

already collects data on historical inputs to major refinery processing units. As outages occur, unit inputs decline. EIA has used these data to estimate outage impacts on production. If EIA were to collect refinery estimates of planned unit outage impacts on production, results still would be uncertain, would involve different methods of estimation by different refiners, and would only provide an indicator of supply changes. Having EIA specify estimation methods for determining planned outage impacts on production would not necessarily improve the accuracy, as different methods may be appropriate for different refinery situations. Whether using commercial data or government-collected data, EIA will have to do extensive analyses to make a supply-adequacy determination. That is, one data option will not provide savings in analytical effort over the other option.

The responses to the EIA **Federal Register** notice did not shed further light on EIA's earlier assessment. The comments opposing government data collection questioned the usefulness of the data in affecting the market, difficulties in obtaining consistent information, and the large burden needed to respond. Comments supporting the collection felt the information would be helpful in preparing States or regions for potential supply problems and noted commercial data is not readily available to States or the public. Comments on both sides noted that if a survey is proposed, more clarification on information to be collected is needed.

## II. Current Actions

EIA could not begin a refinery outage data collection before 2010. The approval process and time needed for both industry and the government to make appropriate systems changes preclude a 2009 collection. Furthermore, EIA's resources are fully engaged in changing forms to meet EPACT 2005 requirements and other changes.

The retrospective real-time survey of refinery outages, first proposed by DOE in its July **Federal Register** notice, could meet some of the needs listed in the comments made by the National Association of State Energy Officials (NASEO) in response to EIA's comment request. However, the revised form in DOE's subsequent (November) **Federal Register** notice no longer seeks to collect information on actions taken, units or processes affected, and estimated production impacts. Also, NASEO was not familiar with the extent of commercially available data. It may be more cost-effective for the Federal

government to pay for State access to commercial information than to collect it itself.

Since EIA is moving ahead to produce reports on planned outages using commercial data, and since it is not possible to begin a new collection immediately, EIA proposes to postpone a decision on this data collection until spring 2009. This will allow some additional time to assess the adequacy of the commercial data and EIA's analysis using that data to meet State and Congressional concerns. It also will provide the time for DOE to finalize its emergency report survey, providing EIA with the information to determine which State and Congressional concerns the DOE survey may ultimately address. Last, a spring decision date will give EIA more time to revisit potential government survey costs and industry burden associated with a government collection. In the interim, EIA will work with the Congress and the States (the latter through the NASEO) to determine if existing information and associated analyses can be used to meet their needs.

Should the EIA determine a survey is necessary, a **Federal Register** notice will be issued with the proposed survey form and another opportunity for comments will be provided. A survey proposal would fall under the Federal Energy Administration Act of 1974 (Pub. L. 93-275, 15 U.S.C. 761 *et seq.*) and the DOE Organization Act (Pub. L. 95-91, 42 U.S.C. 7101 *et seq.*), which require the EIA to carry out a centralized, comprehensive, and unified energy information program. This program collects, evaluates, assembles, analyzes, and disseminates information on energy resource reserves, production, demand, technology, and related economic and statistical information. This information is used to assess the adequacy of energy resources to meet near- and longer-term domestic demands.

The EIA, as part of its effort to comply with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35), provides the general public and other Federal agencies with opportunities to comment on collections of energy information conducted by or in conjunction with the EIA. Any comments received following a survey proposal help the EIA prepare data requests that maximize the utility of the information collected, and to assess the impact of collection requirements on the public. Also, the EIA would later seek approval for this collection by the Office of Management and Budget (OMB) under Section 3507(a) of the Paperwork Reduction Act of 1995.

Issued in Washington, DC, December 2, 2008.

**Patricia Breed,**

*Executive Assistant, Energy Information Administration.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2008-0437; FRL-8749-3]

**Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Public Water System Supervision Program (Renewal); EPA ICR No. 0270.43, OMB Control No. 2040-0090**

**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 January 8, 2009.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-OW-2008-0437 to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), by e-mail to [OW-Docket@epa.gov](mailto:OW-Docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Water Docket, MC: 28221T, 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:** Richard Naylor, Drinking Water Protection Division, Office of Ground Water and Drinking Water, (4606M), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 202.564.3847; fax number: 202.564.3755; e-mail address: [naylor.richard@epa.gov](mailto:naylor.richard@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 June 6, 2008 (73 FR 32325), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments. 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-OW-2008-0437, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the Water 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 Water Docket is 202-566-2426.

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:** Public Water System Supervision Program (Renewal).

**ICR numbers:** EPA ICR No. 0270.43, OMB Control No. 2040-0090.

**ICR Status:** This ICR is scheduled to expire on December 31, 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:** The Public Water System Supervision (PWSS) Program ICR examines Public Water System (PWS), primacy agency, EPA, laboratories, and tribal operator certification provider burden and costs for "cross-cutting" recordkeeping and reporting requirements (i.e., the burden and costs for complying with drinking water information requirements that are not associated with contaminant-specific rulemakings). These activities which have recordkeeping and reporting requirements that are mandatory for compliance with 40 CFR parts 141 and 142 include the following: Consumer Confidence Reports, Variance and Exemption Rule, Capacity Development, General State Primacy Activities, Public Notification, Operator Certification/Expense Reimbursement Program, Tribal Operator Certification Program, Constructed Conveyances, and Proficiency Testing Studies for Drinking Water Laboratories. The information collection activities for both the Operator Certification/Expense Reimbursement Program and the Capacity Development Program are driven by the grant withholding and reporting provisions under Sections 1419 and 1420, respectively, of the Safe Drinking Water Act. Although the Tribal Operator Certification Program is voluntary, the information collection is driven by grant eligibility requirements outlined in the Drinking Water Infrastructure Grant Tribal Set-Aside Program Final Guidelines and the Tribal Drinking Water Operator Certification Program Guidelines.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 3.2 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:** New and existing public water systems (PWS), primacy agencies, and laboratories.

**Estimated Number of Respondents:** 158,113.

**Frequency of Response:** varies by requirement (i.e., on occasion, monthly, quarterly, semi-annually, annually).

**Estimated Total Annual Hour Burden:** 3,913,544.

**Estimated Total Annual Cost:** \$165.9 million includes \$25.2 million annualized capital or O&M costs.

**Changes in the Estimates:** There is an increase of 687,517 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This increase is primarily due to adjustments to burden based on consultations with drinking water associations, updated compliance information, and restructuring adjustments from the incorporation of the burden hours for Laboratory Proficiency Testing.

Dated: December 3, 2008.

**John Moses,**

*Acting Director, Collection Strategies Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OECA-2008-0809; FRL-8749-4]

**Agency Information Collection Activities; Proposed Collection; Comment Request; Notice of Arrival of Pesticides and Devices (EPA Form 3540-1); EPA ICR No. 0152.09, OMB Control No. 2070-0020**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on March 31, 2009. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before February 9, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-