

The Administrator may require owners and operators subject to Section 111 of the Clean Air Act (CAA) are require to comply with recordkeeping and reporting requirements, as specified in Section 114(a) of CAA.

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 are listed in 40 CFR Part 9. The EPA would like to solicit comments 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.

Burden Statement: The only type of industry costs associated with the information collection activity in the standards are labor costs. The average annual burden to industry over the past three years for these recordkeeping and reporting requirements were estimated to be 29,444 person-hours. The respondent costs have been calculated on the basis of \$14.50 per hour plus 110 percent overhead. The average annual cost to industry over the past three years of the ICR was estimated to be \$896,569. This estimate 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; 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.

Dated: August 23, 1996.

Bruce R. Weddle,

Acting Director, Office of Compliance.

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[OPPTS-00198; FRL-5395-4]

Proposed Renewal of an Agency Information Collection; Toxic Chemical Release Reporting; Community Right-to-Know; EPA ICR #1363.05

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice and Request for Comment.

SUMMARY: This notice announces and solicits comments on the proposed renewal of the Information Collection Request (ICR) entitled: Toxic Chemical Release Reporting; Recordkeeping; Supplier Notification; and Petitions under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPA ICR #1363.05; OMB Approval #2070-0093). The Office of Prevention, Pesticides and Toxic Substances (OPPTS) is seeking public comment on this ICR pursuant to the Paperwork Reduction Act (PRA) and the procedures contained in 5 CFR 1320.12. The ICR, which is abstracted below, describes the nature of the information collection, the expected burden and estimated costs associated with the information collection, and includes the actual data collection instrument. The complete ICR document and any attachments to it are available in paper or electronic copy and may be obtained as described in Unit IV of this notice.

After reviewing any public comments submitted in response to this notice and amending the ICR as necessary, OPPTS will announce in another Federal Register notice that it has submitted a final ICR to the Office of Management and Budget (OMB) for review and approval pursuant to 5 CFR 1320.12(c). **DATES:** All comments must be submitted to the addresses listed below on or before October 26, 1996.

ADDRESSES: Submit written comments identified by the administrative record number AR-165 and EPA ICR #1363.05 by mail to: TSCA Document Receipts (7407), Room NE-G099, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, Telephone: 202-260-7099. In person, bring comments directly to the OPPT docket which is located in Room NE-B607 at the address given above from noon to 4 p.m., Monday through Friday, excluding legal holidays.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: oppt.ncic@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form or encryption. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the appropriate administrative record and ICR number indicated above. Electronic comments on this document may be filed online at many Federal Depository Libraries.

Information submitted as a comment concerning this document may be claimed Confidential Business Information (CBI) by marking any part or all of that information as CBI. No CBI should be submitted through e-mail. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Room NE-B607 at the address given above from noon to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Christine Augustyniak, Deputy Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, Telephone: 202-260-1024; fax 202-401-8142, or e-mail: augustyniak.christine@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Electronic Availability: Electronic copies of the ICR are available from the EPA Public Access gopher (gopher.epa.gov) at the Environmental Sub-Set entry for this document under "Rules and Regulations."

I. Background Information

Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (42 U.S.C. 11001 et seq.) requires certain owners or operators of certain facilities (i.e., manufacturing facilities in Standard Industrial Classification (SIC) codes 20 through 39) manufacturing, processing, or otherwise using any of over 600 listed toxic chemicals and chemical categories (hereafter "toxic chemicals") in excess of the applicable threshold quantities to report on their environmental releases and transfers of and waste management activities for such chemicals annually.

Under section 6607 of the Pollution Prevention Act (PPA) (42 U.S.C. 11071 to 11079), facilities must provide information on the quantities of the toxic chemicals in waste streams and the efforts made to reduce or eliminate those quantities. Facilities required to report under EPCRA section 313 and PPA section 6607 submit a Toxic Chemical Release Inventory Form (EPA Form 9350-1, also known as "Form R") to EPA and the State in which it operates each year, providing information from the preceeding year.

In 1994, EPA established an alternate threshold for those facilities with low amounts of a listed toxic chemical in wastes. A facility that meets the appropriate reporting thresholds, but estimates that the total amount of the chemical in the total annual reportable amount does not exceed 500 pounds per year, can take advantage of an alternate manufacture, process, or otherwise use a threshold of 1 million pounds per year for that chemical, provided that certain conditions are met. Facilities able to take advantage of an alternate threshold would be eligible to submit a Toxic Chemical Release Inventory Form A (EPA Form 9350-2). As such, facilities meeting the alternate threshold may use either the Form R or the Form A.

The reporting and recordkeeping requirements associated with the alternate reporting requirement using Form A are contained in a separate ICR and are approved under OMB Control #2070-0143 (EPA ICR #1704.03). OMB is currently reviewing a request to renew that approval, which is scheduled to expire on September 30, 1996. Pursuant to OMB regulations at 5 CFR 1320.12(a), EPA announced the proposed renewal of ICR #1704.03, seeking public comment in the Federal Register on May 15, 1996 (61 FR 24488)(FRL-5368-9). After reviewing the two comments received in response to that notice, which were supportive of the continuation of the alternate reporting form requirements and encouraged OMB approval of the requested renewal, EPA subsequently issued another Federal Register notice on August 8, 1996 (61 FR 41407)(FRL-5547-8) to announce the Agency's submission of the renewal request for ICR #1704.03 to OMB for review and approval, as well as announcing the final 30 day comment period as required under 5 CFR 1320.12 (c). Any OMB action taken with regard to ICR #1704.03, which must be taken no later than September 30, 1996, applies only to the alternate reporting requirements and Form A.

The reporting and recordkeeping requirements associated with EPCRA

section 313 (i.e., Form R, supplier notification and the petition process) are discussed in a separate ICR (EPA ICR #1363.05). The renewal of EPA ICR #1363.05 is the subject of this notice and is being processed separately from those related to the alternate reporting requirement, which are covered by EPA ICR #1704.03. OMB approved the Form R reporting and recordkeeping requirements under OMB Control #2070-0093 (EPA ICR #1363.05). Although the OMB approval for this ICR would have ordinarily expired on November 30, 1992, OMB's approval was extended by Congress in September of 1992 until EPA promulgates changes to the Form R and Instructions. This approval was contained in the 1993 Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, Pub. L. 102-389, signed October 6, 1992, which states that:

Notwithstanding the Paperwork Reduction Act of 1980 or any requirements thereunder the Environmental Protection Agency Toxic Chemical Release Inventory TRI Form R and instructions, revised 1991 version issued May 19, 1992, and related requirements (OMB No. 2070-0093), shall be effective for reporting under section 6607 of the Pollution Prevention Act of 1990 (Public Law 101-508) and section 313 of the Superfund Amendments and Reauthorization Act of 1990 (Public Law 99-499) until such time as revisions are promulgated pursuant to law.

The proposed ICR announced in this notice will replace the Congressional approval described above upon final approval of the ICR by OMB under the Paperwork Reduction Act pursuant to 5 CFR 1320.12. In accordance with the process described in 5 CFR 1320.12(a)(1), EPA is seeking comment on the burden estimates and information collection activities described in this ICR. After reviewing any comments received during the 60 day comment period, EPA will submit a final ICR to OMB for review and approval pursuant to 1320.12(c).

In addition, EPA recently proposed to amend the EPCRA Section 313 reporting and recordkeeping requirements by proposing to add several additional industry groups to the universe of respondents subject to reporting (61 FR 33588, June 27, 1996)(FRL-5379-3). As required by 5 CFR 1320.11, EPA announced and sought comment on the proposed Industry Expansion ICR (EPA ICR #1784.01) which provided burden estimates for the information collection contained in the proposed rule. When EPA issues the final rule for Industry Expansion, the information collection requirements contained in that final rule will be reflected in an amended ICR

which will be submitted to OMB for review and approval. This submission must occur no later than publication of that final rule in the Federal Register and the submission will be announced in the final rule. The public will have 30 days to provide additional comments on the final ICR related to the industry expansion rule. Upon OMB's approval of the industry expansion related ICR (EPA ICR #1784.02), EPA will add the industry expansion burdens to the existing burdens associated with overall TRI reporting and recordkeeping (i.e., those in ICR #1363.05 for Form R and ICR #1704.03 for Form A). Specifically, EPA would amend the existing ICRs by submitting an Information Correction Worksheet to OMB requesting that the burden hours associated with each ICR be adjusted to include the new burden hours imposed by that final rule.

II. Request for Public Comment

For the collection of information addressed in this notice, EPA is soliciting comments on the ICR, including but not limited to the information collection activity, the burden hour and cost estimates presented, and any other information that would help the Agency 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.

(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. Comments should be submitted to EPA according to the procedures described in the ADDRESSES section above.

III. Proposed Information Collection Request

ICR Numbers: EPA ICR No. 1363.05 and OMB No. 2070-0093.

Current Expiration Date: As discussed in Unit I above, this ICR, which covers the reporting and recordkeeping requirements under section 313 of the Emergency Planning and Community Right-to-Know Act, is valid until EPA promulgates changes to the Form R and Instructions.

Title: Toxic Chemical Release Reporting and Recordkeeping; Supplier Notification and Petitions under Section 313 of the Emergency Planning and Community Right-to-Know Act.

Abstract: This Information Collection Request (ICR) is for the information collection contained in the regulations governing toxic chemical release reporting under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (42 U.S.C. 11001 et seq.) and the information collection in section 6607 of the Pollution Prevention Act (PPA) (42 U.S.C. 11071 to 11079). In accordance with EPCRA section 313 (and PPA section 6607 because of its linkage to EPCRA), EPA's Office of Pollution Prevention and Toxics (OPPT) collects, processes, and makes available to the public all of the information collected. The information gathered under these authorities is stored in a database maintained at both EPA and the National Library of Medicine (NLM). NLM provides public access to the TRI database through the Toxicology Data Network (TOXNET). The TRI has been used extensively by EPA and the public and private sectors. Program offices within EPA have used the TRI, with other sources of data, to establish priorities, evaluate potential exposure scenarios, and for enforcement activities. Environmental groups and public interest groups have used the data in several studies and reports, making the public more aware of releases of chemicals in their communities. Industry has used the data extensively to assess and improve their environmental performance.

Comprehensive data about releases, transfers, and other waste management activities of toxic chemicals at the community level are generally not available from sources other than TRI. Permit data often are difficult to obtain, are not cross-media and present only a limited perspective on a facility's overall performance. With TRI and the real gains in understanding it can produce, communities and governments know what listed toxic chemicals a subset of industrial facilities in their area release, transfer, or otherwise manage as waste; and industries have an additional tool for evaluating efficiency and progress on their pollution prevention goals.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 52.1 hours per response for Form R, 24 hours for supplier notification (where applicable), and 185 hours for a petition (where applicable). This estimate 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; 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. No person is required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the regulations related to this information collection, are displayed in 40 CFR Part 9. Summary of the ICR activity:

Form R: *Respondents/affected entities*. Facilities that manufacture, process or otherwise use certain toxic chemicals and which are required, under EPCRA section 313, to report annually to EPA their environmental releases of such chemicals.

Estimated No. of Respondents: 27,382

Estimated Total Annual Burden on Respondents: 4,707,860 hours.

Frequency of Collection: Annual.

Supplier Notification: *Respondents/Affected Entities*. Manufacturing facilities that supply mixtures or trade name products containing chemicals listed under EPCRA section 313.

Estimated No. of Respondents: 3,657

Estimated Total Annual Burden on Respondents: 87,768 hours.

Frequency of Collection: Annual.

Petitions: *Respondents/Affected Entities*. Any person or organization submitting a petition under section 313(e) of EPCRA.

Estimated No. of Respondents: 11

Estimated Total Annual Burden on Respondents: 2,035 hours.

Frequency of Collection: On occasion.

In addition, all facilities in a Standard Industrial Classification (SIC) code covered under EPCRA section 313 with 10 or more full-time equivalent employees must determine each year whether they manufacture, process or otherwise use any of the listed chemicals above threshold quantities. It is estimated that 185,266 facilities will need to make this determination each year, with a total estimated burden of 741,064 hours.

Changes in Burden Estimates. The estimated burden has changed in several ways compared with the total burden last approved by OMB in 1992 and covered by the 1992 Congressional approval. First, the ICR estimates were adjusted to account for Agency

experience and additional information about the burden associated with EPCRA section 313. Second, there was a reduction in total burden resulting from program changes. Specifically, EPA has either modified the listing or completely removed the listing for several chemicals on the TRI list of chemicals subject to reporting under EPCRA section 313. In addition, the 1994 amendment that established the alternate reporting threshold, is estimated to replace up to 23,288 Form R submissions with submissions of Form A. After accounting for the addition of chemicals that increased burden during this time frame, these program changes reduced the number of Form R submissions by approximately 20 percent compared to the previous ICR, and decreased total burden by 1,115,408 hours. When the burden reduction caused by the program change (-1,115,408 hours) and the burden increase caused by various adjustments in the estimates (+1,766,455 hours) are combined, the result is a net increase of 651,047 hours.

IV. Where to View or Obtain Copies of the Proposed Information Collection Request

A. Public Record

A record has been established for this notice under docket number [OPPTS-00198] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as confidential business information (CBI), is available for inspection from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

Electronic comments can be sent directly to EPA at:
oppt.ncic@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this notice, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record

maintained at the address in "ADDRESSES" at the beginning of this document.

B. Paper Copies

Paper copies of the complete ICR and any accompanying appendices may be obtained from the OPPT docket at the above address, by contacting the person whose name appears under FOR FURTHER INFORMATION CONTACT, or by contacting the EPCRA Hotline at 1-800-535-0202, in Virginia or Alaska call 703-412-9877 or TDD: Toll Free 1-800-533-7672.

C. Electronic Copies

Electronic copies of the complete ICR and any accompanying appendices are also available from the EPA Public Access gopher (gopher.epa.gov) and the EPA home page (<http://www.epa.gov>). To access this information on the EPA gopher you should look for the "Rules and Regulations" entry under the Environmental Sub-Set. To access this information on the EPA Home page, you should enter the Directory for "Rules, Regulations, and Legislation;" then enter the "Federal Register - Environmental Sub-set;" then "Federal Register - Toxic Release Inventory;" and then enter the Year, Month and Day that this notice appeared in the Federal Register. In both cases, the information is identified as "Supporting Documentation" under the entry for the Federal Register notice.

List of Subjects

Environmental Protection; Air pollution control; Chemicals; Hazardous substances; Hazardous waste; Imports; Intergovernmental relations; Natural resources; Penalties; Reporting and recordkeeping requirements; Superfund; Water pollution control; Water supply.

Dated: August 28, 1996.

Susan H. Wayland,
Acting Assistant Administrator for
Prevention, Pesticides and Toxic Substances.
[FR Doc. 96-22417 Filed 8-29-96; 8:45 am]
BILLING CODE 6560-50-F

[ER-FRL-5472-7]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared August 12, 1996 Through August 16, 1996 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments

can be directed to the Office of Federal Activities at (202) 564-7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 05, 1996 (61 FR 15251).

Draft EISs

ERP No. D-FHW-E40768-TN Rating EC2, Shelby Avenue/Demonbreum Street Corridor, from I-65 North to I-40 West in Downtown Nashville, Funding, U.S. Coast Guard Permit and COE Section 404 Permit, Davidson County, TN.

Summary: EPA's review found that most environmental impacts were adequately discussed, but expressed concern for water quality and floodplain degradation from bridge construction.

ERP No. D-FHW-E40769-TN Rating EC2, TN-385 (Collierville-Arlington Parkway) Improvement Project, Construction from Mt. Pleasant Road to South of Interstate 40, Shelby and Fayette Counties, TN.

Summary: EPA expressed environmental concerns that wetlands and floodplain resources would be impacted by the proposed project and asked for detailed mitigation plans.

ERP No. D-FHW-J40139-CO Rating LO, Parker Road (CO-83)/I-225 Interchange Project (FCU-CX-083-1 (49)), Improvement between Peoria Street to Hampden Avenue, Funding, NPDES Permit and COE Section 404 Permit, City Aurora, Arapahoe County, CO.

Summary: EPA lacks objection to the project as proposed.

ERP No. D-SFW-K39038-NV Rating EO2, Lahontan Valley Wetlands Water Rights Acquisition Program, Implementation, Churchill County, NV.

Summary: EPA expressed environmental objections with the proposed action due to potential water quality impacts associated with agriculture drainwater. EPA requested that this issue be further addressed and mitigated in the final EIS.

ERP No. D-TVA-E07013-TN Rating EC2, Kingston Fossil Plant Alternative Coal Receiving Systems, New Rail Spur Construction near the Cities of Kingston and Harriman, Roane County, TN.

Summary: EPA expressed environmental concerns regarding potential earthen causeway fill, noise single-event documentation, completion of archaeological surveys, and consideration of other reasonable additional alternatives, and requested additional information be provided in the final EIS.

ERP No. D-USN-E11038-00 Rating EC1, USS SEAWOLF Submarine Shock

Testing, Implementation, located offshore Mayport, FL or Norfolk, VA.

Summary: EPA expressed environmental concerns regarding the proposal, pending the results of the test monitoring.

ERP No. DA-FHW-E40108-NC Rating EC2, Smith Creek Parkway and Downtown Spur Construction, from NC-133 at Northeast Cape Fear River to US 74/Eastwood Road and US 117/ Castle Hayne Road at Smith Creek to 3rd Street, Updated and Additional Information, Funding, Wilmington, New Hanover County, NC.

Summary: EPA noted information inadequacies that are in need of correction and has concerns about the acceptability of mitigation for segments A & B based on present wetlands mitigation planning problems for segment C.

Final EISs

ERP No. F-GSA-E81036-GA, Savannah Federal Building—United States Courthouse, Site Selection and Construction of Annex within the existing Federal Building Courthouse, Savannah, GA.

Summary: The concerns raised at the draft EIS stage were adequately addressed in the final EIS. Therefore, EPA had no objection to the project as proposed.

ERP No. F-ICC-J53004-MT, Tongue River Railroad Additional Rail Line Construction and Operation, Ashland to Decker, Approval, Rosebud and Big Horn Counties, MT.

Summary: The EPA concurs that the Four Mile Creek Alternative would be an environmentally preferable construction alternative to the Tongue River Railroad project's proposed route since it avoids disturbances to the environmentally sensitive section of the Tongue River below the Tongue River Dam, and would eliminate the need to construct a tunnel and five bridges in the Tongue River canyon. EPA notes that site-specific analysis of river and wetland encroachment issues will be necessary during the 404 permit review of the proposed project.

ERP No. F-SFW-J64005-CO, Rocky Mountain Arsenal National Wildlife Refuge Establishment and Operation, Implementation, Adam County, CO.

Summary: EPA expressed environmental concerns regarding potential impact from hazardous waste on human health and the environment.

ERP No. F-USA-J11011-UT, Tooele Army Depot Disposal and Reuse of BRAC Parcel, Implementation, Salt Lake, Tooele and Utah Counties, UT.

Summary: The Army has adequately address previous EPA concerns