

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7590-4]

**Agency Information Collection Activities OMB Responses****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** This document announces the Office of Management and Budget's (OMB) responses to Agency clearance requests, in compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). 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.

**FOR FURTHER INFORMATION CONTACT:** Susan Auby (202) 566-1672, or e-mail at [auby.susan@epa.gov](mailto:auby.susan@epa.gov) and please refer to the appropriate EPA Information Collection Request (ICR) Number.

**SUPPLEMENTARY INFORMATION:****OMB Responses to Agency Clearance Requests***OMB Approvals*

EPA ICR No. 1052.07; NSPS Subpart D, Standards of Performance for Fossil-Fuel-Fired Steam Generating Units; was approved 11/06/2003; in 40 CFR part 60, subpart D; OMB Number 2060-0026; expires 11/30/2006.

EPA ICR No. 1696.04; Fuels and Fuel Additives—Health—Effects Research Protocols; was approved 11/06/2003; in 40 CFR part 79, subpart F; OMB Number 2060-0297; expires 11/30/2006.

EPA ICR No. 1893.03; Federal Emission Guidelines for Existing Municipal Solid Waste Landfills (Small); was approved 11/06/2003; in 40 CFR part 62, subpart GGG; OMB Number 2060-0430; expires 11/30/2006.

EPA ICR No. 1772.03; Activities Associated with EPA's Energy Star Buildings Program in the Commercial and Industrial Sectors; was approved 11/06/2003; OMB Number 2060-0347; expires 11/30/2006.

EPA ICR No. 1088.10; NSPS for Industrial-Commercial-Institutional Steam Generating Units; was approved 11/06/2003; in 40 CFR part 60, subpart Db; OMB Number 2060-0072; expires 11/30/2006.

EPA ICR No. 1061.09; NSPS for the Phosphate Fertilizer Industry; was approved 11/05/2003; in 40 CFR part 60, subpart T, U, V, W, and X; OMB Number 2060-0037; expires 11/30/2006.

EPA ICR No. 1084.07; NSPS for Nonmetallic Mineral Processing; was approved 11/05/2003; in 40 CFR part 60, subpart OOO; OMB Number 2060-0050; expires 11/30/2006.

EPA ICR No. 1128.07; NSPS for Secondary Lead Smelters; was approved 11/05/2003; in 40 CFR part 60, subpart L; OMB Number 2060-0080; expires 11/30/2006.

EPA ICR No. 1093.07; NSPS for the Surface Coating of Plastic Parts for Business Machines (Renewal); was approved 11/05/2003; in 40 CFR part 60, subpart TTT; OMB Number 2060-0162; expires 11/30/2006.

EPA ICR No. 1060.12; NSPS for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels (Renewal); was approved 11/06/2003; in 40 CFR part 60, subparts AA and AAA, OMB Number 2060-0038; expires 11/30/2006.

EPA ICR No. 1665.06; Confidentiality Rules; was approved 11/03/2003; in 40 CFR part 2, subpart B; OMB Number 2020-0003; expires 11/30/2006.

EPA ICR No. 1415.05; NESHAP for Perchloroethylene Dry Cleaning Facilities; was approved 10/28/2003; in 40 CFR part 63, subpart M, OMB Number 2060-0234; expires 10/31/2006.

EPA ICR No. 0976.11; The 2003 Hazardous Waste Report; was approved 10/26/2003; in 40 CFR 262.41, 264.75, 265.75; OMB Number 2050-0024; expires 10/31/2005.

Dated: November 17, 2003.

**Doreen Sterling,***Acting Director, Collection Strategies Division.*

[FRL Doc. 03-29318 Filed 11-21-03; 8:45 am]

**BILLING CODE 6560-50-P****ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7590-3]

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

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement to address a lawsuit filed by the Louisiana Environmental Action Network, represented by the Tulane Environmental Law Clinic: *Louisiana Environmental Action Network v. Horinko*, No. 03-1338 (M.D. La.). On or about May 12, 2003, plaintiff filed a

complaint seeking to compel the Administrator of the EPA to respond to an administrative petition to object to a state operating permit issued by the Louisiana Department of Environmental Quality ("LDEQ"). Under the terms of the proposed settlement agreement, EPA will respond to the petition by November 20, 2003. Within thirty days of EPA's response to the petition, plaintiff will file a motion for voluntary dismissal of the complaint, with prejudice to its refile. Additionally, the Louisiana Environmental Action Network will be paid the sum of \$3,200 for attorneys fees and costs.

**DATES:** Written comments on the proposed settlement agreement must be received by December 24, 2003.

**FOR FURTHER INFORMATION CONTACT:** Cecilia Kim, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Telephone: (202) 564-7606.

**ADDRESSES:** Submit your comments, identified by Docket ID number OGC-2003-0003, online at <http://www.epa.gov/edocket> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Wordperfect or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**SUPPLEMENTARY INFORMATION:****I. Additional Information About the Proposed Settlement**

The Clean Air Act affords EPA a 45-day period to review and object to, as appropriate, Title V operating permits proposed by state permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of this 45-day review period to object to state operating permits if EPA has not done so. Plaintiff filed an administrative petition to object to a state operating permit issued by LDEQ to Dupont Dow Elastomers, L.L.C., for a chloroprene facility in St. John the Baptist Parish, Louisiana. The lawsuit alleges that EPA has a nondiscretionary duty to grant or deny the petition within

60 days, and seeks to compel EPA to respond to the petition.

The settlement agreement provides that, within ten days after execution by the parties, the parties will file a joint motion with the court requesting the lawsuit be stayed. Plaintiff may request the court to lift the stay of the lawsuit, and establish a schedule for further proceedings if EPA fails to sign a response to the petition by November 20, 2003.

For a period of thirty (30) days following the date of publication of this notice, the Agency 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.

## II. Additional Information About Commenting on the Proposed Settlement

### A. How Can I Get a Copy of the Settlement?

EPA has established an official public docket for this action under Docket ID No. OGC-2003-0003 which contains a copy of the proposed settlement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, 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 Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official 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 appropriate docket identification number.

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in EPA's electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

### B. How and to Whom Do I Submit Comments?

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public

docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through EPA's electronic public docket, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: November 18, 2003.

**Richard Ossias,**

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

[FR Doc. 03-29317 Filed 11-21-03; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[RCRA-2003-0023; FRL-7590-8]

### Hazardous Waste Management System: Petroleum Refining Process Wastes; Identification of Characteristically Hazardous Self-Heating Solids; Land Disposal Restrictions: Treatment Standards for Spent Hydrorefining Catalyst (K172) Hazardous Waste—Extension of Comment Period; Correction

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Extension of comment period; correction.

**SUMMARY:** On October 20, 2003 (68 FR 59935) EPA published a notice of data availability (NODA) to make available to the public certain analytical data pertaining to spent hydrorefining catalyst from petroleum refining operations (K172). The original comment period was to expire on December 4, 2003; today's notice extends the comment period to January 18, 2004. In addition, in the **ADDRESSES** section of the October 20, 2003 NODA, EPA made an inadvertent reference to a "treatability study" and "peer review documents." EPA is correcting this by indicating today that there is no "treatability study" or "peer review documents" related to this NODA.

**DATES:** Submit comments on or before January 18, 2004. Comments postmarked after this date will be marked "late" and may not be considered.

**ADDRESSES:** Comments may be submitted electronically, by mail, by facsimile, or through hand delivery/courier. Follow the detailed instructions as provided in section I of the **SUPPLEMENTARY INFORMATION** section of