

information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Title: Request for Contractor Access to TSCA CBI, EPA ICR No. 1250.05, OMB No. 2070-0075. Expires November 30, 1997.

Abstract: Certain employees of companies working under contract to EPA require access to CBI collected under TSCA authority in order to perform their official duties. The Office of Pollution Prevention and Toxics (OPPT), which is responsible for maintaining the security of TSCA confidential business information, requires that all individuals desiring access to TSCA CBI obtain and annually renew official clearance to TSCA CBI. As part of the process for obtaining TSCA CBI clearance, OPPT requires certain information about the contracting company and about each contractor employee requesting TSCA CBI clearance, primarily the name, Social Security Number and EPA identification badge number of the employee, the type of TSCA CBI clearance requested and the justification for such clearance, and the signature of the employee to an agreement with respect to access to and use of TSCA CBI.

Responses to the collection of information are voluntary, but failure to provide the requested information will prevent a contractor employee from obtaining clearance to TSCA CBI. EPA will observe strict confidentiality precautions with respect to the information collected on individual employees, based on the Privacy Act of 1974, as outlined in the ICR and in the collection instrument.

Burden Statement: The burden to respondents for complying with this ICR is estimated to total 814 hours per year with an annual cost of \$27,423. These totals are based on an average burden of approximately 31 hours per response for an estimated 26 respondents making one or more responses annually. 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.

III. Public Record

A record has been established for this action under docket number "OPPTS-00217" (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

Electronic comments can be sent directly to EPA at:

oppt.ncic@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this action, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in ADDRESSES at the beginning of this document.

List of Subjects

Environmental protection and Information collection requests.

Dated: August 12, 1997.

Susan H. Wayland,

Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 97-21923 Filed 8-18-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5877-5]

Subcontractor Access to Confidential Business Information Under the Clean Air Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The EPA has authorized the following subcontractors for access to information that has been, or will be, submitted to EPA under section 114 of the Clean Air Act (CAA) as amended: Indus Corporation, 1953 Gallows Road, Vienna, Va 22181, contract number 68D60010; Environmental Investigations

(EI), 2327 Englert Drive, Durham, NC 27713, contract number 68D60010; TRC Environmental Corporation, 6340 Quadrangle Drive, Chapel Hill, NC 27514, contract number 68D60010; EC/R, Inc., 2327 Englert Drive, Durham, NC 27713, contract number 68D60011; Acurex Corporation, 555 Clyde Avenue, Mountain View, CA 94039, contract number 68D60012; Alpha-Gama Technologies, Inc., 900 Ridgefield Drive, Raleigh, NC 27609, contract number 68D60013; The Kevric Company, Inc., 8401 Colesville Road, Silver Spring, MD 20910, contract number 68D60014.

Some of the information may be claimed to be confidential business information (CBI) by the submitter.

DATES: Access to confidential data submitted to EPA will occur no sooner than ten days after issuance of this notice.

FOR FURTHER INFORMATION CONTACT:

Doris Maxwell, Document Control Officer, Office of Air Quality Planning and Standards (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, (919) 541-5312.

SUPPLEMENTARY INFORMATION: The EPA is issuing this notice to inform all submitters of information under section 114 of the CAA that EPA may provide the above mentioned subcontractors access to these materials on a need-to-know basis. These subcontractors will provide technical support to the Office of Air Quality Planning and Standards (OAQPS) in economic impact assessment for Federal Air Pollution Control Regulations.

In accordance with 40 CFR 2.301(h), EPA has determined that each subcontractor requires access to CBI submitted to EPA under sections 112 and 114 of the CAA in order to perform work satisfactorily under the above noted contracts. The subcontractors' personnel will be given access to information submitted under section 114 of the CAA. Some of the information may be claimed or determined to be CBI. The subcontractors' personnel will be required to sign nondisclosure agreements and will be briefed on appropriate security procedures before they are permitted access to CBI. All subcontractor access to CAA CBI will take place at the subcontractors' facility. Each subcontractor will have appropriate procedures and facilities in place to safeguard the CAA CBI to which the subcontractor has access.

Clearance for access to CAA CBI is scheduled to expire on September 30, 2001 under all above listed contracts.

Dated: August 12, 1997.

Mary D. Nichols,

Assistant Administrator for Air and Radiation.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5876-8]

Iowa Final Full Program Determination of Adequacy of State Municipal Solid Waste Landfill Permit Program

AGENCY: Environmental Protection Agency.

ACTION: Notice of immediate final program determination of adequacy on Iowa's application.

SUMMARY: Section 4005(c)(1)(B) of the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984, requires states to develop and implement permit programs to ensure that Municipal Solid Waste Landfills (MSWLF) which may receive hazardous household waste or small quantity generator waste will comply with the revised Federal MSWLF Criteria (40 CFR part 258). RCRA section 4005(c)(1)(C) requires the Environmental Protection Agency (EPA) to determine whether states have adequate "permit" programs for MSWLFs, but does not mandate issuance of a rule governing such determinations. The EPA has drafted and is in the process of proposing a State Implementation Rule (SIR) that will provide procedures by which the EPA will approve, or partially approve, state landfill permit programs. The Agency intends to approve adequate state MSWLF permit programs as applications are submitted. Thus, the approvals are not dependent on final promulgation of the SIR. Prior to promulgation of the SIR, adequacy determinations will be made based on the statutory authorities and requirements. In addition, states may use the draft SIR as an aid in interpreting these requirements. The Agency believes that early approvals have an important benefit. Approved state permit programs provide for interaction between the state and the owner/operator regarding site-specific permit conditions. Only those owners/operators located in state with approved permit programs can use the site-specific flexibility provided by 40 CFR part 258 to the extent the state permit program allows such flexibility. The EPA notes that regardless of the

approval status of a state and the permit status of any facility, the Federal criteria in 40 CFR part 258 will apply to all permitted and unpermitted MSWLF facilities.

Iowa applied for a determination of adequacy under section 4005 of RCRA. The EPA reviewed Iowa's application and has made a decision, subject to public review and comment, that Iowa's municipal solid waste landfill permit program satisfies all of the requirements necessary to qualify for final authorization. Thus, the EPA is approving Iowa's MSWLF permit program.

EFFECTIVE DATE: The determination of adequacy for Iowa shall be effective on October 20, 1997, unless the EPA publishes a prior **Federal Register** action withdrawing this immediate final rule. All comments on Iowa's program revision application must be received by the close of business September 18, 1997.

ADDRESSES: Copies of Iowa's application for a determination of adequacy are available for inspection and copying from 8 a.m. to 4:30 p.m., Monday through Friday at the following addresses: Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand, Des Moines, Iowa 50319-0034, Attention: Mr. Lavoy Haage, telephone 515-281-4968; and the EPA Region VII Library, 726 Minnesota Avenue, Kansas City, Kansas 66101, telephone 913-551-7241.

FOR FURTHER INFORMATION CONTACT: David Flora at (913) 551-7523.

SUPPLEMENTARY INFORMATION:

A. Background

On October 9, 1991, the EPA promulgated 40 CFR part 258 for MSWLFs. Subtitle D of RCRA, as amended by HSWA, requires states to develop permitting programs to ensure that facilities comply with the Federal Criteria in 40 CFR part 258. Subtitle D also requires in section 4005 of RCRA that the EPA determine the adequacy of state municipal solid waste landfill permit programs to ensure that facilities comply with 40 CFR part 258. To fulfill this requirement, the Agency has drafted and is in the process of proposing a SIR. The rule will specify the requirements which state programs must satisfy to be determined adequate.

The EPA intends to propose in the SIR to allow partial approval if: (1) The Regional Administrator determines that the state permit program largely meets the requirements for ensuring compliance with 40 CFR part 258; (2) changes to a limited narrow part(s) of the state permit program are needed to

meet these requirements; and (3) provisions not included in the partially approved portions of the state permit program are a clearly identifiable and separable subset of 40 CFR part 258. As a state's regulations and statutes are amended to comply with 40 CFR part 258, unapproved portions of a partially approved MSWLF permit program may be approved by the EPA. The state may submit an amended application to the EPA for review and an adequacy determination will be made using the same criteria as for the initial application. This adequacy determination will be published in the **Federal Register** summarizing the Agency's decision and the portion(s) of the state MSWLF permit program affected and providing an opportunity to comment for a period of 30 days. The adequacy determination will become effective 60 days following publication if no adverse comments are received. If the EPA receives adverse comments on its adequacy determination, another **Federal Register** notice will be published either affirming or reversing the initial decision while responding to the public comments.

The EPA will review state requirements to determine whether they are "adequate" under section 4005(c)(1)(C) of RCRA. The EPA interprets the requirements for states to develop "adequate" programs for permits or other forms of prior approval to impose several minimum requirements. First, each state must have enforceable standards for new and existing MSWLFs that are technically comparable to 40 CFR part 258. Next, the state must have the authority to issue a permit or other notice of prior approval to all new and existing MSWLFs in its jurisdiction. The state also must provide for public participation in permit issuance and enforcement as required in section 7004(b) of RCRA. Finally, the EPA believes that the state must show that it has sufficient compliance monitoring and enforcement authorities to take specific action against any owner or operator that fails to comply with an approved MSWLF program.

The EPA Regions will determine whether a state has submitted an "adequate" program based on the interpretation outlined above. The EPA plans to provide more specific criteria for this evaluation when it proposes the SIR. The EPA expects state to meet all of these requirements for all elements of a MSWLF program before it gives full approval to a MSWLF program.