

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:* 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.

EPA estimates that approximately 250 facilities may voluntarily apply to the

Performance Track annually. EPA further estimates that 200 facilities will be selected to participate in the Environmental Achievement Track (Tier 1). The Agency estimates that the burden required by this action for facilities will range from 120 hours to 270 hours. The best estimate burden is 230 hours. Facilities that have operational environmental management systems in place and currently share some environmental performance information with the public will experience burden at the lower end of the range. Other facilities may require more burden to demonstrate how they meet the entry criteria.

The following table summarizes the estimate burden for the Environmental Achievement Tier.

	Facility burden hours	Facility burden cost	Number of facilities	Total burden hours	Total burden cost
Application .....	40	\$1,070	250	10,000	\$270,000
Compliance Demonstration .....	80	2,375	200	15,550	475,000
EMS Documentation and Reporting .....	40	1,110	200	8,100	220,000
Continuous Performance Demonstration .....	40	1,060	200	7,500	210,000
Reporting & Public Outreach .....	30	860	200	6,400	175,000
<b>Total .....</b>	<b>230</b>	<b>6,475</b>	<b>.....</b>	<b>47,550</b>	<b>1,340,000</b>

Dated: February 25, 2000.

**Daniel J. Fiorino,**

*Acting Director Office of Policy/Office of Policy Development.*

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**BILLING CODE 6050-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[OPPTS-00287; FRL-6488-3]

**Substantial Risk Information Reporting Under Section 8(e) of the Toxic Substances Control Act (TSCA); Request for Comment on Renewal of Information Collection Activities**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), EPA is seeking public comment and information on the following Information Collection Request (ICR): Substantial Risk Information Reporting Under Section 8(e) of the Toxic Substances Control Act (TSCA) (EPA ICR No. 0794.08, OMB No. 2070-0046). This ICR involves a collection activity that is currently approved and scheduled to expire on June 30, 2000. The information collected under this ICR helps EPA

identify and take steps to mitigate any substantial risk of injury to human health or the environment caused by chemical substances. The ICR describes the nature of the information collection activity and its expected burden and costs. Before submitting this ICR to the Office of Management and Budget (OMB) for review and approval under the PRA, EPA is soliciting comments on specific aspects of the collection.

**DATES:** Written comments, identified by the docket control number OPPTS-00287 and administrative record number AR-223, must be received on or before May 1, 2000.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit III. of the **SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, it is imperative that you identify docket control number OPPTS-00287 and administrative record number AR-223 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** *For general information contact:* Joseph S. Carra, Deputy Director, Office of Pollution Prevention and Toxics (7401), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202)

554-1404; TDD: (202) 554-0551; e-mail address: TSCA-Hotline@epa.gov.

*For technical information contact:* Richard Hefter, Risk Assessment Division (7403), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 260-3470; fax number: (202) 260-1283; e-mail address: hefter.richard@epa.gov.

**SUPPLEMENTARY INFORMATION:**

**I. Does this Action Apply to Me?**

You may be potentially affected by this action if you manufacture, import, process or distribute a TSCA-covered chemical substance or mixture. Potentially affected categories and entities may include, but are not limited to:

Type of business	SIC codes
Chemicals and allied products	28
Petroleum refining	2911

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this table could also be affected. The Standard Industrial Classification (SIC) codes are provided to assist you and others in determining

whether or not this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

## II. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

### A. Electronically

You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. On the Home Page select "Laws and Regulations" and then look up the entry for this document under the "**Federal Register**—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

### B. Fax-on-Demand

Using a faxphone call (202) 401-0527 and select item 4080 for a copy of the ICR.

### C. In Person

The Agency has established an official record for this action under docket control number OPPTS-00287 and administrative record number AR-223. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the TSCA Nonconfidential Information Center, North East Mall Rm. B-607, Waterside Mall, 401 M St., SW., Washington, DC. The Center is open from noon to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Center is (202) 260-7099.

## III. How Can I Respond to this Action?

### A. How and to Whom Do I Submit the Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is

imperative that you identify docket control number OPPTS-00287 and administrative record number AR-223 on the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Document Control Office (7407), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: OPPT Document Control Office (DCO) in East Tower Rm. G-099, Waterside Mall, 401 M St., SW., Washington, DC. The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 260-7093.

3. *Electronically.* Submit your comments and/or data electronically by e-mail to: "oppt.ncic@epa.gov," or mail your computer disk to the address identified in Units III.A.1. and 2. Do not submit any information electronically that you consider to be CBI. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on standard disks in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPPTS-00287 and administrative record number AR-223. Electronic comments may also be filed online at many Federal Depository Libraries.

### B. How Should I Handle CBI That I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the technical person identified under **FOR FURTHER INFORMATION CONTACT**.

### C. What Should I Consider When I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the collection activity.
7. Make sure to submit your comments by the deadline in this notice.
8. To ensure proper receipt by EPA, be sure to identify the docket control number and administrative record number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

### D. What Information is EPA Particularly Interested in?

Pursuant to section 3506(c)(2)(A) of the Paperwork Reduction Act (PRA), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collections of information are necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.
2. Evaluate the accuracy of the Agency's estimates of the burdens of the proposed collections of information.
3. Enhance the quality, utility, and clarity of the information to be collected.
4. Minimize the burden of the collections of information on those who 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.

## IV. What Information Collection Activity or ICR Does this Action Apply to?

EPA is seeking comments on the following ICR:

*Title:* Substantial Risk Information Reporting Under Section 8(e) of the Toxic Substances Control Act (TSCA).

*ICR numbers:* EPA ICR No. 0794.08, OMB No. 2070-0046.

*ICR status:* This ICR is currently scheduled to expire on June 30, 2000. 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 information collections appear on the collection instruments or instructions, in the **Federal Register** notices for related rulemakings and ICR notices, and, if the collection is contained in a regulation, in a table of OMB approval numbers in 40 CFR part 9.

*Abstract:* TSCA section 8(e) requires that any person who manufactures, imports, processes or distributes in commerce a chemical substance or mixture and who obtains information that reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment must immediately inform EPA of such information. EPA routinely disseminates TSCA section 8(e) data it receives to other Federal agencies to provide information about newly discovered chemical hazards and risks.

Responses to the collection of information are mandatory (see 15 U.S.C. 2607(e)). 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.

#### V. What are EPA's Burden and Cost Estimates for this ICR?

Under the PRA, "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. For this collection it 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 ICR provides a detailed explanation of this estimate, which is only briefly summarized in this notice. The annual public burden for this collection of information is estimated to average 27.0 hours per response for

initial TSCA section 8(e) submissions, and 5.0 hours per follow-up/supplemental section 8(e) submission. The following is a summary of the estimates taken from the ICR:

*Respondents/affected entities:*

Persons who manufacture, import, process or distribute a TSCA-covered chemical substance or mixture.

*Estimated total number of potential respondents:* 267.

*Frequency of response:* On occasion.

*Estimated total/average number of responses for each respondent:* 1.

*Estimated total annual burden hours:* 8,209.

*Estimated total annual burden costs:* \$747,019.

#### VI. Are There Changes in the Estimates from the Last Approval?

Compared with the information collection most recently approved by OMB, there is a decrease of 1,291 hours in the estimated burden to respondents, from an estimated annual total burden of 9,500 hours currently approved to an average annual total burden of 8,209 hours in this request. This decrease reflects a reduction in the anticipated number of follow-up or supplemental TSCA section 8(e) notices received. In previous ICR renewals, EPA used an average ratio of 2.2 follow-up notices per each initial submission, based on historical experience. In recent years, however, the number of follow-up notices has fallen dramatically, due to changes in the nature of EPA's review of initial notices. As a result, EPA chose to use for this request an estimated average ratio of 0.75 follow-up or supplemental section 8(e) notices per each initial section 8(e) notice received.

#### VII. What is the Next Step in the Process for this ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

#### List of Subjects

Environmental protection, Reporting and recordkeeping requirements.

Dated: February 18, 2000.

**Susan H. Wayland,**

*Deputy Assistant Administrator for Prevention, Pesticides and Toxic Substances.*  
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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6546-5]

### Ambient Air Monitoring Reference and Equivalent Methods: Designation of a new Equivalent Method for O<sub>3</sub>

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of designation and receipt of application.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has designated, in accordance with 40 CFR part 53, a new equivalent method for measuring concentrations of O<sub>3</sub> in ambient air. Notice is also given that EPA has received a new application for an equivalent method determination from Andersen Instruments, Incorporated, Smyrna, Georgia, for a PM<sub>10</sub> monitor.

**FOR FURTHER INFORMATION CONTACT:** Frank F. McElroy, Human Exposure and Atmospheric Sciences Division (MD-46), National Exposure Research Laboratory, U.S. EPA, Research Triangle Park, North Carolina 27711, Phone: (919) 541-2622, email: mcelroy.frank@epa.gov.

**SUPPLEMENTARY INFORMATION:** In accordance with regulations at 40 CFR part 53, the EPA examines various methods for monitoring the concentrations of certain pollutants in the ambient air. Methods that are determined to meet specific requirements for adequacy are designated as either reference or equivalent methods, thereby permitting their use under 40 CFR part 58 by States and other agencies for determining attainment of the National Ambient Air Quality Standards. EPA hereby announces the designation of a new equivalent method for measuring O<sub>3</sub> in ambient air. This designation is made under the provisions of 40 CFR part 53, as amended on July 18, 1997 (62 FR 38764).

The new equivalent method for O<sub>3</sub> is an automated method which utilizes the measurement principle based on UV photometry. The newly designated method is identified as follows:

EQOA-0200-134, "DKK Corporation Model GUX-113E Ozone Analyzer," operated at any temperature in the range of