

(Dayton), tendered for filing an executed Master Power Sales Agreement between Dayton and Old Dominion Electric Cooperative (ODEC).

Pursuant to the rate schedules attached as Exhibit B to the Agreement, Dayton will provide to ODEC power and/or energy for resale.

Comment date: August 7, 1996, in accordance with Standard Paragraph E at the end of this notice.

15. Consolidated Edison Company of New York, Inc.

[Docket No. ER96-2430-000]

Take notice that on July 16, 1996, Consolidated Edison Company of New York, Inc. (Con Edison), tendered for filing an agreement with Williams Energy Services Company (WESCO) to provide for the sale of energy and capacity. For energy the ceiling rate is 100 percent of the incremental energy cost plus up to 10 percent of the SIC (where such 10 percent is limited to 1 mill per Kwhr when the SIC in the hour reflects a purchased power resource). The ceiling rate for capacity is \$7.70 per megawatt hour. Energy and capacity sold by WESCO will be at market-based rates.

Con Edison states that a copy of this filing has been served by mail upon WESCO.

Comment date: August 7, 1996, in accordance with Standard Paragraph E at the end of this notice.

16. Consolidated Edison Company of New York, Inc.

[Docket No. ER96-2431-000]

Take notice that on July 16, 1996, Consolidated Edison Company of New York, Inc. (Con Edison), tendered for filing an agreement with Westcoast Power Marketing, Inc. (WCPM) to provide for the sale of energy and capacity. For energy the ceiling rate is 100 percent of the incremental energy cost plus up to 10 percent of the SIC (where such 10 percent is limited to 1 mill per Kwhr when the SIC in the hour reflects a purchased power resource). The ceiling rate for capacity is \$7.70 per megawatt hour. Energy and capacity sold by WCPM will be at market-based rates.

Con Edison states that a copy of this filing has been served by mail upon WCPM.

Comment date: July 8, 1996, in accordance with Standard Paragraph E at the end of this notice.

17. Consolidated Edison Company of New York, Inc.

[Docket No. ER96-2432-000]

Take notice that on July 16, 1996, Consolidated Edison Company of New

York, Inc. (Con Edison), tendered for filing an agreement with Federal Energy Sales, Inc. (FES) to provide for the sale of energy and capacity. For energy the ceiling rate is 100 percent of the incremental energy cost plus up to 10 percent of the SIC (where such 10 percent is limited to 1 mill per Kwhr when the SIC in the hour reflects a purchased power resource). The ceiling rate for capacity is \$7.70 per megawatt hour. Energy and capacity sold by FES will be at market-based rates.

Con Edison states that a copy of this filing has been served by mail upon FES.

Comment date: August 7, 1996, in accordance with Standard Paragraph E at the end of this notice.

18. Consolidated Edison Company of New York, Inc.

[Docket No. ER96-2433-000]

Take notice that on July 16, 1996, Consolidated Edison Company of New York, Inc. (Con Edison), tendered for filing an agreement with Global Petroleum Corp. (Global) to provide for the sale of energy and capacity. For energy the ceiling rate is 100 percent of the incremental energy cost plus up to 10 percent of the SIC (where such 10 percent is limited to 1 mill per Kwhr when the SIC in the hour reflects a purchased power resource). The ceiling rate for capacity is \$7.70 per megawatt hour. Energy and capacity sold by Global will be at market-based rates.

Con Edison states that a copy of this filing has been served by mail upon Global.

Comment date: August 7, 1996, in accordance with Standard Paragraph E at the end of this notice.

19. Houston Lighting & Power Company

[Docket No. ER96-2434-000]

Take notice that on July 16, 1996, Houston Lighting & Power Company (HL&P), tendered for filing an executed transmission service agreement (TSA) with Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., Entergy New Orleans, Inc. (collectively Entergy), for Economy Energy Transmission Service under HL&P's FERC Electric Tariff, Original Volume No. 1, for Transmission Service To, From and Over Certain HVDC Interconnections. HL&P has requested an effective date of July 22, 1996.

Copies of this filing were served on Entergy and the Public Utility Commission of Texas.

Comment date: August 7, 1996, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 96-19263 Filed 7-29-96; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5542-3]

Information Collection for Request Solid Waste Disposal Facility Criteria (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of request for renewal.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) listed below will be submitted to the Office of Management and Budget (OMB) under the *Paperwork Reduction Act*, 44 U.S.C. 3501 *et seq.* for renewal.

DATES: Comments must be submitted on or before September 30, 1996.

ADDRESSES: Comments should be sent to Docket Number F-96-FCIP-FFFFF located in the RCRA Docket Information Center, Office of Solid Waste (5305W), U.S. Environmental Protection Agency Headquarters (EPA HQ), 401 M Street, SW., Washington, D.C. 20460. One original and two copies of each comment should be submitted. Hand delivery of comments should be made to the RCRA Information Center (RIC), located at Crystal Gateway I, First Floor, 1235 Jefferson Davis Highway, Arlington, VA. The RIC is open from 9 a.m. to 4 p.m., Monday through Friday, excluding federal holidays. Comments may also be submitted electronically through the Internet to: rcra-

docket@epamail.epa.gov. Comments in electronic format should also be identified by the docket number F-96-FCIP-FFFFF. All electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Commenters should not submit electronically any confidential business information (CBI). Interested persons may obtain a copy of the draft ICR by calling (703) 308-7261.

FOR FURTHER INFORMATION CONTACT: Allen J. Geswein, Municipal and Industrial Solid Waste Division, Office of Solid Waste(5306W), 401 M Street, SW, Washington, D.C. 20460, (703)308-7261.

SUPPLEMENTARY INFORMATION:

I. Information Collection Request

EPA is seeking comments on ICR #1381, OMB No. 2050-0122.

Title: Solid Waste Disposal Facility Criteria (RCRA Part 258).

Affected entities: Owners or operators of new MSWLFs, existing MSWLFs, and lateral expansions of existing MSWLFs. These owners or operators could include Federal, State, and local governments, and private waste management companies. Facilities in SIC codes 922, 495, 282, 281, and 287 may be affected by this rule.

Abstract: Under statutory authority found in RCRA Part 258, EPA established mandatory regulations (See 40 CFR Part 258) that established the criteria for Municipal Solid Waste Landfills (MSWLFs) that co-dispose of sewage sludge and that receive ash from municipal waste combustion (MWC) facilities (including ash monofills). EPA believes these requirements mitigate potential hazards to human health and the environment from the potential mismanagement by owners or operators of MSWLFs. Except as described below, these criteria became effective on October 9, 1993. Subsequently, on October 18, 1994, the Agency extended the compliance date for the Financial Assurance (Subpart G) requirements until April 9, 1997. Additionally, on October 6, 1995, EPA delayed the effective date for MSWLFs that receive less than 20 tons of waste per day until October 9, 1997.

The information covered by this ICR will be used by the State Director to confirm owner or operator compliance with the regulations under Part 258.

Burden Statement: The burden to respondents for complying with the Part 258 information collection requirements is approximately 298,000 hours per year, with an annual cost of \$12,700,000. These burdens are based

on the assumption that there are 3500 existing MSWLFs and that there are an estimated 200 new MSWLFs.

Small or Remote MSWLFs: EPA estimates that the total burden would apply to approximately 800 "small" MSWLFs located in remote and/or arid regions. The requirement is that the MSWLF owner or operator make the determination that they meet the criteria in § 258.1(f)(2). There is a one-time reporting burden of two hours per facility.

EPA estimates that 5% (40) of the total number of small facilities will discover ground-water contamination and must notify the State Director and comply with the liner requirements in Subpart B. This would occur over an estimated 10 years and 4 facilities per year for purposes of this estimate. The one-time recordkeeping burden is estimated to be 30 hours per facility. There would be no annual burden. There is a one-time reporting burden of two hours per facility.

Location Restrictions

Airport Safety: Of the estimated 200 new MSWLF units and lateral expansions that are affected by this requirement, approximately 50% are expected to be within the areas of airport safety. EPA has estimated a one-time recordkeeping requirement for this location restriction of 10 hours per facility. There is a one-time reporting burden of two hours per facility.

Floodplains: Of the estimated 200 new MSWLF units and lateral expansions that are affected by this requirement, approximately 20% are expected to be within the 100-year floodplain. EPA has estimated a one-time recordkeeping requirement for this location restriction of 10 hours per facility. There is a one-time reporting burden of two hours per facility.

Wetlands: This requirement comes from the Clean Water Act (CWA) and incorporates EPA guidelines developed pursuant to the CWA. Any recordkeeping requirement is attributable to implementing the CWA and not the MSWLF Criteria. Therefore, in order to avoid double counting, no recordkeeping requirements for this location provision are included in this estimate. The reporting and recordkeeping requirements are reported under OMB Control Number 2040-0086.

Fault Areas: Of the estimated 200 new MSWLF units and lateral expansions that are affected by this requirement less than 10% are expected to be in a fault area. A one-time recordkeeping requirement for this location restriction of 10 hours per facility is estimated.

However, the recordkeeping requirement is included under § 258.29 because there is no authority under § 258.13 to require recordkeeping. There is a one-time reporting burden of two hours per facility.

Seismic Impact Zones: Less than 10% of the estimated 200 new MSWLFs and lateral expansions are expected to be in a seismic impact zone. EPA has estimated a one-time recordkeeping requirement for this location restriction of 10 hours per facility. There is a one-time reporting burden of two hours per facility.

Unstable Areas: Less than 10% of the estimated 200 new MSWLFs and lateral expansions are expected to be in an unstable area. EPA assumes that owner's and/or operators of existing units would have made the appropriate demonstration prior to January 1997. EPA has estimated a one-time recordkeeping requirement for this location restriction of 10 hours per facility. There is a one-time reporting burden of two hours per facility.

Closure of Existing MSWLFs: Of the existing 3500 MSWLFs, EPA estimates that less than 2% of the owners or operators of existing MSWLFs that are located near airports (§ 258.10(a)), floodplains (§ 258.11(a)), or in unstable areas (§ 258.15(a)) will attempt to extend the deadline for closure until October 9, 1998. EPA estimates the one-time recordkeeping requirement for these 70 facilities to be 40 hours. There is a one-time reporting burden of two hours per facility.

Operating Criteria

Procedures To Exclude Hazardous Wastes

EPA estimates an annual recordkeeping burden of 10 hours per year for each of the 3500 landfills for training and an annual reporting burden of two hours per facility. In addition there is a one-time two hour reporting burden for each of the 50 landfills that are estimated to detect regulated quantities of hazardous or PCB waste. These 50 MSWLF owners or operators must notify the State Director (or the EPA Regional Administrator) if a regulated hazardous waste or PCB waste is discovered at the facility. This adds a one-time reporting burden of two hours for those 50 facilities.

Cover Material Requirements

EPA assumes that owner's and/or operators of existing units would have made the appropriate demonstration prior to January 1998; therefore, there is no burden for existing units. Of the estimated 200 new MSWLFs and lateral

expansions that are eligible for these demonstrations, EPA estimates that less than 10% are expected to conduct the demonstrations. For MSWLF units making the demonstration, EPA has estimated a one-time recordkeeping burden of 24 hours per facility. There is a one-time reporting burden of two hours for those 20 facilities.

Explosive Gases Control

EPA estimates a one time recordkeeping burden of 24 hours to set up a methane monitoring program for the estimated 200 new units and 6 hours per year recordkeeping burden to record the results of the monitoring for each of the 3500 operating units.

The requirement to develop a remediation plan and report to the State would only apply to those facilities that exceed the standards for methane at the facility. EPA estimates that this will occur at 50 of the 3500 operating facilities per year and that each of these facilities would have a one-time recordkeeping burden of 16 hours per year. There is a one-time reporting burden of two hours for those 50 facilities.

Liquids Restrictions

This one-time reporting requirement will apply only to the facilities that recirculate gas condensate or leachate and that have composite liners. Of the 200 new MSWLFs, EPA estimates that there are 100 such facilities. EPA assumes that the required recordkeeping would take 2 hours per facility and that the one-time reporting requirement will take 2 hours per facility.

Recordkeeping Requirements

Owners and operators of MSWLFs must notify the State Director when any of the demonstrations (documentation) required by other sections of this rule have been added to the facility operating record. The recordkeeping and reporting requirements for § 258.13 (Fault areas) of 10 hours per facility are contained in this section.

Design Criteria

Alternative Liner Design

Owners or operators of MSWLFs in approved States may be permitted to use an alternative liner design. The owner or operator must demonstrate (document) that the alternative liner design meets the performance standard in § 258.40(a)(1). To date, this design option has been chosen by only a very few MSWLFs, EPA estimates that 5% of the 200 new MSWLFs will undertake this one-time reporting requirement and EPA estimates the burden at 40 hours per facility. There is no recordkeeping

requirement under the Part 258 rules for § 258.40(c).

Alternative Point of Compliance

This one-time reporting requirement is the responsibility of the Director of an approved State. There is no recordkeeping or reporting requirement for the owner or operator. The Director of an approved State may voluntarily choose to use an alternative point of compliance. The Director of an approved State must consider the factors at § 258.40(d)(1)–(8) in demonstrating (documenting) that the alternative point of compliance meets the performance standard. EPA assumes that all States that are considering this approach will have made the appropriate demonstration prior to January 1998 and there will be no burden from this requirement.

Ground-Water Monitoring and Corrective Action

“No Migration Petitions”

Owners and operators of MSWLFs may demonstrate (document) that there is no potential for migration of hazardous constituents from the facility. The demonstration is to be based on site-specific data and fate and transport modeling. EPA estimates no more than 5 owners or operators will attempt this demonstration per year. EPA assumes that the required documentation would result in a one-time reporting requirement of 100 hours per facility. Section 258.50(a) does not contain recordkeeping requirements, however, the one-time recordkeeping requirements of 2 hours per facility that are contained in § 258.29 have been included here for simplicity.

Establish GWM Systems

EPA reviewed State permit programs and found that 80% of the States had requirements to set up groundwater monitoring systems prior to the promulgation of Part 258; therefore, the Agency assumed the one-time reporting requirement of 20 hours per facility would result for 20% of the 200 (40) new facilities. There are one-time recordkeeping requirements at §§ 258.51(d)(1)(ii), 258.53(a) and 258.53(g). Each of the three sections has a 2 hours per facility recordkeeping requirement for a total of 6 hours per facility.

Detection Monitoring Program

Of the 3500 operating facilities, 800 are qualifying “small” MSWLFs that will be exempted from Subpart E. EPA estimates that the total annual reporting burden for detection monitoring to be 32 hours per year. As discussed above, EPA

estimates that 80% of the States required ground-water monitoring prior to the promulgation of Part 258, however, Part 258 contains monitoring parameters not usually found in State rules. For the purposes of this analysis, EPA assumed that current State regulations already captured 5 hours per year of the total annual reporting burden for detection monitoring; therefore, this rule imposes an incremental burden of 27 hours per year for landfills in the States with monitoring requirements (i.e., 80% of the landfills or 2800 landfills). For the remaining 700 landfills in States without groundwater monitoring requirements and the 200 new MSWLF units per year, EPA assumed that all would incur the entire annual reporting burden of 32 hours per year. There is an annual recordkeeping requirement of 2 hours for each facility.

Assessment Monitoring Program

EPA assumes that the only facilities that will need to establish an assessment monitoring program are existing MSWLF units. None of the new MSWLF units are expected to require assessment monitoring prior to January 2000.

For assessment monitoring, EPA estimated that this rule would impose a reporting burden of 32 hours per occurrence per year. The Agency's Regulatory Impact Analysis assumes that approximately one third of the facilities will contaminate ground water such that assessment monitoring and corrective action are required. The number impacted would not include the 800 “qualifying” small MSWLFs because they will be exempted, therefore, about 900 facilities [$\frac{1}{3}$ (3500 – 800)] are included in the recordkeeping estimate. This estimate includes the facilities that voluntarily choose to make the “false positives” demonstration at § 258.55(g)(2). There is an annual recordkeeping requirement of 2 hours for each facility.

“False Positives”

See the discussion for § 258.55—Assessment Monitoring Program.

Selection of Remedy

For corrective action, EPA estimated an annual burden of 200 hours per year to document progress in clean up activities. Approximately one-half of the States have corrective action rules; therefore, the Agency assumes that 450 facilities (approximately $\frac{1}{2}$ of 900 facilities) would have increased reporting burdens.

The estimated reporting burden includes consideration of § 258.57(d), the requirement to establish a schedule for implementing and completing

remedial measures. The estimated burden also includes consideration of § 258.57(e), the conditions that would allow no ground-water clean up.

There are annual recordkeeping burdens at §§ 258.57(b), 258.58(d), and 258.58(e). Each of these annual recordkeeping burdens requires 2 hours per facility per year for a total of 6 hours.

Implementation of the Corrective Action Program

EPA assumes that no owner or operator will have completed Corrective Action and, therefore, be required to comply with § 258.58(f) prior to January 2000. Section 258.58(f) is the only recordkeeping or reporting burden in § 258.58 that is not included in the recordkeeping and reporting estimates for § 258.57 of the rule, therefore, this section contains no additional reporting or recordkeeping requirements.

Closure and Post-Closure Care

Closure Criteria

EPA estimates that a one-time burden of 16 hours per facility is required to document the closure plan. A review of the State rules indicated that 80% of the current State requirements contain a similar provision that would require the owner or operator to submit the same type of information that EPA would require in a closure plan. Therefore, 40 facilities (20% of the estimated 200 new facilities) would have increased reporting burdens. EPA assumes that all existing and lateral expansions will have developed the closure plan prior to January 1998. There is a one-time recordkeeping burden of 2 hours per facility.

Post-Closure Care Requirements

EPA estimates the annual reporting burden for the post-closure care plan to be 16 hours per facility. The review of State rules found that 60% of the current State rules contained similar requirements that would require the owner or operator to submit the same type of information that EPA would require in the post-closure care plans. Therefore, 1400 facilities (40% of 3500) would have reporting and recordkeeping burdens. There is an annual recordkeeping burden of 2 hours per facility.

Financial Assurance Criteria

Financial Assurance for Closure

The estimated annual reporting burden for the financial assurance requirements is 4 hours per year per facility for all financial assurance requirements. This includes annually

adjusting cost estimates for inflation for closure, post-closure care (§ 258.72), and known corrective actions (§ 258.73). A review of State rules indicated that 40% of the States had requirements for financial assurance, therefore, 2100 facilities (60% of 3500) are included in the estimate. There is an annual recordkeeping burden of 2 hours per facility.

Estimating Respondent Costs

For estimated costs to respondents, see Exhibits 1 through 4 of the supporting document.

For the purpose of preparing the cost and burden estimates for this ICR, EPA examined ICRs for similar programs that have already been approved by OMB. These ICRs were for the UST program (Subtitle I) and the Subtitle C program. Additionally EPA reviewed the previous ICR submitted under the RCRA Subtitle D program.

For the purpose of preparing the cost and burden estimates for this ICR, EPA examined ICRs for similar programs that have already been approved by OMB. These ICRs were for the UST program (Subtitle I) and the Subtitle C program. Additionally EPA reviewed the previous ICR submitted under the RCRA Subtitle D program.

Estimating State and Agency Burden and Cost

All information is submitted to the States; therefore, Agency burden and cost is negligible. The State burden for recordkeeping will be to process the notifications of the State Directors sent by the owners and/or operators of the MSWLFs, review of MSWLFs demonstrations, and certification of requirements. States will be notified, as specified previously under 3(I).

The recordkeeping burden to process these notifications is estimated to be 0.5 hours per notification.

The reporting burden to review demonstrations from owners and/or operators is estimated to be 1 hour per demonstration. The recordkeeping burden to process these demonstrations from owners and/or operators is estimated to be 1 hour per demonstration. The reporting burden to certify demonstrations is estimated to be 1 hour per certification and a recordkeeping burden of 1 hour per certification.

II. Request for Comments

The Agency will begin an effort to examine the Solid Waste Disposal Facility Criteria (RCRA PART 258) forms and consider options for reducing their burden and increasing the usefulness of the information collected

by these forms. The Agency would appreciate any information on the users of this information, how they use this information, how the information could be improved, and how the burden for these forms can be reduced. In addition, the Agency is also soliciting comments that:

(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.

III. Public Docket

A record has been established for this action under docket number F-96-FCIP-FFFFF. A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in the RCRA Information Center (RIC), located at Crystal Gateway I, First Floor, 1235 Jefferson Davis Highway, Arlington, VA.

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 EPA's regulations are displayed in 40 CFR Part 9.

Dated: July 18, 1996.

James R. Berlow,

Acting Director, Office of Solid Waste.

[FR Doc. 96-19326 Filed 7-29-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5544-2]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; NPDES Compliance Assessment and Certification Information

AGENCY: Environmental Protection Agency (EPA).