (202) 566-1639; e-mail address: [kohn.jeffrey@epa.gov](mailto:kohn.jeffrey@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has submitted this renewal ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On April 10, 2003 (68 FR 17631), EPA sought comments on this renewal ICR pursuant to 5 CFR 1320.8(d). EPA has received and addressed comments from one organization.

EPA has established a public docket for this renewal ICR under Docket ID No. OEI-2003-0003, which is available for public viewing at the OEI Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone and fax numbers for the OEI Docket are (202) 566-1752 and (202) 566-1753, respectively. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified above.

Any comments related to this renewal ICR should be submitted to EPA and OMB within 30 days of this notice. EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public

disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

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 in 40 CFR are listed in 40 CFR part 9 and are identified on the form and/or instrument, if applicable.

*Title:* Confidentiality Rules (OMB Control No. 2020-0003; EPA ICR No. 1665.06), expiring September 30, 2003.

*Abstract:* EPA administers a number of environmental protection statutes (*e.g.*, the Clean Water Act; the Clean Air Act; the Toxic Substances Control Act; the Resource Conservation and Recovery Act; and the Comprehensive Environmental Response, Compensation, and Liability Act), under which the Agency collects information from thousands of facilities in many economic sectors. In addition, businesses submit information to EPA without the Agency requesting it. The information addresses topics such as toxic chemicals, industrial processes, waste streams, and regulatory compliance. In many cases, businesses that submit information claim it to be confidential business information (CBI).

EPA established the procedures described in 40 CFR part 2, subparts A and B to protect the confidentiality of information as well as the rights of the public to obtain access to the information under the Freedom of Information Act (FOIA). In accordance with these regulations, when EPA finds it necessary to make a final confidentiality determination (*e.g.*, in response to a FOIA request or in the course of rulemaking or litigation), or an advance confidentiality determination, it notifies the affected business by sending a letter requesting substantiation of the confidentiality claim. This letter provides the affected business with an opportunity to submit