

AND CONDITIONS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION" "PROTEST," or "MOTION TO INTERVENE," as applicable, and the Project Number of the particular application to which the filing refers. Any of these documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of a notice of intent, competing application, or motion 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.

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-5639 Filed 3-4-98; 8:45 am]

BILLING CODE 6717-01-M

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5973-9]

### Agency Information Collection Activities

**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 Requests (ICRs) to the Office of Management and Budget (OMB). Before submitting the ICRs to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collections as described below.

**DATES:** Comments must be submitted on or before May 4, 1998.

**ADDRESSES:** Office of Enforcement and Compliance Assurance, Office of Compliance. People interested in getting copies of these ICRs should direct inquiries or comments to the Office of Compliance, Mail Code 2224A, 401 M Street S.W., Washington, D.C. 20460.

Information may also be acquired electronically through the EnviroSense Bulletin Board, (703) 908-2092 or the EnviroSense WWW/Internet Address, <http://wastenot.inel.gov/envirosense/>. All responses and comments will be collected regularly for EnviroSense.

#### FOR FURTHER INFORMATION CONTACT:

Stephen Howie, (202) 564-4146, facsimile number (202) 564-0085, e-mail: (howie.stephen@epamail.epa.gov.), for Producers of Pesticides; Scott Throwe, (202) 564-7013, Facsimile number (202) 564-0050, e-mail:

(throwe.scott@epamail.epa.gov.), for NSPS Subpart F, Portland Cement; Dan Chadwick, (202) 564-7054, Facsimile number (202) 564-0050, e-mail (chadwick.dan@epamail.epa.gov), for NSPS Subpart Y, Coal Preparation; Stephen Howie, (202) 564-4146, Facsimile number (202) 564-0085, e-mail: (howie.stephen@epamail.epa.gov), for NSPS Subpart NN, Phosphate Rock; Maria Malave, (202) 564-7027, Facsimile number (202) 564-0050, e-mail (MALAVE.MARIA@EPAMAIL.EPA.GOV.), for NSPS Subpart VVV, Polymeric Coating of Supporting; and Virginia Lathrop, (202) 564-7057, Facsimile number (202) 564-0050, e-mail: (lathrop.virginia@epamail.epa.gov.), for NESHAP Subpart Y, Marine Vessel Loading.

#### SUPPLEMENTARY INFORMATION:

#### Producers of Pesticides, Recordkeeping Requirements for Producers of Pesticides Under Section 8 of the Federal Insecticide, Fungicide, and Rodenticide Act as amended (FIFRA)

*Affected entities:* Entities potentially affected by this action are those which produce pesticides.

*Title:* Recordkeeping Requirements for Producers of Pesticides under section 8 of the Federal Insecticide, Fungicide, and Rodenticide Act as amended (FIFRA). OMB Control Number 2070-0028, expires 8/31/98.

*Abstract:* Section 8 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) states that the Administrator of the Environmental Protection Agency may prescribe regulations requiring producers, registrants and applicants for registration to maintain such records with respect to their operations and the effective enforcement of this Act as the Administrator determines are necessary for the effective enforcement of FIFRA and to make such records available for inspection and copying as specified in the statute. The regulations at 40 CFR Part 169 (Books and Records of Pesticide Production and Distribution)

specify the following records that producers must keep and the disposition of those records: production data for pesticides, devices, or active ingredients (including pesticides produced pursuant to an experimental use permit); receipt by the producer of pesticides, devices, or active ingredients used in producing pesticides; delivery, moving, or holding of pesticides; inventory; domestic advertising for restricted use pesticides; guarantees; exports; disposal; human testing; and tolerance petitions. Additionally, section 8 gives the Agency inspectional authority to monitor the validity of research data (including raw data), including data developed in accordance with Good Laboratory Practice Standards, and used to support pesticide registration. The EPA or States/Indian Tribes operating under Cooperative Enforcement Agreements make use of the records required by section 8 through periodically inspecting them to help determine FIFRA compliance of those subject to the provisions of the Act. In addition, producers themselves make use of such records in order to comply with reporting requirements under FIFRA section 7 and 40 CFR Part 167.85. (Those reporting requirements, concerning the types and amounts of pesticides produced annually at each producing site, are addressed in the ICR entitled "Pesticide Report for Pesticide-Producing Establishments," OMB Docket Number 2000-0029.)

Since most of the records required to be maintained are likely to be collected and maintained in the course of good business practice, the records are generally stored on site at either the establishment producing the pesticide or at the place of business of the person holding the registration. However, the registrant may decide to transfer records relating to disposal of pesticides and human testing to EPA for storage because of a twenty year retention requirement for the records. 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.

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 average annual burden to industry for this collection of information is estimated to be 2 hours per response, including time for reviewing instructions, planning activities, gathering and reviewing for accuracy, and storing or maintaining the information. An estimated 12,336 producing establishments must respond annually to this burden, for a total burden of 24,672 hours. The estimated number of establishments for this ICR is based on the fact that there are 12,336 pesticide producing establishments currently registered with EPA. This is not significantly different from the 12,683 establishments that were registered at the time of the last ICR renewal three years ago. EPA does not expect any significant changes in the regulatory program or in the industry that would change the number of producers during the next three years. Therefore, EPA believes that the current tally of registered establishments is a reliable estimate of the average number of respondents for the next three years. This estimate 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.

#### **NSPS Subpart F, Portland Cement**

**Affected entities:** Entities potentially affected by this action are portland cement plants with the following facilities: kilns, clinker coolers, raw mill systems, raw mill dryers, raw material storage, clinker storage, finished product storage, conveyor transfer points, bagging and bulk loading and unloading systems.

**Title:** NSPS Subpart F, Portland Cement, OMB Control Number 2060-0025, expires 8/31/98.

**Abstract:** The Administrator has judged that PM emissions from portland cement plants cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Owners/operators of portland cement plants must notify EPA of construction, modification, startups, shut downs, date and results of initial performance test and excess emissions. In order to ensure compliance with the standards promulgated to protect public health, adequate reporting and recordkeeping is necessary. In the absence of such information enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act.

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.

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 of information is estimated to average 6750 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.

**Respondents/Affected Entities:** 94.

**Estimated Number of Respondents:** 72.

**Frequency of Response:** 1.

**Estimated Number of Responses:** 72.

**Estimated Total Annual Hour Burden:** 6750 hours.

**Estimated Total Annualized Cost Burden:** \$342,019.20.

#### **NSPS Subpart Y, Coal Preparation**

**Affected entities:** Entities potentially affected by this action are those coal preparation plants which process more than 200 tons per day for which construction is or was commenced after October 24, 1974.

**Title:** New Source Performance Standards (NSPS) for Subpart Y, Standards of performance for Coal Preparation plants—Reporting and Recordkeeping, OMB Control Number 2060-0122, expires 8/31/98. This is a request for extension of a currently approved information collection.

**Abstract:** This ICR is for an extension of an existing information collection in support of the Clean Air Act, as described under the general NSPS at 40 CFR 60.7—60.8 and the specific NSPS regulating emissions from coal preparation plants at 40 CFR 60.253. The information will be used by EPA to direct monitoring, inspection and enforcement efforts, thereby ensuring facility compliance with the NSPS.

Owners and operators of all new facilities subject to this NSPS, estimated at 18 facilities per year, must provide EPA with:

(1) Notification of the date of construction or reconstruction,

(2) Notification of the anticipated and actual dates of the start up, and

(3) Notification of the date for continuous monitoring system (CMS) demonstration. The EPA estimates the respondent universe to expand at an annual rate of 18 new facilities over the next 3 years.

Owners and operators of all affected facilities must report to EPA: (1) Any physical or operational change to their facility which may result in an increase in the regulated pollutant emission rate. An estimated 18 existing facilities will submit reports of physical or operational changes each year, over the next three years. All facilities must maintain records on the facility operation that document: (1) The

occurrence and duration of any startups, shutdowns, and malfunctions; (2) measurements of particulate matter (PM) emissions; (3) pressure drops across any scrubber system; and (4) the initial performance test results of the CMS demonstration. All subject facilities must maintain records related to compliance for two years.

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.

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 Agency computed the burden for each of the recordkeeping and reporting requirements applicable to the industry for the currently approved 1993 Information Collection Request (ICR). Where applicable, the Agency identified specific tasks and made assumptions, while being consistent with the concept of burden under the Paper Reduction Act.

Public reporting burden for facilities subject to this collection of information is estimated to average 86.5 hours per response for new facilities and 12 hours per response for existing facilities including time for reviewing instructions, searching existing data sources, gathering and maintaining data, and completing and reviewing the collection of information. Public recordkeeping burden is estimated to average 26 hours per recordkeeper annually. The estimated number of respondents for this NSPS is 18 new facilities and 18 existing facilities. The frequency of response is one time for new facilities and occasionally for existing facilities.

This estimate 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.

#### **NSPS Subpart NN, Phosphate Rock**

**Affected entities:** Entities potentially affected by this action are owners and operators of phosphate rock plants.

**Title:** NSPS Subpart NN Phosphate Rock Plants. OMB Number 2060-0111, expires 08/31/98.

**Abstract:** Particulate matter emissions from phosphate rock plants cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, NSPS were promulgated for this source category.

The control of emissions of particulate matter from phosphate rock plants requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of particulate matter from phosphate rock plants are the result of operation of the calciners, dryers, grinders, and ground rock handling and storage facilities. These standards rely on the capture of particulate emissions by a baghouse or wet scrubber.

In order to ensure compliance with these standards, adequate recordkeeping is necessary. In the absence of such information enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act.

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.

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 average annual burden to the industry over the next three years is estimated to be 2069 person hours. This is based on a total of 22 plants and an estimated per-plant burden of approximately 94 hours. This estimate assumes that all plants estimated to be in existence during the last ICR will operate throughout the next three years, and that no new plants will be constructed during the next three years. This estimate 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.

#### **NSPS Subpart VVV, Polymeric Coating of Supporting**

**Affected entities:** Entities potentially affected by this action are facilities of each coating operation and any on-site coating mix preparation equipment used to prepare coatings for the polymeric coating of supporting substrates for which construction, modification or reconstruction after, April 30, 1987, the date of proposal.

**Title:** New Source Performance Standards (NSPS) for the Polymeric Coating of Supporting Substrates Facilities, Part 60, Subpart VVV; OMB Control Number 2060-0181, expires 8/31/98.

**Abstract:** In addition to the monitoring, recordkeeping and notification requirements specified in the General Provisions in § 60.7(a), (b), (d) and (f), and § 60.8(a) and (d), owners or operators are to comply with the requirements specified in NSPS Subpart VVV, as follows:

- Install and calibrate all monitoring devices required under the provisions of

§ 60.744 according to the manufacturer's specifications, prior to the initial performance test in location such that representatives' values of the monitored parameters will be obtained. The parameters to be monitored shall be continuously measured and recorded during each performance test.

- Maintain records of all measurements of performance test and results including estimates of projected and actual VOC use and monitored operating parameters use in demonstrating compliance, as required by § 60.747. Records must be retained for at least 2 years.

- Reporting requirements include: (1) report on the initial compliance report that includes initial performance test results, the monthly schedule to be used in making compliance determinations, design and equipment specifications and compliance method; (2) semiannual reports of compliance and of statement of no exceedances; (3) semiannual reports of monitoring exceedance; and, (4) quarterly reports of periods of noncompliance recorded under § 60.744(b) and (c).

- Any affected facility for which the amount of VOC used is less than 95 Mg per 12-month period is subject only to the requirements of §§ 60.744(b), 60.747(b) and 60.747(c).

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.

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 Agency computed the burden for each of the recordkeeping and reporting requirements applicable to the industry

for the currently approved 1995 Information Collection Request (ICR). Where appropriate, the Agency identified specific tasks and made assumptions, while being consistent with the concept of burden under the Paper Reduction Act. A 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.

This estimate is based on the assumption that there would be 7 new affected facilities over the three years of the existing ICR and that there were approximately 31.2 sources in existence at the start of the three years covered by the ICR. The annual burden of reporting and recordkeeping requirements for facilities subject to Subpart VVV are summarized by the following information. The reporting requirements are as follows: Read Instructions (1 person-hour), Initial performance test (280 person-hours). It is assumed that 20% of tests are repeated due to failure. Estimates for report writing are: Notification of construction/reconstruction (2 person-hours), Notification of anticipated startup (2 person-hours), Notification of actual startup (1 person-hour), Notification of initial performance test (2 person-hours), Report of performance test (included in reporting requirements listed above), Monthly complying test (90 person-hours), Report of monitoring exceedances and periods of noncompliance (16 person-hours), Report of no excess emissions (8 person-hours), and Report of physical/operational changes (4 person-hours). We assume to estimate the reporting requirement burden that: 1) 20 percent of sources report monitoring exceedances or periods of noncompliance quarterly, 2) 80 percent of lines report no excess emissions semiannually, 3) operating parameters recorded 350 days per year, and 4) one occurrence per week of shutdown or malfunction. Records must be kept for a

period of two years. The average burden to industry over the three years of the current ICR from these recordkeeping and reporting requirements was estimated to be 5,957.57 person-hours.

#### **NESHAP Subpart Y, Marine Vessel Loading**

**Affected entities:** Entities potentially affected by this action are those which: are in the standard industrial code 4491, for Marine Cargo Handling.

**Title:** Federal Standards for Marine Tank Vessel Loading and Unloading Operations, and National Emission Standards for Hazardous Air pollutants for Marine Tank Vessels Loading and unloading operations. OMB control number 2060-0289, expires 9/30/98. [40 CFR 63.560 et seq.]

**Abstract:** The respondents are owners or operators of new and existing marine tank vessel loading facilities that are in operation after promulgation of the federal standards and NESHAP in 1995. There are an estimated 1,500 marine tank vessels loading facilities nationwide. Of these approximately 20 have annual gasoline throughput greater than 10 million barrels (bbl) or annual crude oil throughput greater than 200 million bbl and are required to control emissions of volatile organic compounds (VOC) and hazardous air pollutants (HAP) under section 183(f) for the Clean Air Act (the ACT). These facilities would require the application of reasonably available control technology (RACT). Excluding the 20 facilities subject the RACT, approximately 85 facilities have annual HAP emissions of greater than 15 tons and would be required to control emissions of HAP under Section 112(d) of the Act. These facilities would be subject to NESHAP and would require the application of maximum available control technology (MACT). The number of new marine tank vessel loading facilities is expected to be low because no net growth is predicted for this industry.

Facilities, required to install controls under these standards or that have to fulfill the applicable reporting and record keeping requirements of the general provisions of 40 CFR Part 63, submit the following reports: (1) initial notification of applicability report; (2) notification of intent to do performance testing and monitoring system performance evaluation; (3) initial notification of compliance status; (4) operation and Maintenance records (including inspection schedule); (5) monitoring records; and (6) annual reports of exceedances of the emission limits (ongoing compliance status reports). Annual reports of any

exceedences of monitored values and description and timing of steps taken to address the cause of the exceedences would also be required. These facilities must also maintain documentation that the vessels loaded at the facilities are vapor tight. Consistent with the general provisions of 40 CFR 63, all information will be made readily available to the Administrator or delegated state authority upon request for a minimum of 5 years.

All reports are submitted to the respondent's state or Local agency whichever has been delegated enforcement authority by EPA. The information is used to determine that sources subject to RACT and MACT are achieving the standards.

The EPA is required under Section 183(f) of the Act to regulate emissions of VOC and HAP. The EPA is also required under section 112(d) of the Act to regulate emissions of HAP listed in section 112(b). The predominant HAP emitted during vessel loading operations include hexane, benzene, toluene, and methanol. Other less frequently emitted HAP include xylenes and ethyl benzene.

Certain records and reports are necessary to enable the Administrator to: (1) identify new, modified, reconstructed, and existing resources subject to the standards and (2) ensure that the standards, which are based on RACT and MACT, are being achieved. These records and reports are required under the general provisions of 40 CFR 63 Subpart A (authorized under sections 101, 112, 114, 116, and 301 of the Clean Air Act as amended by public 101-549 [42 U.S.C. 7401, 7412, 7414, 7416, 7601]).

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.

All information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in title 40, Chapter 1, part 2, Subpart B, confidentiality of business information (see 40 CFR part 2; 41 CFR 36902, Sept. 1, 1997, amended by 43 FR 39999, Sept. 8, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979.).

The primary industry Standard Industrial Classification code for this industry and respondents is 4491, for Marine Cargo Handling. The information collected by the Agency is used by Agency personnel to (1) identify new, modified, reconstructed, and

existing sources subject to the standards; (2) ensure that RACT and MACT are being properly applied; and (3) ensure that emission control systems used by owner or operator to meet the standards are properly operated and maintained on a continual basis. In addition, records and reports are necessary to enable the Agency to identify facilities that may not be in compliance with the standards. Based on reported information, the Agency can decide which facilities should be inspected and what records or processes should be inspected at facilities. The records that facilities maintain would indicate to the Agency where the owners or operators are in compliance with the standards, and operating and maintaining control equipment properly. In order to minimize the burden, much of the information the Agency would need to determine compliance, is to be kept as records and would not need to be routinely reported to the Agency. EPA can determine compliance through inspections and review of the records.

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 respondents, the annual burden is for record keeping and reporting and is derived from estimates based on Agency experience with other standards. The labor rates and associated costs are based on estimated hourly rates of technical at \$35, management at \$51, and clerical at \$16. The total recurring annual hours are approximately 28,100 and there are an additional approximately 44,000 hours that will be incurred on a one time basis only. The estimated first year burden is 72,111 annual burden hours for reporting and record keeping. In the second and third years the estimates are 28,132 hours for reporting and record

keeping. The yearly average for the first 3 years is 42,792 hours. The average early burden per respondent is  $42,792 / 105 = 408$  hours. The total recurring annual costs are approximately \$958,000 and there is an additional cost of approximately \$1,500,000 that will be incurred on a one time only basis in the first year. The first year entails burden for existing resources which have one time activities, such as performing emission testing, submitting compliance status information reports, developing record keeping and implementation plans. The second and third years will not require these reports, but only burden hours for ongoing record keeping. So for each of these years the total recurring annual cost is estimated at \$958,000.

This estimate 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.

The only cost for the Agency in this analysis is the user costs associated with analysis of the information reported annually by the sources. About 11,977 hours would be used annually to review reports or attend performance tests. This amounts to about \$446,584 each year.

Dated: February 24, 1998.

**Elaine G. Stanley,**

*Director, Office of Compliance.*

[FR Doc. 98-5719 Filed 3-4-98; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5974-2]

### Proposed Settlement Agreement; Ozone Transport in Eastern United States; Section 126 Petitions Filed by Northeastern States

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

**ACTION:** Notice of proposed settlement agreement.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act (Act), as amended, 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement