

section 313. Facilities that have emissions information gathered through actual emissions monitoring or testing would be required to use the results of such monitoring or testing in compiling their reports under EPCRA section 313. Other facilities would be required to apply the results of the stack testing performed under this ICR (i.e., the publicly available data on coal mercury and the emissions factors developed from those data) to estimates of the mercury content of coal when reporting mercury releases to the TRI.

A final decision has not yet been made as to the new threshold for mercury under EPCRA section 313. If, after providing an opportunity for notice and comment, the EPA decides on a threshold for mercury that omits a significant portion of coal-fired power plants, the EPA may require that information be submitted under section 114 of the Act for additional years. Also, if for any reason, information collection on mercury emissions under the new lower threshold for mercury is delayed beyond the year 2000, the EPA may require the coal sampling, but not the stack testing, beyond one year.

The responses to the survey are mandatory and are being collected under the authority of section 114 of the Act. If a respondent believes that disclosure of certain information requested would compromise a trade secret, it would need to be clearly identified as such and will be treated as confidential until a determination is made. Any information subsequently determined to constitute a trade secret will be protected under 18 U.S.C. 1905. If no claim of confidentiality accompanies the information when it is received by the EPA, it may be made available to the public without further notice (40 CFR 2.203, September 1, 1976).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information that is sent to ten or more persons unless it displays a currently valid OMB control number. The OMB control numbers for EPA's approved information collection requests are listed in 40 CFR part 9 and 48 CFR Ch. 15. The **Federal Register** notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information, was published on April 9, 1998 (63 FR 17406); over 120 comments were received, including several from organizations representing more than a single entity.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 1 hour per

respondent for the first component, 41 hours per respondent for the second component, and 90 hours per respondent for the third 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.

Respondents/Affected Entities: 1,100.

Estimated Number of Respondents: 1,100.

Frequency of Response: Quarterly for coal analyses; once per year for emission testing.

Estimated Total Annual Hour Burden: 45,445 hours.

Estimated Total Annualized Cost Burden: \$18,891,000.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques, to the following addresses. Please refer to EPA ICR No. 1858.01 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OP Regulatory Information Division (2137), 401 M Street, SW, Washington, D.C. 20460 and
Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, D.C. 20503.

Dated: September 17, 1998.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 98-25324 Filed 9-21-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6165-2]

Notice of Certification of Alternative Battery Label

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On May 29, 1998 the Environmental Protection Agency certified alternative labels for nickel-cadmium (Ni-Cd) and certain small sealed lead-acid rechargeable batteries, pursuant to the Mercury-Containing and Rechargeable Battery Management Act (Battery Act), 42 U.S.C. 1432(c)(2)(A). The approval was in response to a May 7 and 8, 1998 amended application from the Rechargeable Battery Recycling Corporation (RBRC). In an effort to facilitate the collection and recycling of regulated batteries, the Battery Act prescribes national, uniform labels. Statutory labels for regulated Ni-Cd and lead-acid batteries must include three chasing arrows or a comparable recycling symbol. In addition, Ni-Cd batteries must be labeled "nickel-cadmium" or "Ni-Cd," with the phrase "BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY." Regulated lead-acid batteries must be labeled "Pb" or with the words "LEAD," "RETURN," and "RECYCLE" and, if the regulated batteries are sealed, the phrase "BATTERY MUST BE RECYCLED." Manufacturers may apply to the EPA Administrator for certification that an alternative label either conveys the same information as the statutory label, or conforms with a recognized international standard that is consistent with the overall purposes of the Battery Act. The newly-certified alternative labels feature the RBRC battery recycling seal, a designation of the appropriate battery chemistry, the word "RECYCLE," and a contact number valid throughout the U.S. which consumers can call to find out how and where to recycle the batteries. RBRC currently runs a nationwide collection and recycling program for nickel-cadmium batteries, in which consumers can call 1-800-8-BATTERY or visit the web site at www.rbrc.com to find local Ni-Cd drop-off locations. The Agency believes that the alternative labels will help alleviate consumer confusion about what to do with Ni-Cd batteries once they run out of power, and so empower consumers with practical recycling information.

ADDRESSES: The public docket for this notice is Docket F-98-ABLN-FFFFF. Documents related to today's notice are available for viewing in the RCRA Information Center (RIC), located at Crystal Gateway I, First Floor, 1235 Jefferson Davis Highway, Arlington, VA. The RIC is open from 9 a.m. to 4 p.m., Monday through Friday, excluding federal holidays. To review docket materials, it is recommended that the public make an appointment by calling

(703) 603-9230. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost \$0.15/page. For information on accessing electronic copies of docket materials, see the "Supplementary Information" section.

FOR FURTHER INFORMATION CONTACT: For general information, contact the RCRA Hotline at (800) 424-9346 or TDD (800) 553-7672 (hearing impaired). In the Washington, DC, metropolitan area, call (703) 412-9810 or TDD (703) 412-3323.

For information on specific aspects of battery labeling and the Battery Act, contact Susan Nogas, Office of Solid Waste (5306W), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (703) 308-7251, nogas.sue@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Docket materials and other Battery Act-related information are available in electronic format on the Internet. Follow these instructions to access them.

WWW: <http://www.epa.gov/epaoswer/osw/non-hw.htm#battery>

FTP: [ftp.epa.gov](ftp://ftp.epa.gov)

Login: anonymous

Password: your Internet address

Files are located in /pub/epaoswer

Dated: August 26, 1998.

Michael H. Shapiro,

Acting Deputy Assistant Administrator, Office of Solid Waste and Emergency Response.

[FR Doc. 98-25325 Filed 9-21-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FR-6165-5]

Notice of Proposed De Micromis Administrative Order on Consent Pursuant to Section 122(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Osage Metals Superfund Site, Kansas City, Kansas, Docket No. VII-98-F-0014

AGENCY: Environmental Protection Agency.

ACTION: Notice of Proposed De Micromis Administrative Order on Consent, Osage Metals Superfund Site, Kansas City, Kansas.

SUMMARY: Notice is hereby given that a proposed de micromis administrative order on consent regarding the Osage Metals Superfund Site, was signed by the United States Environmental Protection Agency (EPA) on August 11, 1998, and approved by the United States Department of Justice (DOJ) on September 11, 1998.

DATES: EPA will receive comments relating to the proposed agreement and covenant not to sue on or before October 22, 1998.

ADDRESSES: Comments should be addressed to Audrey Asher, Senior Assistant Regional Counsel, United States Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101 and should refer to the *Osage Metals Superfund Site Administrative Order on Consent, EPA Docket No. VII-98-F-0014*.

The proposed agreement may be examined or obtained in person or by mail at the office of the United States Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, (913) 551-7255.

SUPPLEMENTARY INFORMATION: The proposed agreement concerns the 1.7-acre Osage Metals Superfund Site ("Site"), located at 120 Osage Avenue in Kansas City, Kansas. The Site was the location of metals salvage and reclamation facilities between 1948 and 1993. Samples taken at the Site in 1994 found polychlorinated biphenyls ("PCBs") in surface soils at levels as high as 334 mg/kg, and lead contamination in levels as high as 56,000 mg/kg. The EPA approved a removal action at the Site on February 13, 1995, and began cleanup in March of 1995. EPA completed its work in October 1995. No further response action is anticipated.

As of May 31, 1998, EPA and DOJ had incurred costs in excess of \$1.3 million exclusive of interest. EPA notified more than 750 parties of their potential liability for response costs incurred at the Site. EPA recovered \$80,000 in 1996 and is seeking the remaining costs from parties who arranged for disposal of more than 200 pounds of capacitors or transformers contaminated with PCBs at the Site.

EPA has determined that any party who arranged for disposal of 200 pounds or less of capacitors or transformers contributed a *de micromis* volume of waste to the Site and that such wastes are not more toxic than any other hazardous substance at the Site.

Under the proposed agreement, each *de micromis* party will pay \$0 (zero) in exchange for contribution protection and a covenant not to sue for past costs incurred at the Site.

Dated: September 14, 1998.

William Rice,

Deputy Regional Administrator, Region VII.

[FR Doc. 98-25326 Filed 9-21-98; 8:45 am]

BILLING CODE 6560-50-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6165-4]

Notice of Proposed De Minimis Administrative Order on Consent Pursuant to Section 122(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Osage Metals Superfund Site, Kansas City, Kansas, Docket No. VII-98-F-0012

AGENCY: Environmental Protection Agency.

ACTION: Notice of Proposed De Minimis Administrative Order on Consent, Osage Metals Superfund Site, Kansas City, Kansas.

SUMMARY: Notice is hereby given that a proposed de minimis administrative order on consent regarding the Osage Metals Superfund Site, was signed by the United States Environmental Protection Agency (EPA) on September 10, 1998, and approved by the United States Department of Justice (DOJ) on September 11, 1998.

DATES: EPA will receive comments relating to the proposed agreement and covenant not to sue on or before October 22, 1998.

ADDRESSES: Comments should be addressed to Audrey Asher, Senior Assistant Regional Counsel, United States Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101 and should refer to the *Osage Metals Superfund Site Administrative Order on Consent, EPA Docket No. VII-98-F-0012*.

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