

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Mr. Scott Klabunde, P.O. Box 167, 116 N. State Street, Neshkoro, WI 54869-0167, (920) 293-4628, Ext. 14.

i. *FERC Contact:* John K. Novak, (202) 502-6076, [john.novak@ferc.gov](mailto:john.novak@ferc.gov).

j. *Deadline for filing comments, motions to intervene, and protests:* April 30, 2012.

All documents may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Application:* N.E.W. Hydro LLC seeks approval to construct an angled fish guidance rack with bypass to guide downstream migrating fish around the powerhouse and dam at the Park Mill development, described as Phase 1 of the four phases of the Menominee/Park Mill Fish Passage and Protection Plan (Plan). N.E.W. Hydro LLC is also requesting approval to construct a fish lift with sorting/holding facilities to provide upstream passage at the Menominee development, described as Phase 2 of the Plan. The lake sturgeon is the primary target species for upstream and downstream passage around both dams. All construction activities associated with Phases 1 and 2 will take place within the project boundary and will not require additional lands. Phases 3 and 4 of the plan are not proposed at this time but will instead be the subject of future amendment applications.

l. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-2744-041 & 042) excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support. A copy is also available for inspection and reproduction at the address in item h above.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

Any filings must bear in all capital letters the title "COMMENTS," "PROTEST," or "MOTION TO INTERVENE," as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

o. *Agency Comments:* Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Dated: March 29, 2012.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. 2012-8160 Filed 4-4-12; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-RCRA-2012-0187; FRL-9656-4]

### Agency Information Collection Activities; Proposed Collection; Comment Request; General Hazardous Waste Facility Standards

**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 the Office of Management and Budget (OMB) to renew an existing approved Information Collection Request (ICR) concerning standards for facilities that handle hazardous waste. This ICR is scheduled to expire on August 31, 2012. 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 June 4, 2012.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-RCRA-2012-0187, by one of the following methods:

- [www.regulations.gov](http://www.regulations.gov): Follow the on-line instructions for submitting comments.
- *Email:* [rcra-docket@epa.gov](mailto:rcra-docket@epa.gov).
- *Fax:* 202-566-9744.
- *Mail:* RCRA Docket (28221T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460.
- *Hand Delivery:* 1301 Constitution Ave. NW., Room 3334, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-HQ-RCRA-2012-0187. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or email. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system,

which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov) your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

**FOR FURTHER INFORMATION CONTACT:**

Norma Abdul-Malik, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: 703-308-8753; fax number: 703-308-8617; email address: [abdul-malik.norma@epamail.epa.gov](mailto:abdul-malik.norma@epamail.epa.gov).

**SUPPLEMENTARY INFORMATION:**

**How can I access the docket and/or submit comments?**

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-RCRA-2012-0187, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the RCRA 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 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 RCRA Docket is (202) 566-0270.

Use [www.regulations.gov](http://www.regulations.gov) to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the 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 in this document.

**What information is EPA particularly interested in?**

Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits

comments and information to enable it to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

**What should I consider when I prepare my comments for EPA?**

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible and provide specific examples.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Offer alternative ways to improve the collection activity.
6. Make sure to submit your comments by the deadline identified under **DATES**.
7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

**What information collection activity or ICR does this apply to?**

*Affected entities:* Entities potentially affected by this action are business and other for-profit, as well as State, Local, and Tribal governments.

*Title:* General Hazardous Waste Facility Standards.

*ICR numbers:* EPA ICR No. 1571.10, OMB Control No. 2050-0120.

*ICR status:* This ICR is currently scheduled to expire on August 31, 2012. 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 3004 of the Resource Conservation and Recovery Act (RCRA), as amended, requires that the U.S. Environmental Protection Agency (EPA) develop standards for hazardous waste treatment, storage, and disposal facilities (TSDFs) as may be necessary to protect human health and the environment. Subsections 3004(a)(1), (3), (4), (5), and (6) specify that these standards include, but not be limited to, the following requirements:

- Maintaining records of all hazardous wastes identified or listed under subtitle C that are treated, stored, or disposed of, and the manner in which such wastes were treated, stored, or disposed of;
- Operating methods, techniques, and practices for treatment, storage, or disposal of hazardous waste;
- Location, design, and construction of such hazardous waste treatment, disposal, or storage facilities;
- Contingency plans for effective action to minimize unanticipated damage from any treatment, storage, or disposal of any such hazardous waste; and
- Maintaining or operating such facilities and requiring such additional qualifications as to ownership, continuity of operation, training for personnel, and financial responsibility as may be necessary or desirable.

The regulations implementing these requirements are codified in 40 CFR parts 264 and 265. The collection of this information enables EPA to properly determine whether owners/operators or hazardous waste treatment, storage, and disposal facilities meet the requirements of Section 3004(a) of RCRA.

*Burden Statement:* The annual public reporting burden for this collection of information is estimated to average 324 hours per respondent, and the annual public recordkeeping burden for this collection of information is estimated to average 88 hours per respondent. 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.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

*Estimated total number of potential respondents:* 1403.

*Frequency of response:* On occasion.

*Estimated total average number of responses for each respondent:* 1.

*Estimated total annual burden hours:* 578,381 hours.

*Estimated total annual costs:* \$38,057,653 including \$37,384,641 annualized labor costs and \$673,012 annualized capital or O&M costs.

#### What is the next step in the process for this ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: March 28, 2012.

#### Suzanne Rudzinski,

Director, Office of Resource Conservation and Recovery.

[FR Doc. 2012-8201 Filed 4-4-12; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-R10-OAR-2012-0211; FRL-9655-5]

### Air Pollution Control: Proposed Action on Clean Air Act Grants to the Idaho Department of Environmental Quality; Proposed Determination With Request for Comments; and a Notice of Opportunity for a Public Hearing

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

**ACTION:** Notice; Proposed determination with request for comments; and a notice of opportunity for a public hearing.

**SUMMARY:** The U.S. EPA has made a proposed determination that reduction in expenditures of non-Federal funds for the Idaho Department of Environmental Quality (IDEQ) in support of its continuing air program under Clean Air Act (CAA) Section 105 for the period of calendar year 2010 was not selective relative to the expenditures of all other executive branch agencies in the State for the same period. This determination, when final, will reset IDEQ's required recipient maintenance of effort level for 2010 and 2011, retain its federal award for the 2010 and 2011 grant years, and allow IDEQ to remain eligible for a § 105 grant for 2012 and beyond.

**DATES:** Comments and/or requests for a public hearing must be received by EPA at the address stated below by May 7, 2012.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R10-OAR-2012-0211, by one of the following methods:

- <http://www.regulations.gov>, Follow the online instructions for submitting comments.

- *Email:* [McGown.Michael@epa.gov](mailto:McGown.Michael@epa.gov)

- *Mail:* Michael McGown, U.S.

Environmental Protection Agency, Region 10, 1435 North Orchard, Boise, ID 83706.

**FOR FURTHER INFORMATION CONTACT:** Michael McGown, Region 10, Idaho Operations Office, 1435 North Orchard, Boise, ID 83706, phone: (208)-378-5764, fax: (208)-378-5744, or email address at [mcgown.michael@epa.gov](mailto:mcgown.michael@epa.gov).

**SUPPLEMENTARY INFORMATION:** Section 105 of the Clean Air Act (CAA) provides grant support for the continuing air programs of eligible state, local and tribal agencies. Section 105 contains two cost-sharing provisions to initially qualify for a § 105 grant under § 105(a)(1)(A). An eligible entity must meet a minimum match and to remain eligible for Section 105 grant funds, an eligible entity must continue to meet the match as well as meet a maintenance of

effort (MOE) requirement under § 105(c)(1). The match requires that at least 2/5 of the total costs for approved § 105 program activities must be paid by the state/local recipient. Program activities relevant to the match consist of both recurring and non-recurring (unique, one-time only) expenses.

The MOE provision requires that a state or local agency spend at least the same dollar level of funds as it did in the previous grant year but only for the costs of recurring activities. Specifically, § 105(c)(1) [42 U.S.C. 7405(c)(1)], provides that "no agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year. Pursuant to CAA § 105(c)(2), however, EPA may still award a grant to an agency not meeting the requirements of § 105(c)(1), "if the Administrator, after notice and opportunity for public hearing, determines that a reduction in expenditures is attributable to a non-selective reduction in the expenditures in the programs of all Executive branch agencies of the applicable unit of Government." These statutory requirements are repeated in EPA's implementing regulations at 40 CFR 35.140 through 35.148.

EPA issued additional guidance to recipients on what constitutes a nonselective reduction on September 30, 2011. In consideration of legislative history, the guidance clarified that a non-selective reduction does not necessarily mean that each Executive branch agency need be reduced in equal proportion. However, it must be clear to EPA, from the weight of evidence, that a recipient's CAA-related air program is not being disproportionately impacted or singled out for a reduction.

A § 105 recipient must submit a final financial status report no later than 90 days from the close of its grant period that documents all of its federal and non-federal expenditures for the completed period. The recipient seeking an adjustment to its MOE for that period must provide the rationale and the documentation necessary to enable EPA to make a determination that a non-selective reduction has occurred. In order to expedite that determination, the recipient must provide details of the budget action and the comparative fiscal impacts on all the jurisdiction's executive branch agencies, the recipient agency itself, and the agency's air program. The recipient should identify any executive branch agencies or programs that should be excepted from