

DEPARTMENT OF ENERGY

Federal Energy Regulatory
CommissionNotice of Application Filed With the
Commission

November 17, 1997.

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

a. Filing: Interim Steelhead Protection Plan.

b. Project Nos: 2145-032, 943-064.

c. Date Filed: October 9, 1997.

d. Licensee: Public Utility District No. 1 of Chelan County.

e. Name of Projects: Rocky Reach and Rock Island Hydroelectric Projects.

f. Location: The projects are located on the Columbia River in Chelan County, Washington.

g. Licensee Contact: Mr. Jim Vasile, Steptoe & Johnson, LLP, 1330 Connecticut Avenue, Washington, DC 20036, Attorney for Public Utility District No. 1 of Chelan County.

h. FERC Contact: Jim Hastreiter (503) 326-5858.

i. Comment Date: December 18, 1997.

j. Description of Filing: The Public Utility District No. 1 of Chelan County (licensee) has filed, for Commission approval, an Interim Steelhead Protection Plan. The plan includes modifications or additions to structures and operations at the Rocky Reach and Rock Island Hydroelectric Projects that may affect migrating steelhead trout. The National Marine Fisheries Service has listed steelhead in the Upper Columbia River as endangered under the Endangered Species Act. The principle components of the plan include modifications to, and continuation of, the juvenile fish bypass development program; a squawfish removal program; an interim spill program; and a hatchery compensation program.

This notice also consists of the following standard paragraphs: B, C1, 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 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.

C1. Filing and Service of Responsive Documents—Any filings must bear in all capital letters that title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTESTS", OR "MOTION TO INTERVENE", as applicable, and the project number of the particular application to which the filing is in response. Any of these documents must be filed by providing in response. Any of these documents must be filed by providing the original and 8 copies to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. Motions 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. 97-30745 Filed 11-21-97; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION
AGENCY

[FRL-5927-2]

Agency Information Collection
Activities: Renewal of Existing
Collection; Comment Request;
National Pollutant Discharge
Elimination System (NPDES)/Sewage
Sludge Monitoring Reports

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 continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): National Pollutant Discharge Elimination System (NPDES)/Sewage Sludge Monitoring Reports, EPA ICR No. 229.11, and OMB Control No. 2040-0004, expires May 31, 1998. 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 January 23, 1998. All public comments shall be submitted to: ATTN: DMR ICR Comment Clerk (W-97-19), Water Docket MC-4101, U.S. EPA, Room 2616 Mall, 401 M. Street, S.W., Washington, D.C. 20460.

Please submit the original and three comments and enclosures (including references). Comments must be received or post-marked by midnight no later than January 23, 1998. Commenters who want EPA to acknowledge receipt of their comments should enclose a self-addressed stamped envelope. No facsimiles (faxes) will be accepted. Comments may also be submitted electronically to: ow-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and forms of encryption. Electronic comments must be identified by the docket number W-97-19. No Confidential Business Information (CBI) should be submitted through e-mail. Comments and data will also be accepted on disks in WordPerfect 5.1 format or ASCII file format. Electronic comments on this notice may be filed online at many Federal Depository Libraries. The record for this proposed Information Collection Request (ICR) revision has been established under docket number W-97-19, and includes supporting documentation as well as printed, paper versions of electronic comments. It does not include any information claimed as CBI. The record is available for inspection from 9 am to 4 pm, Monday through Friday, excluding legal holidays, at the Water Docket, Room M2616, Washington, DC 20460. For access to the docket materials, please call (202) 260-3027 to schedule an appointment.

ADDRESSES: A copy of the proposed ICR will be available at the Water Docket (W-97-19), Mailcode 4101, Environmental Protection Agency, 401 M. Street, S.W., Washington, D.C. 20460. Copies of the proposed ICR can be obtained free of charge by writing to this address.

FOR FURTHER INFORMATION CONTACT: Angela Lee, Telephone: (202)260-6814, Fax: (202) 260-9544, E-mail: Lee.Angela@EPAMail.EPA.gov

SUPPLEMENTARY INFORMATION:

Affected entities: Entities potentially affected by this action are NPDES

permittees including publicly owned treatment works, privately owned treatment works industrial facilities, and storm water permittees. The sewage sludge record keeping and reporting requirements identified in this ICR apply to treatment works (public and private) treating domestic sewage and to domestic septage haulers.

Title: NPDES/Sewage Sludge Monitoring Reports, EPA ICR No. 0229, and OMB Control No. 2040-0004, expiring May 31, 1998.

Abstract: This ICR estimates the current monitoring, reporting, and record keeping burden and costs associated with submitting and reviewing Discharge Monitoring Reports (DMRs), sewage sludge monitoring reports, and other monitoring reports under the Environmental Protection Agency's (EPA) NPDES program. The NPDES program regulations, codified at 40 CFR parts 122 through 125, require permitted municipal and non-municipal point source discharges to collect, analyze, and submit data on their wastewater discharges. Under these regulations, the permittee is required to collect and analyze wastewater samples or have the analysis performed at an outside laboratory and report the results to the permitting authority (EPA or an authorized NPDES State) using DMRs, a pre-printed form used for reporting pollutant discharge information. Sample monitoring, analysis, and reporting frequencies vary by permit, but must be performed at least annually for all permitted discharges except for certain storm water discharges.

Upon renewal of this ICR, the permitting authority will continue to require NPDES and sewage sludge facilities to report pollutant discharge monitoring data. The permitting authority will use the data from these forms to assess permittee compliance, modify/add new permit requirements, and revise effluent guidelines. The monitoring data required of NPDES and sewage sludge facilities represents the minimum information necessary to achieve the Agency's goals and satisfy regulatory standards.

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 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: EPA estimates that 131,460 NPDES permittees and 24,346 sludge permittees will perform sample collection, pollutant analysis, reporting and record keeping as part their NPDES permit requirements to collect and report discharge monitoring data to permit authorities. The reporting frequency varies depending on the nature and effect of the discharge, but, except for storm water discharge, is not less than annually. Table 1 presents a summary of the estimated time and financial resources (burden) for NPDES (and sludge) facilities for submitting DMRs. The record keeping burden for NPDES permittees (other than sludge facilities) is reported in the Compliance Assessment ICR, OMB Control Number 2040-0110. There are no capital costs associated with this ICR because all monitoring and record keeping are performed using equipment that NPDES facilities already have as a routine part of running their facility or the facilities send their samples to outside sources. Annual sample analysis cost is estimated to be \$281,277,550 nationwide for facilities that send their samples to outside sources for analysis.

TABLE 1.—SUMMARY OF BURDEN AND COSTS FOR THE DISCHARGE MONITORING REPORTS INFORMATION COLLECTION REQUEST

Category	Burden
Annual Pollutant Sampling Burden (hours) (A)	3,085,230
Annual Pollutant Analysis Burden (hours) (B)	2,410,081
Annual DMR Reporting Burden (hours) (C)	1,255,084
Total Response Burden (hours) (A+B+C)	6,750,395
Annual Record keeping Burden (hours)	12,326
Annual Contractor Sample Analysis Cost (\$)	\$281,277,550

TABLE 1.—SUMMARY OF BURDEN AND COSTS FOR THE DISCHARGE MONITORING REPORTS INFORMATION COLLECTION REQUEST—Continued

Category	Burden
Annual Number of Responses (D)	632,805
Average Time per Response (hours) (A+B+C)/(D)	10.67
Total Burden Hours for Respondents	6,762,721
Annual State Burden (hours)	134,811
Annual Federal Burden (hours)	44,462

EPA issued a April 19, 1996 policy memorandum entitled, "Interim Guidance for Performance-Based Reductions of NPDES Permit Monitoring Frequencies." EPA estimated that this guidance would result in a 26 percent reduction in monitoring burden (about 4,680,000 hours) for NPDES permittees and amended the 1995 DMR ICR's total burden to reflect this expected reduction. The amendment was approved by OMB in 1996 with a total burden of 13,333,396 hours. The proposed ICR incorporates the effect of the 1996 DMR ICR modification in the specific areas where a reduction in burden is expected. EPA has changed the presentation of the total burden in the proposed DMR ICR to reflect the new approach in reporting burden required by the 1995 Paperwork Reduction Act (PRA). The PRA requires outside contractor costs (i.e. the cost for analysis of pollutants conducted by an outside laboratory) to be disaggregated and reported separately in dollars rather than burden hours. The total burden hours for this draft ICR is 6,762,721 hours and \$281,277,550 in capital costs.

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: November 18, 1997.

Michael B. Cook,

Director, Office of Wastewater Management.

[FR Doc. 97-30814 Filed 11-21-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5927-1]

Agency Information Collection Activities: Proposed Collection; Comment Request; Regulation of Fuels and Fuel Additives, Fuel Quality Regulations for Highway Diesel Fuel Sold in 1993 and Later Calendar Years 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): Regulation of Fuels and Fuel Additives, Fuel Quality Regulations for Highway Diesel Fuel Sold in 1993 and Later Calendar Years; EPA ICR # 1718.02; OMB No. 2060-0308; expires 3/31/98. 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 January 23, 1998.

ADDRESSES: U.S. Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Office of Regulatory Enforcement (2242A), 401 M Street SW, 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 who act as the transferor or the transferee of red dyed low sulfur highway diesel fuel. This is generally fuel terminals, truck distributors of such product and tax exempt end users.

Title: Regulation of Fuels and Fuel Additives, Fuel Quality Regulations for Highway Diesel Fuel Sold in 1993 and

Later Years (OMB Control number 2060-0308; EPA ICR # 1718.02.) expiring 03/31/98.

Abstract: Section 211(g)(2) of the Clean Air Act (CAA) provides that no person shall introduce or cause or allow the introduction into any motor vehicle of diesel fuel which contains a concentration of sulfur in excess of 0.05% by weight, or which fails to meet a stated cetane index or an alternative aromatic level to be prescribed by the Administrator. Section 211(i) of the CAA prohibits the manufacture, sale, supply, transport or introduction into commerce of motor vehicle diesel fuel which fails to meet the quality requirements. The Act required the Administrator to promulgate regulations to "implement and enforce" the quality requirements. Congress specifically provided that "The Administrator may require manufacturers and importers of diesel fuel not intended for use in motor vehicles to dye such fuel * * * to segregate it from motor vehicle diesel fuel." The regulatory requirements promulgated by EPA are found at 40 CFR § 80.29. The dye requirement for high sulfur fuel was required by EPA to help enforce the requirement that only low sulfur diesel be used for highway vehicles. The dye is an important deterrent to violating the Congressionally mandated requirement, especially given the very large economic incentive to violate the law (high sulfur diesel is cheaper to produce and there are no highway taxes associated with it). Because the Internal Revenue Service promulgated a red dye requirement that covers both untaxed high sulfur diesel fuel (for off-road use) and untaxed low sulfur highway diesel fuel sold to tax-exempt entities, it was necessary for the EPA to include in its dye provisions a requirement that product transfer documents for the relatively low volume of dyed low sulfur fuel that is introduced into commerce state that the product is low sulfur tax exempt fuel. Otherwise, the EPA dye requirement would have been rendered meaningless since the Agency would not have been able to distinguish red dyed high sulfur product from red dyed low sulfur tax exempt product. EPA believes the requirement is also useful to distributors and end users in assuring their compliance. Since the IRS, not the EPA, requires the dye to be added to low sulfur tax exempt diesel fuel, the only EPA requirement subject to the ICR is the requirement that the customary business practice (CBP) product transfer document from the terminal (where the dye is added) to the tax exempt end user state that the fuel is dyed low sulfur tax

exempt fuel. EPA allows industry to use preprinted product codes to provide the information. For this limited category of diesel fuel transactions the recordkeeping requirement is mandatory and is authorized by section 211 of the CAA 42 U.S.C. 7545, section 114 of the CAA, 42 U.S.C. 7414 and section 208 of the CAA, 42 U.S.C. 7542 and 40 CFR § 80.29. Confidentiality provisions are found at 40 CFR Part 2. The requirement, which has been in effect for several years, imposes almost no measurable annual burden on the affected parties. The transfer documents carrying the information are CBP documents. The information is preprinted and the truckers and end users have no measurable hourly burden associated with receiving and maintaining these CBP documents. The proposed ICR utilizes assumptions that are only slightly different from the original ICR. The burden statements below mention the basic assumptions used.

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.

In addition to this information, you may obtain a copy of the draft ICR supporting statement as provided above.

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: For highway diesel fuel terminals the dyed status of diesel fuel is reflected in CBP documents that were prepared before the diesel sulfur rule was promulgated. There are about