

only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication should serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt and prohibited off-the-record communications received in the Office of the Secretary within the preceding 14 days. The documents may be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

#### Exempt

1. CP01-64-000-3-30-01—Medha Kochhar, FERC
2. CP01-64-000-3-30-01—John J. Wisniewski, FERC
3. CP98-150-000 and CP98-151-000-3-30-01—David A. Stilwell
4. Project No. 6032-3-30-01—David A. Stilwell
5. Project No. 1354-4-3-01—Dixie Jackson
6. Project No. 2042-013-4-4-01—Mark Cauchy, et al.
7. Project No. 2042-013-4-4-01—Doug Morrill
8. Project No. 184-4-5-01—William L. Wilkins
9. CP98-150-000 and CP98-151-002-4-6-01—Jennifer Kerrigan, FERC

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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**BILLING CODE 6717-01-M**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6964-81]

### Agency Information Collection Activities: Proposed Collection: Comment Request; Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the

following continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): New Source Performance Standard for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators, EPA ICR Number 1730.2, and OMB Control Number 2060-0363, expiration date September 30, 2001. 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 June 11, 2001.

**ADDRESSES:** United States Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Office of Compliance, Compliance Assistance and Sector Programs Division, Mail Code 2224A; 1200 Pennsylvania Avenue, NW., Washington, DC 20460. A hard copy of the ICR may be obtained without charge, by calling the information contact or from the Internet at: <http://www.epa.gov/icr>.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Binder, (202) 564-2516 or (202) 564-7083 or [binder.jonathan@epa.gov](mailto:binder.jonathan@epa.gov) and refer to EPA ICR Number 1730.2, and OMB Control Number 2060-0363.

#### SUPPLEMENTARY INFORMATION:

**Affected entities:** Entities potentially affected by this action are those which own or operate hospital/medical/infectious waste incinerators for which construction is commenced after February 27, 1995 or for which modification commenced after June 20, 1996.

**Title:** Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators OMB Control No. 2060-0263; EPA ICR No. 1730.02, expiring 9/30/01.

**Abstract:** This ICR outlines the records and reports that are necessary to ensure that the Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators are being achieved on a continuous basis. Records and reports are required by 40 CFR part 60, subpart A (General Provisions) and Subpart Ec.

HMIWI burning hospital waste and/or medical infectious waste are subject to the specific reporting and recording keeping requirements. Notification reports are required related to the construction, reconstruction, or modification of a HMIWI. Also required are one-time-only reports related to initial performance test data and continuous measurements of site

specific operating parameters. Annual compliance reports are required related to a variety of site-specific operating parameters, including exceedances of applicable limits. Semiannual compliance reports are required related to emission rate or operating parameter data that were not obtained when exceedances of applicable limits occurred. Affected entities must retain for five years the reports and records that are required under this NSPS and the General Provisions.

Co-fired combustors and incinerators burning only pathological, low-level radioactive, and/or chemotherapeutic waste are required to submit notification reports on an exemption claim, and an estimate of the relative amounts of waste and fuels to be combusted. These co-fired combustors and incinerators are also required to maintain records on a calendar quarter basis of the weight of hospital waste combusted, the weight of medical/infectious waste combusted, and the weight of all other fuels combusted.

All reports required under the NSPS and the General Provisions are submitted to the respondent's State or local agency, whichever has been delegated enforcement authority by the EPA. The information is used by EPA solely to determine that all sources subject to the NSPS are in compliance with the NSPS and that the control system installed to comply with the standards is being properly operated and maintained. Based on reported information, EPA can decide which facilities should be inspected and what records or processes should be inspected at the facilities. The records that sources maintain would indicate to EPA whether facility personnel are operating and maintaining control equipment properly.

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.

**Comments:** 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 annual public reporting and recordkeeping burden for this collection is estimated at 1000 hours per response. The 14 estimated respondents are expected to be subject to 2 responses per year. The cost burden to respondents or recordkeepers resulting from the collection of information is estimated at \$33.00 total capital and start-up cost component annualized over its expected useful life, and a \$241.00 total operation and maintenance component. 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: April 4, 2001.

**David N. Lyons,**

*Acting Director, Compliance Assistance  
Sector Programs Division, Office of  
Compliance.*

[FR Doc. 01-9054 Filed 4-11-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6965-8]

### **Adequacy Status of Motor Vehicle Budgets in Submitted State Implementation Plans for Transportation Conformity Purposes; Maryland; Revised Phase II Plan for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County)**

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

**ACTION:** Notice of adequacy status.

**SUMMARY:** EPA is announcing that the revised motor vehicle emissions budgets contained in the revised Phase II Plan for the Maryland portion (Cecil County) of the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area are adequate for transportation conformity purposes. On December 28, 2000, the Maryland Department of the Environment (MDE) submitted its revised Phase II Plan to EPA as State Implementation Plan (SIP) revision. Maryland revised the 2005 attainment plan of its Phase II Plan to amend the motor vehicle emissions budgets of that plan to reflect the benefits of the Tier 2/Sulfur-in-Fuel Rule. The State also revised the 2005 rate of progress (ROP) plan of the Phase II plan to amend the motor vehicle emissions budgets to reflect rule effectiveness corrections and further reductions from the application of graphic arts rules to additional sources. EPA has found the amended budgets in Maryland's December 28, 2000 Phase II SIP revision adequate for transportation conformity purposes.

**DATES:** The findings that the budgets are adequate were made in a letter dated March 26, 2001 from EPA Region III to the Maryland Department of the Environment. These adequacy findings are effective on April 27, 2001.

**FOR FURTHER INFORMATION CONTACT:** Paul T. Wentworth, P.E., U.S. EPA, Region III, 1650 Arch Street, Philadelphia, PA. 19103 at (215) 814-2183 or by e-mail at: wentworth.paul@epa.gov.

#### **SUPPLEMENTARY INFORMATION:**

Throughout this document "we," "us," or "our" refer to EPA. The word "budgets" refers to the motor vehicle emission budgets for volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>). The word "SIP" in this document refers to the revised Phase II Plan for the Philadelphia-Wilmington-Trenton nonattainment area submitted by MDE on December 28, 2000. The revisions to the Phase II Plan consist of amendments to the 2005 attainment demonstration plan for the one-hour ozone National Ambient Air Quality Standard (NAAQS) for the Philadelphia-Wilmington-Trenton nonattainment area and to the 2005 ROP plan for the Maryland portion of the Philadelphia-Wilmington-Trenton nonattainment area (Cecil County).

On March 2, 1999, the D.C. Circuit Court ruled that budgets contained in submitted SIPs cannot be used for conformity determinations until EPA has affirmatively found them adequate. On December 28, 2000, the MDE formally submitted a SIP revision to the

Phase II Plan for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area. On January 17, 2001, we posted the availability of the Revised Phase II Plan and the budgets on our conformity website for the purpose of soliciting public comment on the adequacy of the budgets. The comment period closed on February 16, 2001. We did not receive any comments. On March 26, 2001, EPA Region III sent a letter to the MDE which constitutes final Agency actions on the adequacy of the budgets contained in the revised Phase II Plan. Those actions were EPA's findings that the budgets in the revised Phase II plan submitted by MDE on December 28, 2000 are adequate for transportation conformity purposes. As a result of our March 26, 2001 findings, the budgets of the 2005 attainment plan and the budgets of the 2005 ROP in Maryland's December 28, 2000 revised Phase II SIP for its portion the Philadelphia-Wilmington-Trenton nonattainment area may be used for future conformity determinations.

This is an announcement of adequacy findings that we already made on March 26, 2001. The effective date of these findings is April 27, 2001. These findings will also be announced on EPA's website: <http://www.epa.gov/oms/traq> (once there, click on the "Conformity" button, then look for "Adequacy Review of Submissions for Conformity"). The website will contain a detailed analysis of our adequacy findings.

Transportation conformity is required by section 176 of the Clean Air Act. EPA's conformity rule requires that transportation plans, programs, and projects conform to SIPs and establishes the criteria and procedures for determining whether or not they do so. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS. The criteria by which we determine whether a SIP's budgets are adequate for conformity purposes are outlined in 40 CFR 93.118 (e) (4). Please note that an adequacy finding for budgets contained in a SIP is separate from EPA's completeness determination of the SIP submission, and separate from EPA's action to approve or disapprove the SIP. Even if we find budgets adequate, the SIP could later be disapproved. We describe our process for determining the adequacy of submitted SIP budgets in guidance memorandum dated May 14, 1999 and titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision". We followed this guidance in making these