

application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity, if a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Texas Eastern to appear or be represented at the hearing.

Lois D. Cashell,

Secretary.

[FR Doc. 96-32290 Filed 12-19-96; 8:45 am]

BILLING CODE 6717-01-M

### Notice of Application Filed With the Commission

December 16, 1996.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type*: Transfer of Licenses.

b. *Project Numbers*: P-2395, P-2421, P-2473, P-2640.

c. *Applicants*: Fraser Papers Inc., Flambeau Hydro, L.L.C.

d. *Name of Projects*: Pixley, Lower Hydroelectric, Crowley Rapids, and Upper Hydroelectric.

e. *Location*: North Fork of the Flambeau River, Price and Ashland Counties, Wisconsin.

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

g. *Applicant Contacts*: Daniel A. Bueide, Henson & Efron, P.A., 1200 Title Insurance Building, 400 Second Avenue South, Minneapolis, MN 55401, (612) 339-2500; Donald H. Clarke, J. Wade Lindsay, Wilkinson, Barker, Knauer & Quinn, Suite 600, 1735 New York Avenue, N.W., Washington, DC 20006, (202) 783-4141.

h. *FERC Contact*: Dean C. Wight, (202) 219-2675.

i. *Comment Date*: January 3, 1997.

j. *Description of Proposed Action*: Applicants propose to transfer the projects from Fraser Papers Inc. (Transferor), to Flambeau Hydro, L.L.C. (Transferee). The current licensee, Flambeau Paper Company, no longer exists. Transferor is the successor in interest to Flambeau Paper Company as a result of an April 1996 merger of Flambeau Paper Company and several other entities. The applicants request Commission approval of the transfer of the licenses from Flambeau Paper

Company to Transferor, as well as approval of the prospective transfer from Transferor to Transferee.

k. *Related Actions*: Applications for Subsequent Licenses for the projects were filed in December 1991 by Flambeau Paper Company and are pending before the Commission.

l. *This notice also consists of the following standard paragraphs*: B, C2, and D2.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules and 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.

C2. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS,"

"RECOMMENDATIONS FOR TERMS AND CONDITIONS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "MOTION TO INTERVENE," as applicable, and the Project Number of the particular application to which the filing refers. Any of these documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of a notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. 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.

Lois D. Cashell,

Secretary.

[FR Doc. 96-32292 Filed 12-19-96; 8:45 am]

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-5668-6]

#### Agency Information Collection Activities: Proposed Collection; Comment Request; Standards for Reformulated Gasoline ICR Renewal

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

**ACTION**: Notice.

**SUMMARY**: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that EPA is planning to submit the following proposed and/or continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): Standards for Reformulated Gasoline; OMB No. 2060-0277; expires 03/31/97. 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 February 18, 1997.

**ADDRESSES**: U.S. Environmental Protection Agency, Office of Air and Radiation, Office of Mobile Sources (6406J), 401 M Street S.W., Washington, D.C. 20460; U.S. Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Office of Regulatory Enforcement (2242A), 401 M Street S.W., Washington, D.C. 20460. Copies of the ICR can be obtained free of charge by contacting Ervin Pickell as provided below.

**FOR FURTHER INFORMATION CONTACT**: Ervin Pickell, Telephone: (303) 969-6485; Facsimile number: (303) 969-6490; E-MAIL: pickell.erv@epamail.epa.gov.

#### SUPPLEMENTARY INFORMATION:

*Affected entities*: Entities potentially affected by this action are those which produce, import, distribute, sell, transport or dispense reformulated and conventional gasoline.

*Title*: Standards for Reformulated Gasoline; OMB No. 2060-0277; expires 03/31/97.

*Abstract*: Section 211(k) of the Clean Air Act requires EPA to regulate reformulated gasoline and conventional gasoline. The Act requires schemes for tracking and trading credits and allows for averaging certain gasoline parameters for compliance. In order to enforce the requirements of the Act, EPA regulations (in effect since January 1, 1995) require recordkeeping, reporting and testing. Certain responses

covered by the ICR are voluntary quality assurance efforts. All other responses are mandatory. EPA has authority to require this information under section 211 of the Act, 42 U.S.C. § 7545, section 114 of the Act, 42 U.S.C. § 7414 and section 208 of the Act, 42 U.S.C. § 7542.

The only parties with reporting requirements are refiners, importers and oxygenate blenders (and their independent labs); these parties have the greatest opportunity to affect and control the quality of gasoline. Truck distributors are subject to minimal recordkeeping requirements and voluntary (affirmative defense) quality assurance testing provisions. Retailers and wholesale purchaser-consumers in reformulated gasoline areas only are required to accept and maintain transfer documents (something they already do as a customary business practice (CBP)). Retailers and wholesale purchaser-consumers in conventional gasoline areas have no recordkeeping requirements. Individual motorists are subject to no recordkeeping requirements under the regulations. Confidentiality of information reported or obtained from parties is protected under 40 C.F.R. Part 2.

The recordkeeping and reporting enables EPA to enforce the RFG and conventional gasoline requirements. The requirements also are necessary to enable each party receiving product to know what the product is and to ensure that party's ability to comply.

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 and 48 CFR Chapter 15.

The following background information is provided to enable persons responding to this notice to have sufficient information to comment on the information collection. In addition to this information, you may obtain a copy of the draft ICR supporting statement as provided above. The requirements of the rule can be found at 40 C.F.R. §§ 80.40–80.130. In general the requirements are greatest for those who can affect gasoline quality the most (refiners/importers). Requirements are minimal for typically smaller businesses such as retailers and truck distributors. The requirements are all aimed to assure compliance with the Clean Air Act requirements in order to assure contemplated emissions reductions are realized and to assure noncomplying parties do not realize a competitive economic advantage over complying parties. A program based on

gasoline sampling alone would not assure compliance because refiners and oxygenate blenders can achieve compliance based on averaging, and credits can be traded. Further, gasoline from different refiners is commingled before it arrives at terminals and retail outlets. Therefore, records must be kept to ensure these parties meet compliance for fuel as it leaves their control and after any averaging and credit trading is accounted for.

Assumptions used for this ICR are largely the same as for the previous ICR. This is because labor rates appear to be relatively flat and the rule's recordkeeping requirements have not been substantially changed. No new equipment costs are anticipated to comply with recordkeeping and sampling/testing requirements. However, the proposed ICR does reflect some increased and decreased burdens or costs based on industry information. For example, the tentative estimated cost of refiner/importer gasoline sampling and testing surveys have been significantly increased due to information from an industry source. EPA specifically seeks comment regarding the costs of the surveys for 1998 and beyond and the specific rationale regarding such costs.

Refiners and importers who produce RFG or conventional gasoline are required to register with EPA so that EPA has complete information as to which entities are subject to which requirements (RFG and/or conventional gasoline) and their location. Testing requirements for RFG and conventional gasoline by refiners/importers are necessary for the regulated entity as well as for EPA to determine if the gasoline complies with requirements (per gallon or on average, as applicable). Testing requirements have been minimized to the extent practicable and many of the parameters were already tested for by refiners before this rule was published. Independent sampling and testing of a limited number of batches of gasoline per year is needed to ensure that refinery or importer testing is accurate and to assure samples of specific product will be available for EPA to test at a later date, if necessary. Refiners/importers "certify" that each batch of gasoline produced meets applicable requirements (e.g., for summertime RFG). However, this certification entails no reporting to EPA or additional recordkeeping; the testing (and recording test results) and release of product constitutes certification. Refiners/importers must designate each batch of gasoline produced (e.g., as any-oxygenate RBOB or ether-only RBOB; this is necessary information to

determine compliance and is necessary information for downstream parties). They must include sufficient information on product transfer documents to demonstrate what the product is e.g., RFG or conventional gasoline; whether there are use restrictions based on time of year (whether VOC-controlled gasoline). This not only facilitates EPA compliance determinations but is also necessary information for parties downstream, such as terminals and distributors, so that appropriate product goes to appropriate areas at the appropriate time of year.

Refiners/importers and oxygenate blenders (and their independent labs) are the only parties with reporting burdens. Reports can be filed electronically or by mail. Conventional gasoline refiners and importers file a year-end report. The RFG compliance reporting burden can be minimized to a single report if compliance is based on a per gallon standard. Otherwise quarterly reports are filed but compliance is based on the year end report and the 3rd quarter report (for RVP, VOC emissions performance and oxygen content for the high ozone season). Compliance attest engagements are required to give both the refiner/importer/oxygenate blender and EPA feedback regarding whether compliance reporting is accurate and identify mistakes in how compliance was determined or in the reporting of the compliance information. Based on experience with other gasoline averaging programs such as lead phase-down, errors in reporting occurred relatively frequently. Flexibility is provided to allow in-house audits to meet the attest engagement requirements and the audits require only a statistically significant sampling of records to be examined.

Gasoline sampling and testing surveys are required because the Act contemplated that reformulated gasoline compliance demonstrations would be at the covered area level. However, in the negotiated regulation process refiners and other parties expressed a desire to have compliance demonstrated primarily at the refinery level. EPA allowed the compliance point to be at the refinery, and allowed for compliance averaging. However, to assure actual program effectiveness at the covered area level, a program of sampling and testing surveys was selected as the negotiated solution.

Refiners who rely on external oxygenate blenders to add oxygenate to RFG can either use regulatory assumptions to determine the gasoline's characteristics or they can contract with

oxygenate blenders and perform a quality assurance program to assure and verify that appropriate oxygenate blending is taking place.

There are several other areas relating to quality assurance where recordkeeping is voluntary, for defense purposes. Refiners can perform downstream quality assurance to verify quality of branded gasoline downstream. This is not required, but may be necessary to meet the refiner's defense where a violation is found. Oxygenate blenders are also subject to a sampling and testing affirmative defense provision. Terminals, pipelines and distributors also can perform a voluntary sampling program for defense purposes.

Retailers and wholesale purchaser-consumers in RFG areas must maintain transfer documents so EPA can determine that the gasoline complies with requirements for the geographic area and time of year at the location it is dispensed. However, because conventional gasoline compliance is determined at the refinery level, and without time or use restrictions, retailers and wholesale purchaser-consumers in non-RFG areas do not need to maintain product transfer information related to the regulatory program.

All parties that must maintain records under the regulation have a 5 year retention requirement.

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:** Refiner/Importer hours per year per respondent is about 138 for RFG compliance, including voluntary quality assurance programs, and about 27 hours per year per respondent for conventional gasoline compliance, including voluntary quality assurance. There are about 150

respondents for RFG purposes and about 230 for conventional gasoline. The frequency of response and associated yearly hourly burden for refiners/importers for RFG compliance is as follows: Registration is a one-time requirement that all respondents should have completed; Designate and certify each batch of RFG (100 per year; 1.5 hrs. per yr.); Test each batch of RFG (100 per yr. (largely CBP); 40 hrs. per yr.); Product transfer document for each batch (100 per yr. (largely CBP); 0 hrs.); Contracts with oxygenate blenders (for 10 parties who choose to do this method, frequency is 5 per yr.; 16 hrs. per party); Quality assurance efforts with oxygenate blenders (for the 10 parties who choose this method, 20 samples per yr., 30 hrs. per yr.); Report compliance (4 responses per yr.; EDI ok; 4 hrs. per response (16 hrs. per yr.); and Compliance audit (one per year; 80 hrs. (See conventional gasoline burden for additional hrs.)).

The frequency of response and associated hourly burden for refiners/importers of conventional gasoline is as follows: Registration (one-time burden already completed); Test gasoline produced (12 responses; 2 hrs. per yr. (See additional cost breakdown below); Batch designations (158 responses per yr.; 1.5 hrs. per year); Product transfer documents (158 per yr.; 0 hrs (largely CBP)); Compliance report (1 per yr.; 3.3 hrs); and Compliance audit (1 per yr.; 20 hrs.).

Purchase of services costs for refiners and importers (150 respondents) of RFG are as follows: Surveys (industry-wide with cost spread among all refiner/importer respondents; 60 surveys in 1997 and 50 in subsequent years) (\$20,000 per respondent in 1997 and possibly greater than \$30,000 or more per respondent in subsequent years (EPA seeks comment regarding the cost, and the rationale for the cost, of the surveys in 1998 and subsequent years)); RFG batch testing by outside laboratory (\$15,000 per year (beyond CBP)); RFG in-line audits (\$826 per party); RFG independent laboratory testing (\$9,013 per party); and voluntary quality assurance (\$9,000 per party).

Purchase of services costs by refiners/importers of conventional gasoline are as follows: Laboratory testing (\$1,200 per party). There are 230 parties.

Hourly burdens for RFG oxygenate blenders are as follows: Register (1-time burden accomplished by most parties); Quality assurance testing for terminal tank blenders (100 respondents; 18 responses per yr. taking 16 hrs. per yr.); Quality assurance for truck blenders (250 respondents; 12 responses per yr.; 7.9 hrs. per yr.); and Compliance

reporting (350 respondents; 1 per yr.; 3.4 hrs.).

Purchase of services costs for oxygenate blenders: \$450 for lab testing for each of 350 respondents and \$286 for compliance audit for each of 350 parties.

Hourly burdens for RFG distributors: Product transfer documents for truckers (mostly CBP; 0 hrs.; 1,360 responses per yr.; 2,200 respondents); Product transfer documents for terminals (mostly CBP; 0 hrs.; 12,000 responses per yr.; 250 respondents); Terminal quality assurance ((non-oxygenate); 10 responses; 6.5 hrs. per yr.; 250 respondents); Retailer RFG product transfer document requirement ((mostly CBP); 0 hrs.; 45 responses; 75,000 respondents).

Hourly burdens for distributors of conventional gasoline: Product transfer documents for truckers ((mostly CBP); 0 hrs.; 1,360 responses; 5,400 respondents); Product transfer documents for terminals ((mostly CBP); 0 hrs.; 9,000 responses; 880 parties).

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; 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: December 6, 1996.

Sylvia K. Lowrance,  
Principal Deputy Assistant Administrator,  
Office of Enforcement and Compliance Assurance.

[FR Doc. 96-32351 Filed 12-19-96; 8:45 am]

BILLING CODE 6560-50-P

[ER-FRL-5475-9]

## Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153. Weekly receipt of Environmental Impact Statements Filed December 9, 1996 Through December 13, 1996 Pursuant to 40 CFR 1506.9.