

are to respond, including through the use of appropriate automated or electronic collection technologies or other forms of information technology, e.g., permitting electronic submission of responses.

*Affected Entities:* Entities potentially affected by this action are owners and operators of hazardous waste management facilities.

*Title:* Part B Permit Application, Permit Modifications and Special Permits, EPA ICR #1573.06, OMB No. 2050-0009, expires on March 31, 2003.

*Abstract:* Section 3005 of Subtitle C of RCRA requires treatment, storage or disposal (TSD) facilities to obtain a permit. To obtain the permit, the TSD must submit an application describing the facility's operation. There are two parts to the RCRA permit application—Part A and Part B. Part A defines the processes to be used for treatment, storage, and disposal of hazardous wastes; the design capacity of such processes; and the specific hazardous wastes to be handled at the facility. Part B requires detailed site specific information such as geologic, hydrologic, and engineering data. In the event that permit modifications are proposed by the applicant or EPA, modifications must conform to the requirements under Sections 3004 and 3005.

This ICR provides a comprehensive discussion of the requirements for owner/operators of TSDs submitting applications for a Part B permit or permit modification. The information collections contained in this ICR are divided into three sections: demonstrations and exemptions from requirements (40 CFR part 264), contents of the Part B application (40 CFR part 270), and permit modifications and special permits (40 CFR part 270).

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.

*Burden Statement:*

The estimated average burden for renewing the existing Part B ICR is as follows:

Demonstrations and Exemptions From Requirements	
Releases from regulated Units—1.62 hours	
Demonstrations and Exemptions from Requirements—9.67 hours	
Contents of the Part B Application	
Legal Review—100.00 hours	

General Information—0.00 hours	
Permit Application—2.93 hours	
General Requirements—0.09 hours	
General Facility Standards—356.25 hours	
Financial Assurance—19.35 hours	
Other Part B Requirements—12.00 hours	
Ground Water Protection—166.94 hours	
Solid Waste Management Units—10.81 hours	
Specific Part B Information Requirements—1,143.70 hours	
Schedules of Compliance—0.65 hours	

Permit Modifications and Special Permits	
Permit Modifications—47.35 hours	
Expiration and Continuation of Permits—112.75 hours	
Special Forms of Permits—59.54 hours	

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: September 26, 2002.

**Robert Springer,**

*Director, Office of Solid Waste.*

[FR Doc. 02-25420 Filed 10-4-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[IL 215-1; FRL-7391-9]

### Notice of Final Determination for the Carlton LLC, North Shore Power Plant, City of Zion, Lake County, IL

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

**ACTION:** Notice of final action.

**SUMMARY:** This notice announces that on February 28, 2001, the Environmental Appeals Board (EAB) of the EPA dismissed a petition for review of a permit issued for the Carlton, Inc. North Shore Power Plant (Carlton) by the Illinois Environmental Protection Agency (Illinois EPA) pursuant to the regulations under Illinois' minor New

Source Review (NSR) program. The EAB dismissed the petition for lack of jurisdiction to review the permit.

**DATES:** The effective date for the EAB's decision is February 28, 2001. Judicial review of this permit decision, to the extent it is available pursuant to section 307(b)(1) of the Clean Air Act, may be sought by filing a petition for review in the United States Court of Appeals for the Seventh Circuit within 60 days of October 7, 2002.

**ADDRESSES:** The documents relevant to the above action are available for public inspection during normal business hours at the following address: Environmental Protection Agency, Region 5, 77 West Jackson Boulevard (AR-18J), Chicago, Illinois 60604. To arrange viewing of these documents, call Jorge Acevedo at (312) 886-2263.

**FOR FURTHER INFORMATION CONTACT:** Jorge Acevedo, Environmental Protection Agency, Region 5, 77 W. Jackson Boulevard (AR-18J), Chicago, Illinois 60604. Anyone who wishes to review the EAB decision can obtain it at <http://www.epa.gov/eab/disk11/carlton.pdf>.

**SUPPLEMENTARY INFORMATION:** This supplemental information is organized as follows:

- What Action is EPA Taking?
- What is the Background Information?
- What did EPA Determine?

#### A. What Action Is EPA Taking?

We are notifying the public of a final decision by EPA's EAB on a permit issued by Illinois EPA pursuant to Illinois' minor NSR program.

#### B. What Is the Background Information?

On November 10, 2000, Illinois EPA issued a construction permit 99120057 to Carlton for the construction of either three General Electric (GE) frame 7FA simple cycle turbines with a nominal capacity of 187 megawatts each, or six GE Frame 7EA simple cycle turbines with a nominal capacity of 98.2 megawatts each. The proposed turbines would fire only natural gas and would be required to use dry low oxides of nitrogen combustors. On December 11, 2000, Verena Owen and the Lake County Conservation Alliance (LCCA) filed a petition for review stating that the proposed facility was not a minor source, but in fact a major source of Carbon Monoxide, Nitrogen Oxides, Volatile Organic Materials, and Hazardous Air Pollutants and should be subject to the appropriate regulations. Illinois EPA filed a motion to dismiss the petition on January 5, 2001, in which it argued that the EAB lacked

jurisdiction to review Illinois EPA's permit decision because the permit issued to Carlton was issued under Illinois EPA's minor NSR program, rather than the Federal PSD program. On January 22, 2001, the EAB issued an order requesting EPA's Office of General Counsel (OGC) prepare an amicus brief on the issue of whether the EAB has jurisdiction over this matter. OGC subsequently filed an amicus brief advancing the view that the EAB is without jurisdiction in this case.

### C. What Did the EAB Determine?

On February 28, 2001, the EAB denied the petition for review based on the grounds of lack of jurisdiction. The EAB stated that their jurisdiction is limited to permits issued under federal regulations and it does not extend to appeals of state-issued minor NSR permits in approved States.

Dated: September 24, 2002.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 02-25421 Filed 10-4-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7390-9]

### Environmental Laboratory Advisory Board (ELAB) Meeting Date, and Agenda

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Environmental Protection Agency's Environmental Laboratory Advisory Board (ELAB) will hold an Open Forum on Tuesday, November 19, 2002 at 5-6 p.m. MST and an Open Meeting on Thursday, November 21, 2002 at 9 a.m.-12 p.m. MST at the La Fonda Hotel, 100 E. San Francisco Street, Santa Fe, New Mexico. The ELAB meetings will be held in conjunction with the NELAC Eighth Interim Meeting occurring in the same location the week of November 17. Members of the public are invited to attend both ELAB events. Items to be discussed include: (1) An update on implementation of the National Environmental Laboratory Accreditation Conference (NELAC) restructuring, (2) discussion of future ELAB recommendations to EPA, and (3) the hearing of public comments and views on the environmental laboratory accreditation. ELAB is soliciting input from the public on these and other issues related to the National

Environmental Laboratory Accreditation Program (NELAP) and the NELAC standards. Written comments on NELAP laboratory accreditation and the NELAC standards are encouraged and should be sent to Mr. Edward Kantor, DFO, U.S. EPA, P.O. Box 93478, Las Vegas NV 89193, or faxed to (702) 798-2261, or e-mailed to [kantor.edward@epa.gov](mailto:kantor.edward@epa.gov). or can be presented in person at the Open Forum, November 19, 2002. Members of the public are invited to raise issues or to make comments at the Open Forum, and time permitting, will be allowed to comment on discussions ensued from the ELAB Open Meeting.

Dated: September 30, 2002.

**John G. Lyon,**

*Director, Environmental Sciences Division, National Environmental Research Laboratory.*

[FR Doc. 02-25418 Filed 10-4-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7391-2]

### Ross Metals, Inc., Superfund Site, Notice of Proposed De Minimis Settlement

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed de minimis settlement.

**SUMMARY:** Under section 122(g)(4) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the U.S. Environmental Protection Agency (EPA) has offered a de minimis settlement at the Ross Metals, Inc., Superfund Site (Site) located in Rossville, Tennessee, under an Administrative Order on Consent (AOC) to settle claims for past and future response costs at the Site. Twenty-nine (29) parties have returned signature pages accepting EPA's settlement offer. For thirty (30) days following the publication of this notice, EPA will receive written comments relating to the settlement. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, U.S. Environmental Protection Agency—Region 4, CERCLA Program Services Branch, Waste Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303, (404) 562-8887.

Written comments may be submitted to Mr. Ray Strickland at the above

address within 30 days of the date of publication.

Dated: September 26, 2002.

**Anita L. Davis,**

*Acting Chief, CERCLA Program Services Branch, Waste Management Division.*

[FR Doc. 02-25419 Filed 10-4-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7391-1]

### Public Water System Supervision Program Revision for the State of Colorado

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

**ACTION:** Notice.

**SUMMARY:** The State of Colorado has revised its Public Water System Supervision (PWSS) primacy program by adopting regulations for the Consumer Confidence Report Rule. Having determined that these revisions meet all pertinent requirements in the Safe Drinking Water Act, and EPA's implementing regulations, the EPA approves them.

Today's approval action does not extend to public water systems in Indian Country. Please see Supplementary Information, Item B.

**DATES:** Any member of the public is invited to submit written comments and/or request a public hearing on this determination by November 6, 2002. Please see Supplementary Information, Item C, for information on submitting comments and requesting a hearing. If no hearing is requested or granted, then this action shall become effective November 6, 2002. If a public hearing is requested and granted, then this determination shall not become effective until such time following the hearing as the Regional Administrator issues an order affirming or rescinding this action.

**ADDRESSES:** Written comments and requests for a public hearing should be addressed to: Robert E. Roberts, Regional Administrator, c/o Qian Zhang (8P-W-MS), U.S. EPA, Region 8, 999 18th Street, Suite 300, Denver, CO 80202-2466.

All documents relating to this determination are available for inspection at the following locations: (1) U.S. EPA, Region 8, Municipal Systems Unit, 999 18th Street (4th Floor), Denver, CO 80202-2466; (2) Colorado Department of Public Health and Environment (CDPHE), Drinking Water