

<sup>7</sup> Telephone record.

Dated: May 21, 2012.

**Nathaniel J. Davis, Sr.,**  
Deputy Secretary.

[FR Doc. 2012-12733 Filed 5-24-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[R08-CO-2012-0001; FRL-9676-4]

### Adequacy Determination for Aspen PM<sub>10</sub> and Fort Collins Carbon Monoxide Maintenance Plans' Motor Vehicle Emissions Budgets for Transportation Conformity Purposes; State of Colorado

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

**ACTION:** Notice of adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that the Agency has found the following adequate for transportation conformity purposes: The "Revised PM<sub>10</sub> Maintenance Plan for the Aspen Attainment/Maintenance Area"<sup>1</sup> and its motor vehicle emissions budget, and the "Revised Carbon Monoxide Maintenance Plan Fort Collins Attainment/Maintenance Area." As more fully explained in the Supplementary Information section of this notice, this finding will affect future transportation conformity determinations.

**DATES:** This finding is effective June 11, 2012.

**FOR FURTHER INFORMATION CONTACT:** Tim Russ, Air Program, Mailcode 8P-AR, Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, Colorado 80202-1129, telephone number (303) 312-6479, fax number (303) 312-6064, or email [russ.tim@epa.gov](mailto:russ.tim@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document, whenever "we," "us," or "our," are used, we mean EPA.

Transportation conformity is required by section 176(c) of the Clean Air Act (CAA). The conformity rule provisions at 40 CFR 93 require that transportation plans, programs, and projects conform to a State Implementation Plan (SIP) and establish the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations,

worsen existing violations, or delay timely attainment of the National Ambient Air Quality Standard (NAAQS).

The criteria by which we determine whether a SIP revision's motor vehicle emissions budget (MVEB) is adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4), which was promulgated August 15, 1997 (62 FR 43780). We described our process for determining the adequacy of submitted SIP MVEBs in our July 1, 2004 Transportation Conformity Rule Amendments (69 FR 40004). In addition, in certain areas with monitored ambient carbon monoxide (CO) values significantly below the NAAQS, EPA has allowed states to use limited maintenance plans (LMPs), which contain no future year maintenance projections and, therefore, no MVEBs. (See "Limited Maintenance Plan Option for Nonclassifiable CO Nonattainment Areas," signed by Joseph Paisie, Group Leader, Integrated Policy and Strategies Group (MD-15), October 6, 1995, also known as EPA's "LMP Policy.") In an area covered by an approved carbon monoxide LMP, the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) are presumed to automatically satisfy the emissions budget test requirement, and no regional emissions analysis with respect to a MVEB under sections 40 CFR 93.118 or 93.119 (i.e., MVEB(s), build less than no-build, or build less than base year) of the conformity rule is required for RTP and TIP conformity. We used these resources in making our adequacy determinations announced in this notice.

This notice is simply an announcement of findings that we have already made and are as described below:

*Aspen (PM<sub>10</sub>):* The State submitted the "Revised PM<sub>10</sub> Maintenance Plan for the Aspen Attainment/Maintenance Area" on May 25, 2011. The State prepared the submittal to meet the requirements of section 175A(b) of the CAA for a second 10-year maintenance plan. EPA sent a letter to the Colorado Department of Public Health and Environment (CDPHE) on August 11, 2011, stating that the submitted Aspen PM<sub>10</sub> second 10-year maintenance plan and the 2023 p.m.<sub>10</sub> MVEB were adequate for transportation conformity purposes. We posted the "Revised PM<sub>10</sub> Maintenance Plan for the Aspen Attainment/Maintenance Area" for adequacy review on EPA's transportation conformity Web

site on June 20, 2011. The public comment period closed on July 20, 2011, and we did not receive any comments in response to the adequacy review posting (see <http://www.epa.gov/otaq/stateresources/transconf/cursips.htm#aspen>).

*Fort Collins (Carbon Monoxide):* The State submitted the "Revised Carbon Monoxide Maintenance Plan Fort Collins Attainment/Maintenance Area" on May 25, 2011. The State prepared the submittal to meet the requirements of section 175A(b) of the CAA for a second 10-year maintenance plan and used, as appropriate, the provisions of EPA's CO LMP policy. Thus, the LMP contains no MVEB. EPA sent a letter to the CDPHE on August 9, 2011, stating that the submitted Fort Collins second 10-year maintenance plan was adequate for transportation conformity purposes. We posted the "Revised Carbon Monoxide Maintenance Plan Fort Collins Attainment/Maintenance Area" for adequacy review on EPA's transportation conformity Web site on June 20, 2011. The public comment period closed on July 20, 2011, and we did not receive any comments in response to the adequacy review posting (see <http://www.epa.gov/otaq/stateresources/transconf/cursips.htm#ftcollins>).

For the Aspen PM<sub>10</sub> maintenance area, the MVEB we found adequate is 1146 pounds of PM<sub>10</sub> per day in 2023. Following the effective date listed in the **DATES** section of this notice, the Colorado Department of Transportation and the U.S. Department of Transportation are required to use this motor vehicle emissions budget for future transportation conformity determinations for projects in the Aspen PM<sub>10</sub> maintenance area. As noted above, the "Revised Carbon Monoxide Maintenance Plan Fort Collins Attainment/Maintenance Area" contains no MVEB, and, under EPA's LMP interpretation, the North Front Range Metropolitan Planning Organization, the Colorado Department of Transportation, and the U.S. Department of Transportation may presume that RTPs and TIPs satisfy the emissions budget test requirement with respect to such revised plan. However, prior MVEBs may apply as we described in our adequacy letter to the State.

Please note that our adequacy review described above is separate from our rulemaking action on the two maintenance plans discussed above and should not be used to prejudice our ultimate approval or disapproval of each

<sup>1</sup> PM<sub>10</sub> refers to particulate matter less than or equal to 10 microns in size.

of the SIP revisions. Even if we find a maintenance plan or a maintenance plan and its MVEB adequate for transportation conformity purposes, we may later disapprove the SIP revision.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: April 30, 2012.

**James B. Martin,**

*Regional Administrator, Region 8.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-SFUND-2005-0007, FRL-9678-2]

### Agency Information Collection Activities; Proposed Collection; Comment Request; EPA Worker Protection Standards for Hazardous Waste Operations and Emergency Response (Renewal)

**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 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 June 1, 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 July 24, 2012.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-SFUND-2005-0007 by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *Email:* [superfund.docket@epa.gov](mailto:superfund.docket@epa.gov).
- *Fax:* (202) 566-9744.
- *Mail:* EPA Docket Center, Environmental Protection Agency, Mailcode: 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-SFUND-2005-0007. 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:** Sella M. Burchette, U.S. Environmental Response Team, MS 101, Building 205, Edison, NJ 08837, telephone number: 721-321-6726; fax number: 732-321-6724; email address: [burchette.sella@epa.gov](mailto:burchette.sella@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-SFUND-2005-0007 established a public docket for each of the ICRs identified in this document (see the Docket ID. numbers for each ICR that are provided in the text, 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 [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.

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.

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.

**Affected entities:** Entities potentially affected by this action are those State and local employees engaged in hazardous waste operations and emergency response in the 27 States that do not have Occupational Safety and Health Administration (OSHA) approved State plans.

**Title:** EPA Worker Protection Standards for Hazardous Waste