

31, 2002), or go to [www.epa.gov/edocket](http://www.epa.gov/edocket).

**Title:** NSPS for Commercial and Industrial Solid Waste Incineration Units (40 CFR Part 60, Subpart CCCC).

**Abstract:** The New Source Performance Standards (NSPS) for Commercial and Industrial Solid Waste Incineration Units (CISWI) (40 CFR part 60, subpart CCCC), was proposed on December 1, 2000, and promulgated on March 27, 2001. The standards require initial performance tests for 10 pollutants, annual performance testing for particulate matter (PM), hydrogen chloride (HCl), opacity continuous operating parameter monitoring, annual operator training and annual reporting (deviation reports are required if any of the emission limitations or operating limits are exceeded).

This standard applies to owners or operators of new stationary sources, that is, incineration units that meet either of the two criteria: (1) Sources for which construction begins after the NSPS is proposed which is November 30, 1999, or (2) sources that are reconstructed or modified on or after June 1, 2001. The standard applies to combustion devices that combust commercial and industrial waste. Commercial and industrial waste is a solid waste combusted in an enclosed device using controlled flame combustion without energy recovery, which is a distinct operating unit of any commercial or industrial facility, including field-erected, modular, and custom-built incineration units operating with starved or excess air, or solid waste combusted in an air curtain incinerator without energy recovery.

Owners or operators subject to the provisions of this part will perform annual performance testing on an ongoing basis, ensuring that the air pollution control device is operating properly and its performance has not deteriorated. To minimize the burden of the annual performance testing, the rule only required those respondent tests for PM, HCl, and opacity. Annual performance testing is not required for dioxins/furans, cadmium (Cd), carbon monoxide (CO), lead (Pb), mercury (Hg), nitrogen oxides (NO<sub>x</sub>), and sulfur dioxide (SO<sub>2</sub>). This significantly reduces the testing costs while still providing the EPA with sufficient data to adequately assess compliance. The rule allows respondents to skip two annual tests for a pollutant if all performance tests over the previous three years show compliance with the emission limit. The owner or operator must establish maximum or minimum values for each operating parameter during the initial performance tests for PM, dioxins/

furans, opacity, HCl, Cd, Pb, Hg, CO, NO<sub>x</sub> and SO<sub>2</sub>.

Owners or operators subject to this provision must perform the following activities: Conduct performance tests, monitor operating parameters, prepare siting analysis, prepare waste management plan, operator training and qualifications, one-time and periodic reports, and the maintenance of records. Reports are submitted annually and semiannually. With the exception of requiring records to be maintained for more than three years, none of the guidelines in CFR 1320.5 are being exceeded. In 40 CFR subpart A, "General Provisions for National Emission Standards for Hazardous Air Pollutants for Source Categories," and under section 129 of the Act, CISWI facilities are subject to similar MACT-based regulations, requiring all records to be maintained at the source for a period of five years. In addition, Title V permit programs also require records to be retained for five years.

The proposed standards include annual operator training requirements for incinerator unit operators (rule requires at least one qualified operator or supervisor per facility). The annual training requirements include annual refresher training to maintain operator qualification and an annual review of site-specific documentation. The way in which an incinerator is operated has a significant impact on the emissions from that incinerator. The annual operator training is essential to ensure that the incinerator is being operated properly.

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 325 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:** Commercial and industrial solid waste incineration units.

**Estimated Number of Respondents:** 30.

**Frequency of Response:** Initial, annual, and semiannual.

**Estimated Total Annual Hour Burden:** 16,899.

**Estimated Total Annual Cost:** \$1,343,000, includes \$13,000 annualized capital/startup costs, \$5,000 annual O&M costs, and \$1,325,000 labor costs.

**Changes in the Estimates:** There is an increase of 5,690 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. Approximately six new CISWI units are constructed each year. Therefore, the average number of respondents has increased to 30 in this ICR. In addition, a revised hourly labor rate from the United States Department of Labor, resulted in an increase over the three-year period from the previous ICR.

Dated: November 24, 2003.

**Doreen Sterling,**

*Acting Director, Collection Strategies Division.*

[FR Doc. 03-30161 Filed 12-3-03; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[OAR-2003-0176; FRL-7593-7]

**Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Registration of Fuels and Fuel Additives: Requirements for Manufacturers, EPA ICR Number 0309.11, OMB Control Number 2060-0150**

**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. This ICR is scheduled to expire on January 31, 2004. 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 January 5, 2004.

**ADDRESSES:** Submit your comments, referencing docket ID number OAR-2003-0176, to (1) EPA online using EDOCKET (our preferred method), by e-mail to [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Air and Radiation Docket and Information Center, Mail Code 6102T, 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:**

James W. Caldwell, Office of Transportation and Air Quality, Mail Code 6406J, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-9303; fax number: (202) 565-2085; e-mail address: [caldwell.jim@epa.gov](mailto:caldwell.jim@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 August 7, 2003 (68 FR 47058), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments.

EPA has established a public docket for this ICR under Docket ID No. OAR-2003-0176, which is available for public viewing at the Air and Radiation Docket and Information Center 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 Air and Radiation Docket and Information Center is (202) 566-1742. 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 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, confidential business information (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:** Registration of Fuels and Fuel Additives: Requirements for Manufacturers.

**Abstract:** In accordance with the regulations at 40 CFR part 79, subparts A, B, C, and D, Registration of Fuels and Fuel Additives, manufacturers (including importers) of gasoline or diesel fuel for use in motor vehicles, and manufacturers (including importers) of additives for such gasoline or diesel fuel, are required to have these products registered by the EPA prior to their introduction into commerce. Registration involves providing a chemical description of the fuel or additive, certain technical and marketing information, and any health-effects information in possession of the manufacturer. The development of health-effects data, as required by 40 CFR part 79, subpart F, is covered by a separate information collection. Manufacturers are also required to submit periodic reports (annually for additives, quarterly and annually for fuels) on production volume and related information. The information is used to identify products whose evaporative or combustion emissions may pose an unreasonable risk to public health, thus meriting further investigation and potential regulation. The information is also used to ensure that gasoline additives comply with EPA requirements for protecting catalytic converters and other automotive emission controls. The data have been

used to construct a comprehensive data base on fuel and additive composition. The Mine Safety and Health Administration of the Department of Labor restricts the use of diesel additives in underground coal mines to those registered by EPA. Most of the information is confidential since it deals with the proprietary formulations of fuels and additives.

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 reporting and recordkeeping burden for this collection of information is estimated to average two 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:** Manufacturers and importers of gasoline and diesel fuel for use in motor vehicles, and manufacturers and importers of additives for those fuels.

**Estimated Number of Respondents:** 820.

**Frequency of Response:** On occasion, quarterly, annually.

**Estimated Total Annual Hour Burden:** 14,810.

**Estimated Total Annual Cost:** \$1 million (rounded), includes \$0 annualized capital/startup costs, \$29,280 annualized O&M costs and \$977,460 labor costs.

**Changes in Estimates:** There is a decrease of 3,690 hours in the total estimated burden currently identified in the OMB inventory of Approved ICR Burdens. This decrease is due to a decrease in the number of registered fuels.

Dated: November 25, 2003.

**Doreen Sterling,**

*Acting Director, Collection Strategies  
Division.*

[FR Doc. 03-30162 Filed 12-3-03; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7593-6]

### Proposed Agreement Pursuant to Section 122(h)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act for the Marina Cliffs/Northwestern Barrel Site

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

**ACTION:** Notice; request for public comment on proposed CERCLA section 122(h)(1) agreement with Towne Realty, Inc. for the Marina Cliffs/Northwestern Barrel Superfund Site.

**SUMMARY:** In accordance with section 122(i)(1) of the comprehensive Environmental Response, Compensation and Liability Act of 1984, as amended ("CERCLA"), notification is hereby given of a proposed administrative agreement concerning the Marina Cliffs/Northwestern Barrel hazardous waste site in South Milwaukee, Wisconsin (the "Site"). EPA proposes to enter into this agreement under the authority of section 122(h) and 107 of CERCLA. The proposed agreement has been executed by Towne Realty, Inc. (the "Settling Party").

Under the proposed agreement, the Settling Party will pay \$850,000 in two installments to the trust fund established to pay for response costs to be incurred by other potentially responsible parties ("PRPs") under cleanup orders issued by EPA at the Site. EPA and these PRPs have incurred and will incur response costs mitigating an imminent and substantial endangerment to human health or the environment present or threatened by hazardous substances present at the Site.

For thirty days following the date of publication of this notice, the Environmental Protection Agency will receive comments relating to this proposed agreement. EPA will consider all comments received and may decide not to enter this proposed agreement if comments disclose facts or considerations which indicate that the proposed agreement is inappropriate, improper or inadequate.

**DATES:** Comments on the proposed agreement must be received by EPA on or before January 5, 2004.

**ADDRESSES:** Comments should be addressed to the Docket Clerk, U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590, and should refer to: In the Matter of Marina Cliffs/Northwestern Barrel Site, Chicago, Illinois, U.S. EPA Docket No. V-W-03C-758.

**FOR FURTHER INFORMATION CONTACT:** Thomas J. Krueger, U.S. Environmental Protection Agency, Office of Regional Counsel, C-141J, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590, (312) 886-0562.

A copy of the proposed administrative settlement agreement may be obtained in person or by mail from the EPA's Region 5 Office of Regional Counsel, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590. Additional background information relating to the settlement is available for review at the EPA's Region 5 Office of Regional Counsel.

**Authority:** The Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9601-9675.

**William E. Muno,**

*Director, Superfund Division, Region 5.*

[FR Doc. 03-30160 Filed 12-3-03; 8:45 am]

**BILLING CODE 6560-50-M**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7594-5]

### Proposed CERCLA Administrative Agreement for the Recovery of Past Response Costs Incurred at the Weld County Waste Disposal Site Near Ft. Lupton, in Weld County, CO

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

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

**SUMMARY:** In accordance with the requirements of section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement under section 122(h)(1) of CERCLA, 42 U.S.C. 9622(h)(1), concerning the Weld County Waste Disposal site located at 4982 Weld County Road 35, approximately 4½ miles east of Ft. Lupton, in Weld County, Colorado. This settlement, embodied in a CERCLA section 122(h) Agreement for Recovery

of Past Response Costs ("Agreement"), is designed to resolve each Settling Party's liability at the Site for past work and past response costs through covenants under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607. The proposed Agreement requires the Settling Parties listed in the **SUPPLEMENTARY INFORMATION** section below to pay an aggregate total of \$2,710,542.59.

**Opportunity for Comment:** For thirty (30) days following the date of publication of this notice, the Agency will consider all comments received, and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that either settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the EPA Superfund Record Center, 999 18th Street, 5th Floor, in Denver, Colorado.

**DATES:** Comments must be submitted on or before January 5, 2004.

**ADDRESSES:** The proposed settlement and additional background information relating to the settlement are available for public inspection at the EPA Superfund Records Center, 999 18th Street, 5th Floor, in Denver, Colorado. Comments and requests for a copy of the proposed Agreement should be addressed to Carol Pokorny (8ENF-RC), Technical Enforcement Program, U.S. Environmental Protection Agency, 999 18th Street, Suite 300, Denver, Colorado 80202-2466, and should reference the Weld County Waste Disposal Site, in Weld County, Colorado and the EPA docket number, CERCLA-8-2003-0012.

**FOR FURTHER INFORMATION CONTACT:** Carol Pokorny, Enforcement Specialist (8ENF-RC), Technical Enforcement Program, U.S. Environmental Protection Agency, 999 18th Street, Suite 300, Denver, Colorado 80202-2466, (303) 312-6970.

**SUPPLEMENTARY INFORMATION:** Regarding the proposed administrative settlement under section 122(h)(1) of CERCLA, 42 U.S.C. 9622(h)(1): In accordance with section 122(i) of CERCLA, 42 U.S.C. 9622(i), notice is hereby given that the terms of the Agreement have been agreed to by the following settling parties, for the following amounts (where the name of one party is followed by one or more names grouped under it, the main name listed is the name that appears on the settlement signature page or is the name of the party that is assuming liability under the settlement):