

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:** Owners and operators of kraft pulp mills.

**Estimated Number of Respondents:** 100.

**Frequency of Response:** On occasion, initially and semiannually.

**Estimated Total Annual Hour Burden:** 15,235.

**Estimated Total Annual Cost:** \$5,194,799, which is comprised of \$1,229,899 in labor costs, \$344,900 in capital/startup costs, and operation and maintenance (O&M) costs of \$3,620,000.

**Changes in the Estimates:** There is no change in the labor cost in this ICR compared to the previous ICR. This is due to two considerations. First, the regulations have not changed over the past three years and are not anticipated to change over the next three years. Secondly, the growth rate for the industry is very low, negative or nonexistent, so there is no significant change in the overall burden. It should be noted that there is a small adjustment to the burden cost figure because rounded figures were used in the previous ICR. In this ICR, exact figures are used.

Since there are no changes in the regulatory requirements and there is no significant industry growth, the labor hours and cost figures in the previous ICR are used in this ICR, and there is no change in burden to industry.

Dated: February 25, 2009.

**John Moses,**

*Acting-Director, Collection Strategies Division.*

[FR Doc. E9-4450 Filed 3-2-09; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8774-2]

**Approval of a Petition for Exemption From Hazardous Waste Disposal Injection Restrictions to ArcelorMittal Hennepin, Inc., Hennepin, IL**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of final decision on petition.

**SUMMARY:** Notice is hereby given by the United States Environmental Protection Agency (EPA) that an exemption to the land disposal restrictions under the

1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA) has been granted to ArcelorMittal Hennepin, Inc. (Hennepin Works) of Hennepin, Illinois, for one Class I injection well located in Hennepin, Illinois. As required by 40 CFR part 148, Hennepin Works has demonstrated, to a reasonable degree of certainty, that there will be no migration of hazardous constituents out of the injection zone or into an underground source of drinking water (USDW) for at least 10,000 years. This final decision allows the continued underground injection by Hennepin Works of a specific restricted waste, Waste Pickle Liquor (code K062 under 40 CFR part 261), into one Class I hazardous waste injection well specifically identified as Waste Pickle Liquor No. 1 (WPL-1), at the Hennepin facility. This decision constitutes a final EPA action for which there is no Administrative Appeal.

**DATES:** This action is effective as of March 3, 2009.

**FOR FURTHER INFORMATION CONTACT:** Leslie Patterson, Lead Petition Reviewer, EPA, Region V, telephone (312) 886-4904. Copies of the petition and all pertinent information relating thereto are on file and are part of the Administrative Record. It is recommended that you contact the lead reviewer prior to reviewing the Administrative Record.

**SUPPLEMENTARY INFORMATION:**

**Background**

Hennepin Works submitted a petition for renewal of an existing exemption from the land disposal restrictions of hazardous waste on March 6, 2007. EPA personnel reviewed all data pertaining to the petition, including, but not limited to, well construction, well operations, regional and local geology, seismic activity, penetrations of the confining zone, and computational models of the injection zone. EPA has determined that the geologic setting at the site as well as the construction and operation of the well are adequate to prevent fluid migration out of the injection zone within 10,000 years, as required under 40 CFR part 148. The injection zone at this site is the Mt. Simon Sandstone and the lower Eau Claire Formation, at depths between 2,902 feet and 4,800 feet below ground level. The confining zone is the upper Eau Claire formation (Proviso Member) at depths between 2,705 feet and 2,902 feet below ground level. The confining zone is separated from the lowermost underground source of drinking water (at a depth of 2510 feet below ground

level) by a sequence of permeable and less permeable sedimentary rocks, which provide additional protection from fluid migration into drinking water sources.

EPA issued a draft decision, which described the reasons for granting this exemption in more detail, a fact sheet, which summarized these reasons, and a public notice on November 24, 2008, pursuant to 40 CFR 124.10. The public comment period expired on December 26, 2008. EPA received no comments on the proposed exemption granted to Hennepin Works. A final exemption is therefore granted as proposed.

**Conditions**

This exemption is subject to the following conditions. Non-compliance with any of these conditions is grounds for termination of the exemption:

- (1) All regulatory requirements in 40 CFR 148.23 and 148.24 are incorporated by reference;
- (2) The exemption applies to the existing injection well, WPL-1, located at the Hennepin Works facility at 10726 Steel Drive, Hennepin, Illinois;
- (3) Injection is limited to that part of the Mt. Simon Sandstone at depths between 3,109 and 4,800 feet;
- (4) Only wastes denoted by the RCRA waste code K062 may be injected;
- (5) The chemical properties of the injectate that defined the edge of the plume in the demonstration are limited according to the table below:

Chemical constituent or property	Limitation at the well head
Chromium .....	Maximum concentration is 1200 mg/L.
pH .....	Minimum pH is zero.

- (6) The monthly average of the specific gravity of the injected waste stream must fall within the range of 1.00 to 1.27;
- (7) The volume of wastes injected in any month through the well must not exceed 6,705,990 gallons;
- (8) This exemption is approved for the 22-year modeled injection period, which ends on December 31, 2028. Hennepin Works may petition EPA for a reissuance of the exemption beyond that date, provided that a new and complete petition and no-migration demonstration is received at EPA, Region 5, by July 1, 2028;
- (9) Hennepin Works shall quarterly submit to EPA a report containing a fluid analysis of the injected waste which shall indicate the chemical and physical properties upon which the no-migration petition was based, including the physical and chemical properties

listed in Conditions 5 and 6 of this exemption approval;

(10) Hennepin Works shall annually submit to EPA a report containing the results of a bottom hole pressure survey (fall-off test) performed on WPL-1. The survey shall be performed after shutting in the well for a period of time sufficient to allow the pressure in the injection interval to reach equilibrium, in accordance with 40 CFR 146.68(e)(1). The annual report shall include a comparison of reservoir parameters determined from the fall-off test with parameters used in the approved no-migration petition;

(11) The petitioner shall fully comply with all requirements set forth in Underground Injection Control Permit UIC-004-W1-JL issued by the Illinois Environmental Protection Agency; and

(12) Whenever EPA determines that the basis for approval of a petition may no longer be valid, EPA may terminate this exemption and will require a new demonstration in accordance with 40 CFR 148.20.

Dated: January 21, 2009.

**Anthony C. Carrollo,**

*Acting Director, Water Division, Region 5.*

[FR Doc. E9-4452 Filed 3-2-09; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8774-7]

### Notice of Disclosure Pursuant To Court Order of Possible Confidential Business Information Obtained Under the Comprehensive Environmental Response, Compensation and Liability Act

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

**ACTION:** Notice of disclosure.

**SUMMARY:** EPA regulations provide that EPA may, in special circumstances, disclose business information, including confidential business information, "in any manner and to the extent ordered by a Federal Court." See 40 CFR 2.209(d). EPA is currently engaged in litigation with the Potentially Responsible Parties ("PRPs") in connection with the Modesto Groundwater Superfund Site ("Site") in California (*U.S. v. Lyon, et al.*, Case No. 07-CV-00491 LJO GSA). A Stipulation and Order Protecting Confidential Information, dated January 22, 2009, providing procedures for the release of confidential business information in that case, has been entered at the United States Federal District Court for the Eastern District of

California (hereinafter "Court Order"). EPA intends to release to the PRPs and to third-party defendants documentation, including but not limited to documentation of EPA's past costs at the Site, which may contain confidential business information, pursuant to that Court Order.

**DATES:** Disclosures will be made no earlier than two weeks following the date that this **Federal Register** Notice is published.

**Availability:** A copy of the above-referenced Court Order will be provided to the public upon request.

#### FOR FURTHER INFORMATION CONTACT:

Requests for copies of the Court Order and additional information should be directed to Laurie Williams, Assistant Regional Counsel, U.S. EPA, Region IX, 75 Hawthorne St., ORC-3, San Francisco, CA 94105; *williams.laurie@epa.gov*; phone: (415) 972-3867.

#### Notice of Disclosures Pursuant to Court Order

Pursuant to the Court Order, defendants and third-party defendants who receive documents that may contain CBI are required to follow specified procedures to maintain the confidentiality of such information. EPA hereby gives notice to the following parties that EPA intends to disclose information in EPA's possession that may be or may contain confidential business information, under the protection of the above-mentioned Court Order:

(1) Any and all contractors that were under contract to perform and/or did perform work at the Site, including but not limited to the contractors listed below and any subcontractor or temporary firm that performed work at or for the Site:

ACC Environmental Consultants, Inc.  
Agriculture & Priority Pollutants Laboratories, Inc.  
Air Toxics Ltd.  
APPL, Inc.  
Armstrong Data Services, Inc. (68-W5-0024)  
ASRC Aerospace Corp. (68-W-01-002, 68-R9-0101)  
Beylik Drilling, Inc.  
Block Environmental Services, Inc.  
Calgon Carbon Corp.  
California Water Laboratories, Inc.  
CH2M Hill, Inc.  
Condor Earth Technologies, Inc.  
Curtis & Tompkins Analytical Laboratories  
Ecology and Environment, Inc.  
Energy Laboratories, Inc.  
FGL Environmental  
Forward, Inc.

GeoAnalytical Laboratories, Inc.  
Geological Technics, Inc.  
GRB Environmental Services, Inc. (EP-R9-06-03)  
ICF Kaiser Engineers, Inc.  
ICF Technology, Inc.  
JL Analytical, Inc.  
Labat-Anderson, Inc. (68-W9-0052, 68-W4-0028)  
Lockheed Idaho Technologies Co.  
Lockheed Martin Environmental Services  
McCain Environmental Services  
Mid-Valley Engineering  
Montgomery Watson Americas, Inc.  
Montgomery Watson Harza  
Montgomery Watson, Inc.  
MPDS Services, Inc.  
Osterburg Brothers Drillers  
Pace Analytical Services, Inc.  
PC Exploration, Inc.  
Pratt-Navarro Architecture  
PRC Environmental Management, Inc.  
PRC Patterson Corp, Inc.  
Radian Corp  
R B Welty & Associates, Inc.  
Recre Environmental Inc.  
Southwest Laboratory of Oklahoma, Inc.  
Standard Management Company  
Thermo Nutech  
Thompson-Hysell Engineers, Inc.  
Trace Analysis Laboratory, Inc.  
Truesdail Laboratories, Inc.  
U.S. Ecology, Inc.

(2) Other business entities that have done business with the above-listed contractors and/or who may have been listed in conflict of interest disclosures.

(3) Unsuccessful offerors to any contracts for work at the Site.

Dated: February 10, 2009.

**Keith Takata,**

*Director, Superfund Division, U.S. EPA Region IX.*

[FR Doc. E9-4463 Filed 3-2-09; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8778-3]

### Meeting of the Local Government Advisory Committee

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

**ACTION:** Notice.

**SUMMARY:** The Local Government Advisory Committee (LGAC) and the Small Community Advisory Subcommittee (SCAS), and workgroups will meet on March 23-25, 2009, in Washington, DC. The Committee and Subcommittee meetings will be located at The Fairfax Hotel Embassy Row, 2100 Massachusetts Avenue, NW.,