

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-SFUND-2007-0278; FRL-8531-2]

**Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Continuous Release Reporting Regulations (CRRR) Under CERCLA 1980 (Renewal); EPA ICR No. 1445.07, OMB Control No. 2050-0086****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (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 ICR, which is abstracted below, describes the nature of the information collection and its estimated burden and cost.

**DATES:** Additional comments may be submitted on or before March 24, 2008.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-SFUND-2007-0278, to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), by e-mail to [superfund.docket@epa.gov](mailto:superfund.docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Superfund Docket (2822T), 1200 Pennsylvania Ave., NW., Washington, DC 20460, and (2) OMB by mail to: 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:**

Lynn M. Beasley, Regulation and Policy Development Division, Office of Emergency Management, (5104A), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-1965; fax number: (202) 564-2625; e-mail address: [Beasley.lynn@epa.gov](mailto:Beasley.lynn@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 September 28, 2007 (72 FR 55197), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments during the comment period. Any additional comments on this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-SFUND-2007-0278, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the Superfund Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC 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 Superfund Docket is 202-566-0276.

Use EPA's electronic docket and comment system at [www.regulations.gov](http://www.regulations.gov), to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select "docket search," then key in the docket ID number identified above. Please note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at [www.regulations.gov](http://www.regulations.gov) 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. For further information about the electronic docket, go to [www.regulations.gov](http://www.regulations.gov).

**Title:** Continuous Release Reporting Regulations (CRRR) under CERCLA 1980 (Renewal).

**ICR numbers:** EPA ICR No. 1445.07, OMB Control No. 2050-0086.

**ICR Status:** This ICR is scheduled to expire on February 29, 2008. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. 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 title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

**Abstract:** Section 103(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, requires the

person in charge of a vessel or facility to immediately notify the National Response Center (NRC) of a hazardous substance release into the environment if the amount of the release equals or exceeds the substance's reportable quantity (RQ). The RQ of every hazardous substance is found in Table 302.4 of 40 CFR 302.4.

Section 103(f)(2) of CERCLA provides facilities relief from this per-occurrence notification requirement if the hazardous substance release at or above the RQ is continuous and stable in quantity and rate. Under the Continuous Release Reporting Requirements (CRRR), to report such a release as a continuous release you must make an initial telephone call to the NRC, an initial written report to the EPA Region, and, if the source and chemical composition of the continuous release does not change and the level of the continuous release does not significantly increase, a follow-up written report to the EPA Region one year after submission of the initial written report. If the source or chemical composition of the previously reported continuous release changes, notifying the NRC and EPA Region of a change in the source or composition of the release is required. Further, a significant increase in the level of the previously reported continuous release must be reported immediately to the NRC according to section 103(a) of CERCLA. Finally, any change in information submitted in support of a continuous release notification must be reported to the EPA Region.

The reporting of a hazardous substance release that is equal to or above the substance's RQ allows the Federal government to determine whether a Federal response action is required to control or mitigate any potential adverse effects to public health or welfare or the environment. The continuous release of hazardous substance information collected under CERCLA section 103(f)(2) is also available to EPA program offices and other Federal agencies who use the information to evaluate the potential need for additional regulations, new permitting requirements for specific substances or sources, or improved emergency response planning. State and local government authorities and facilities subject to the CRRR use release information for purposes of local emergency response planning. Members of the public, who have access to release information through the Freedom of Information Act, may request release information for purposes of maintaining an awareness of what types of releases are occurring in different localities and

what actions, if any, are being taken to protect public health and welfare and the environment.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 10.5 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 which have subsequently changed; 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:** EPA expects a number of different industrial categories to report hazardous substances releases under the provisions of the CRRR. No one industry sector or group of sectors is disproportionately affected by the information collection burden.

**Estimated Number of Respondents:** 3,587.

**Frequency of Response:** On occasion.

**Estimated Total Annual Hour Burden:** 301,508 hours.

**Estimated Total Annual Cost:** \$10,290,207, includes \$128,076 annualized capital or O&M costs.

**Changes in the Estimates:** There is an increase of 17,354 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This increase is primarily from the use of data on the actual number of continuous release reports from several regions and applying a growth rate consistent with prior years reporting.

Dated: February 12, 2008.

**Sara Hisel-McCoy,**

*Director, Collection Strategies Division.*

[FR Doc. E8-3232 Filed 2-20-08; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8531-3]

### Public Water System Supervision Program Variance and Exemption Review for the State of Colorado

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

**ACTION:** Notice of Results of Review.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 8 has completed its statutory review of variances and exemptions issued by the State of Colorado under the Safe Drinking Water Act (SDWA) Public Water System Supervision (PWSS) program. This review was announced in the **Federal Register** published September 25, 2007, 72 FR 54445, and provided the public with an opportunity to comment. No comments related to Variances and/or Exemptions issued or proposed by the State of Colorado were received.

The Environmental Protection Agency (EPA) Region 8 determined as a result of this review that the State of Colorado did not abuse its discretion on any variance or exemption granted or proposed as of the date of the on site review on September 25, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jack Theis at 303-312-6347 or e-mail at [Theis.Jack@epa.gov](mailto:Theis.Jack@epa.gov).

**SUPPLEMENTARY INFORMATION:** Colorado has an EPA approved program for assuming primary enforcement authority for the PWSS program, pursuant to section 1413 of SDWA, 42 U.S.C. 300g-2 and 40 CFR Part 142.

#### A. Why do States issue variances and exemptions?

States with primary PWSS enforcement authority are authorized to grant variances and exemptions from National Primary Drinking Water Regulations due to particular situations with specific public water systems providing these variances and exemptions meet the requirements of SDWA, Sections 1415 and 1416, and are protective of public health.

#### B. Why is a review of the variances and exemption necessary?

Colorado is authorized to grant variances and exemptions to drinking water systems in accordance with the SDWA. The SDWA requires that EPA periodically review State issued variances and exemptions to determine compliance with the Statute. 42 U.S.C. 300g-4(e)(8); 42 U.S.C. 300g-5(d).

Dated: December 19, 2007.

**Kerrigan G. Clough,**

*Deputy Regional Administrator, Region 8.*

**Editorial Note:** This document was received at the Office of the Federal Register on February 15, 2008.

[FR Doc. E8-3236 Filed 2-20-08; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8531-4]

### Public Water System Supervision Program Variance and Exemption Review for the State of Montana

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA), Region 8 will conduct a statutory review of variances and exemptions issued by the State of Montana under the Safe Drinking Water Act (SDWA) Public Water System Supervision (PWSS) program. The SDWA, 42 U.S.C. 300 *et seq.*, requires that EPA periodically review variances and exemptions issued by states with primary enforcement authority to determine compliance with requirements of the statute 42 U.S.C. 300g-4(e)(8); 42 U.S.C. 300g-5(d). In accordance with these provisions in the SDWA, and its regulations, EPA is giving public notice that the EPA, Region 8 will conduct a review of the variances and exemptions issued by the State of Montana to Public Water Systems under its jurisdiction. The review will be conducted during February, 2008.

The public is invited to submit comments on any or all variances and/or exemptions issued by the State of Montana, and on the need for continuing them, by March 15, 2008. Results of this review will be published in the **Federal Register**.

**ADDRESSES:** Comments on variances and exemptions issued by the State of Montana should be addressed to: Robert E. Roberts, Regional Administrator, c/o Eric Finke, U.S. EPA, Region 8, Montana Office, 10 West 15th Street, Suite 3200, Helena, Montana 59620.

All data and other information with respect to the variances and exemptions issued by the State of Montana are located at the Montana Department of Environmental Quality, Public Water Subdivisions Bureau, Lee Metcalf Building, 1520 East 6th Avenue, Helena, Montana 59620.