

Transformers [EPA ICR # 1000.06; OMB Control # 2070-0003] has been forwarded to the Office of Management and Budget (OMB) for review and approval pursuant to the OMB procedures in 5 CFR 1320.12. The ICR, which is abstracted below, describes the nature of the information collection and its estimated cost and burden. The Agency is requesting that OMB renew for 3 years the existing approval for this ICR, which is scheduled to expire on April 30, 1997. A Federal Register notice announcing the Agency's intent to seek the renewal of this ICR and the 60 day public comment opportunity, requesting comments on the request and the contents of the ICR, was issued on August 8, 1996 (61 FR 41404). EPA received two comments in response to that notice and has considered the comments in developing the final ICR. A copy of the comments received, along with a summary response, are appended to the ICR submitted to OMB and available in the docket.

**DATES:** Additional comments may be submitted on or before February 20, 1997.

**FOR FURTHER INFORMATION OR A COPY CONTACT:** Sandy Farmer at EPA, (202) 260-2740, and refer to EPA ICR No. 1000.06 and OMB Control No. 2070-0003.

**ADDRESSES:** Send comments, referencing EPA ICR No. 1000.06 and OMB Control No. 2070-0003, to the following addresses:

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Information Management Division (Mailcode: 2136), 401 M Street, SW., Washington, DC 20460; and to Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

**SUPPLEMENTARY INFORMATION:**

*Review Requested:* This is a request to renew a currently approved information collection pursuant to 5 CFR 1320.12.

*ICR Numbers:* EPA ICR No. 1000.06; OMB Control No. 2070-0003.

*Current Expiration Date:* Current OMB approval expires on April 30, 1997.

*Title:* Polychlorinated Biphenyls (PCBs): Use in Electrical Equipment and Transformers

*Abstract:* Section 6(e) of the Toxic Substances Control Act (TSCA) generally prohibits the manufacture, processing, distribution in commerce and use of PCBs. EPA has authority, however, to allow a use of PCBs to continue if it determines that the use will not present unreasonable risks to

public health and the environment. In the case of regulating PCB electrical equipment, EPA has promulgated a series of rules since the 1978 prohibition on the use of PCBs (see 40 CFR part 761).

EPA imposed the reporting requirements contained in these rules to ensure that the National Response Center is informed immediately of fires involving PCB transformers. PCB transformer fires generate hazardous dioxins and furans, substances many times more toxic than PCBs. The recordkeeping requirements are used to document the use, location and condition of PCB equipment. The reporting and recordkeeping requirements are essential to prevent adverse effects to human health and the environment from leaks or spills of PCB fluids or from potential exposures to dioxins and furans during transformer fires. Without such recordkeeping and reporting safeguards, EPA would not be able to fulfill its responsibility under TSCA of preventing unreasonable risk to human health and the environment from exposure to PCBs. Responses to the collection of information are mandatory (see 40 CFR parts 761). Respondents may claim all or part of a notice confidential. EPA will disclose information that is covered by a claim of confidentiality only to the extent permitted by, and in accordance with, the procedures in TSCA section 14 and 40 CFR part 2.

*Burden Statement:* The annual public reporting burden for this collection of information is estimated to average approximately 1.0 hours per response for six respondents. The annual recordkeeping burden is estimated to average approximately 0.166 hours per respondent for 150,000 respondents. These estimates include 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. 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.

*Respondents/Affected Entities:* Entities potentially affected by this action are owners of PCB-containing transformers used in industry, utilities, government and private buildings or elsewhere.

*Estimated No. of Respondents:* 150,000.

*Estimated Total Annual Burden on Respondents:* 24,906 hours.

*Frequency of Collection:* On occasion.

*Changes in Burden Estimates:* There is a decrease of 8,300 hours in the total estimated respondent burden as compared with that identified in the information collection request most recently approved by OMB, from 33,206 hours currently to an estimated 24,906 hours. This reflects the fact that EPA estimates that there are fewer transformers to be inspected than was the case at the time this collection was last approved by OMB, and therefore a smaller total respondent burden.

According to the procedures prescribed in 5 CFR 1320.12, EPA has submitted this ICR to OMB for review and approval. Any comments related to the renewal of this ICR should be submitted as described above.

Dated: January 13, 1997.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 97-1368 Filed 1-17-97; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5678-7]

## Proposal for Using Voluntary Environmental Management Systems in State Water Programs

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

**ACTION:** Announcement of competitive funding proposal to support the use of voluntary environmental management systems in water pollution control programs administered by States. Request for applications.

**SUMMARY:** The Office of Water at the Environmental Protection Agency (EPA) announces its intention to provide financial support, through a competitive grant process, for States that encourage and support the use of voluntary environmental management systems (EMS), using the ISO 14001 International Standard as a baseline, for facilities under State water programs in either delegated or non-delegated States. States should also consider more specific requirements necessary to ensure that the EMS contain measurable performance objectives and targets that address: (1) continual improvement of environmental performance, (2)

pollution prevention, and (3) improved compliance. Facilities would need to have a history of good compliance and compliance management programs in place that are consistent with EPA's Self Policing Policy, issued in December, 1995. Facilities would also need to implement outreach programs with relevant external stakeholders as they develop and implement their EMS.

Grants will be provided to States on a competitive basis to assist in the implementation of this program. The EPA anticipates that 5-7 States will be accepted initially for participation in this program. While the specific amount of grant funds to be provided to each State have not been decided, EPA will try to make as much as \$100,000 available to each participating state. States could use grant funds provided by EPA for a variety of activities, including training, technical assistance, or overall project management.

After final selection, States would be asked to develop a more detailed workplan, including specific milestones, for implementing their program covering an initial period of two years.

**DATES:** Applications from States wishing to be considered for this program should be submitted no later than March 13, 1997.

**ADDRESSES:** Applications should be submitted to: James Horne, U.S. Environmental Protection Agency, Office of Wastewater Management, 401 M Street, S.W., Washington, D.C. 20460. *Mail Code:* 4201.

States should also send copies of each application to the appropriate EPA Regional Water Management Division Director.

**FOR FURTHER INFORMATION CONTACT:** James Horne, U.S. Environmental Protection Agency, Office of Wastewater Management, 401 M Street, S.W., Washington, D.C. 20460, (202) 260-5802. *Mail Code:* 4201.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Around the world, the use of voluntary EMS's is increasing as organizations try to improve their overall environmental performance and demonstrate this performance to outside parties, including regulatory agencies. While EMS's per se do not guarantee improved performance or set specific performance standards, they do provide organizations with a mechanism to systematically analyze the impacts of their activities on the environment, including compliance with regulatory requirements, and take steps to reduce these impacts through pollution

prevention, effective compliance management, and continual improvement of overall environmental performance, including activities that may not be regulated.

Environmental management systems, if properly implemented, could potentially support a number of key reinvention activities underway in both EPA and the States. These include reductions in unnecessary reporting and monitoring, focusing more on environmental results instead of levels of activity, and using market-based approaches to complement ongoing regulatory, compliance, and enforcement programs.

In the future, regulatory agencies can also expect organizations with EMS's in place to seek greater flexibility from current regulatory or other requirements for achieving environmental protection. Thus, it is appropriate for regulatory agencies, in key areas like permitting and monitoring to consider ways in which they could respond favorably to organizations that can demonstrate that they have and can maintain a record of good compliance and can implement management systems that, over time, will improve environmental performance.

The use of comprehensive EMS's as a supplement to traditional approaches for ensuring environmental protection has not been a major point of discussion in developing public policy. Therefore, Federal and State agencies must proceed carefully in evaluating whether these systems are indeed a useful tool for improving environmental performance, including compliance. This evaluation must also take place through a transparent and inclusive process with all key stakeholders.

The initiative described in more detail below represents an effort to support and encourage State agencies, through their water programs, to evaluate the use of EMS's as a tool to promote improved environmental performance and, as appropriate, identify more flexible ways for regulators to work with the regulated community. The initiative is also meant to support long-term integration of these management systems into the ongoing operations of a major regulatory program that is jointly administered by EPA and States.

Based on a series of general requirements described below, it gives States discretion in the way they incorporate EMSs into their water programs. Finally, this initiative provides financial assistance for those States selected to participate.

The ISO 14001 International Standard for EMS's has recently been issued in its final form. Over time, organizations

around the world are expected to seek to become certified to the standard, through the use of accredited third-party auditors. Certification to the standard may also become a *de facto* requirement of doing business in certain countries, as has been the case with the ISO 9000 standards for quality management.

Under this initiative, third party certification by accredited registrars is clearly one option that States may consider when evaluating facility EMS's. However, States will be allowed to consider other approaches as long as these approaches include mechanisms for the conduct of an initial audit of the management system by qualified personnel and a process for conducting ongoing evaluations of individual facility's systems based on their *performance* against stated objectives and targets.

Within EPA, the Office of Water (OW) has represented the Agency, through the EPA Standards Network, on the U.S. Technical Advisory Group (TAG) charged with developing a consensus U.S. position on the ISO 14001 standard. In addition, OW has sponsored a number of demonstration projects designed to educate organizations on the standard and encourage their use of it, including small and medium-sized organizations. Finally, the water program, which is jointly administered by EPA and States, regulates well in excess of 70,000 individual facilities, both industrial and municipal, the majority of which are small or medium-sized.

##### **II. Guidelines for Participation**

When submitting applications for participation under this program, States are asked to adhere to the following guidelines:

1. States should use the ISO 14001 EMS Standard, which has just been issued in final form, as the baseline for evaluating EMS's implemented by regulated facilities.

2. States can also consider more specific EMS requirements, if necessary. These more specific requirements should help ensure that individual facility systems:

- (a) have measurable performance objectives and targets that include pollution prevention, improved compliance, and continual improvement of overall environmental performance;

- (b) have compliance management programs in place that include environmental audits or objective, documented, and systematic procedures to detect violations, promptly correct these violations, analyze the root causes

of these violations, and take steps to prevent the violations from recurring;

(c) are developed through an open process for communicating with relevant external stakeholders, including representatives from the surrounding community. Facilities are also asked to share information on the performance of their management systems with these stakeholders.

(d) are comprehensive in scope in order to address all significant environmental impacts, not just water impacts.

3. States should ensure that facilities have an acceptable level of historical compliance, as follows:

(a) No criminal convictions ever under any Federal or State environmental statute for falsifying monitoring data or violations within the past three years which presented an imminent and substantial endangerment to public health or welfare;

(b) No criminal actions pending or under investigation;

(c) For civil judicial actions, completion of all injunctive relief and payment of penalties;

(d) For administrative enforcement actions, in compliance with all Administrative Penalty Orders (APOs) or Administrative Orders (AOs) and payment of any assessed penalty; and

(e) No repeat violations as defined by EPA's Incentives for Self-Policing Policy (60 FR 66706) or similar State policy. However, these conditions, with the exception of criminal convictions, could be waived for facilities that demonstrate an exceptional commitment to implementing an environmental system, based on the discretion of the State and applicable EPA Regional office.

While States could use this program to facilitate entry into the Environmental Leadership Program (ELP) by individual facilities, participation in the ELP is *not* a requirement for facilities to participate in this program.

4. As part of their participation in this program, States are asked to undertake a dialogue with interested stakeholders to determine the type and timing of incentives and flexibility that would be appropriate to offer to facilities that implement EMS's based on the guidelines outlined above. The results of these discussions and recommendations on specific incentives are to be submitted to EPA within one year from the initiation of each State's program.

5. Finally, each participating State will be asked to share common sets of information on their experiences with other States and EPA. EPA will consider holding a conference after States are

selected but before their programs are initiated to bring together all participants and identify the common information that is to be shared among the participants and with other stakeholders, including EPA.

### III. Process for Submitting Applications and Matching Requirements

States are requested to submit their applications to the Office of Wastewater Management at the address listed above no later than March 13, 1997. A copy of the application should also be sent to Director of the Water Management Division in the relevant EPA Regional office.

While there is no prescribed format for submitting applications, States are asked to address, to the extent possible, all of the items identified under Guidelines for Participation above. The primary basis for evaluating each application will be the degree to which each State can address these items. In addition, States should indicate clearly a commitment to integrate this initiative into their ongoing water programs. Finally, States should indicate a willingness to provide matching resources of not less than 10% of the total grant amount provided by EPA to support this program. These matching resources could be provided either through in-kind services or cash. Specific questions that each State should address in its application are included below in Section IV.

Once all applications are received, a panel comprised of individuals from both EPA Headquarters and Regional offices, will be convened to make final decisions on each application.

EPA will make every effort to complete the final selection process and notify the individual States selected by April 18, 1997.

Grant awards will then be made to each State by the relevant EPA Regional Office within 45 days after this notification. States selected will then be asked to develop workplans, including specific milestones, for their programs covering a period of two years as part of the formal grant application.

### IV. Questions To Be Addressed by Applicants

In order to assist States wishing to apply for participation in this program, EPA is providing the following list of questions to be addressed in each application.

1. Who in your organization will be responsible for managing your participation in this initiative? If that person is not in the water program, how will that person work with persons in the water program?

2. What are the major activities that will be supported with the grants provided to your State?

3. Similarly, what level of matching resources will be provided and what major activities will be supported with these resources?

4. What approach will the State employ to determine that each of the guidelines for State and facility participation in Section II are met?

5. How will the State integrate this initiative into its on-going water program?

6. Finally, how will the State integrate this initiative into other EMS's pilot projects it plans to undertake?

Dated: January 14, 1997.

Michael B. Cook,

*Director, Office of Wastewater Management.*

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[FRL-5678-6]

### Common Sense Initiative Council (CSIC)

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

**ACTION:** Notification of Public Advisory CSIC Automobile Manufacturing, Computers and Electronics, and Iron and Steel Sector Subcommittee Meetings; Open Meetings.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Automobile Manufacturing, Computers and Electronics, and Iron and Steel Sector Subcommittees of the Common Sense Initiative Council will meet on the dates and times described below. All meetings are open to the public. Seating at all three meetings will be on a first-come basis and limited time will be provided for public comment. For further information concerning specific meetings, please contact the individuals listed with the three announcements below.

(1) Automobile Manufacturing Sector Subcommittee Meeting—February 6, 1997

Notice is hereby given that the Environmental Protection Agency will hold an open meeting of the Automobile Manufacturing Sector Subcommittee on Thursday, February 6, 1997, from 9:30 a.m., EST until 3:30 p.m., EST. The meeting will be at the Omni Shoreham Hotel, 2500 Calvert Street, N.W., Washington, DC. The telephone number is (202) 234-0700.

The purpose of the meeting is to review and discuss workplans and