

### 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 and provide specific examples.
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. Offer alternative ways to improve the collection activity.
6. Make sure to submit your comments by the deadline identified under **DATES**.
7. To ensure proper receipt by EPA, be sure to identify the docket ID 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.

### What Information Collection Activity or ICR Does This Apply to?

*Affected entities:* Entities potentially affected by this action are those which participate in the NO<sub>x</sub> Budget Trading Program to Reduce the Regional Transport of Ozone.

*Title:* NO<sub>x</sub> Budget Trading Program to Reduce the Regional Transport of Ozone.

*ICR numbers:* EPA ICR No. 1857.04, OMB Control No. 2060-0445.

*ICR status:* This ICR is currently scheduled to expire on May 31, 2007. 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 in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

*Abstract:* The NO<sub>x</sub> Budget Trading Program is a market-based cap and trade program created to reduce emissions of nitrogen oxides (NO<sub>x</sub>) from power plants and other large combustion sources in the eastern United States. NO<sub>x</sub> is a prime ingredient in the formation of ground-level ozone (smog), a pervasive air pollution problem in many areas of the eastern United States. The NO<sub>x</sub> Budget Trading Program was

designed to reduce NO<sub>x</sub> emissions during the warm summer months, referred to as the ozone season, when ground-level ozone concentrations are highest. This information collection is necessary to implement the NO<sub>x</sub> Budget Trading Program. While States were not required to adopt an emissions trading program, every State adopted the basic Federal model trading program for fossil fuel-fired NO<sub>x</sub> sources. This trading program burden includes the paper work burden related to: Transferring and tracking allowances, the allocation of allowances to affected units, permitting, annual year end compliance certification, and meeting the monitoring and reporting requirements of the program. This information collection is mandatory under 40 CFR part 96. All data received by EPA will be treated as public information. 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 in 40 CFR are listed in 40 CFR part 9.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 142 hours per response. 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 which have subsequently changed; 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 the Agency's estimate, which is only briefly summarized here:

*Estimated total number of potential respondents:* 2,467.

*Frequency of response:* Varies by task.

*Estimated total average number of responses for each respondent:* 2.

*Estimated total annual burden hours:* 492,192 hours.

*Estimated total annual costs:* \$54,097,149. This includes an estimated burden cost of \$25,354,474 and an estimated cost of \$28,742,675 for capital

investment or maintenance and operational costs.

### 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. At that time, 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**.

Dated: November 17, 2006.

**Sam Napolitano,**

*Director, Clean Air Markets Division, Office of Air and Radiation.*

[FR Doc. E6-20641 Filed 12-5-06; 8:45 am]

**BILLING CODE 6560-50-P**

### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2003-0152; FRL-8252-1]

#### Agency Information Collection Activities; Proposed Collection; Comment Request; Compliance Assurance Monitoring Program; EPA ICR No. 1663.03, OMB Control No. 2060-0376

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on March 31, 2007. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before February 5, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2003-0152 by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *Fax:* (202) 566-1741.
- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center

(EPA/DC), Air and Radiation Docket Information Center, 1200 Pennsylvania Avenue, NW., Mail Code: 6102T, Washington, DC 20460.

- **Hand Delivery:** To send comments or documents through a courier service, the address to use is: EPA Docket Center, Public Reading Room, EPA West, Room B102, 1301 Constitution Avenue, NW., Washington, DC 20004. Such deliveries are accepted only during the Docket's normal hours of operation—8:30 a.m. to 4:30 p.m., Monday through Friday. Special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Electronic Docket ID No. EPA-HQ-OAR-2003-0179. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov> including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise to be protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The Web site is an "anonymous access" system, which means we will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to us without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, we recommend that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If we cannot read your comment as a result of technical difficulties and cannot contact you for clarification, we may not be able to consider your comment. Electronic files should avoid the use of special characters or any form of encryption and be free of any defects or viruses.

**FOR FURTHER INFORMATION CONTACT:** Peter Westlin, Office of Air Quality Planning and Standards, Sector Policies and Programs Division (D243-05), Environmental Protection Agency, Research Triangle Park, NC 27711; telephone number: 919-5412-1058; fax number: 919-541-1039; e-mail address: [westlin.peter@epa.gov](mailto:westlin.peter@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**How Can I Access the Docket and/or Submit Comments?**

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OAR-2003-0152 which is available either electronically at <http://www.regulations.gov> or in hard copy at the EPA Docket Center, Public Reading Room, EPA West, Room B102, 1301 Constitution Avenue, NW., Washington, DC 20004. The normal business hours are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. The telephone number is (202) 566-1742.

Use [www.regulations.gov](http://www.regulations.gov) to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified in this document.

**What Information Particularly Interests EPA?**

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

- 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;
- 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;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

**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 and provide specific examples.

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. Offer alternative ways to improve the collection activity.

6. Make sure to submit your comments by the deadline identified under **DATES**.

7. To ensure proper receipt by EPA, be sure to identify the docket ID 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.

**What Information Collection Activity or ICR Does This Apply?**

Docket ID No. EPA-HQ-OAR-2003-0152.

**Affected entities:** Entities potentially affected by this action are all facilities required to have a title V permit under either part 70 or part 71. See 40 CFR 70.2 and 71.2. See also section 502(a), which defines the sources required to obtain a title V permit.

**Title:** Compliance Assurance Monitoring Program (40 CFR Part 64).

**ICR numbers:** EPA ICR No. 1663.03, OMB Control No. 2060-0376.

**ICR status:** This ICR is currently scheduled to expire on March 31, 2007. 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 in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

**Abstract:** The Act contains several provisions directing us to require source owners to conduct monitoring to support certification as to their status of compliance with applicable requirements. These provisions are set forth title V (operating permits provisions) and title VII (enforcement provisions) of the Act. Title V directs us to implement monitoring and certification requirements through the operating permits program. Section 504(b) of the Act allows us to prescribe by rule, methods and procedures for determining compliance recognizing that continuous emissions monitoring

systems need not be required if other procedures or methods provide sufficiently reliable and timely information for determining compliance. Under section 504(c), each operating permit must “set forth inspection, entry, monitoring, compliance, certification, and reporting requirements to assure compliance with the permit terms and conditions.”

Section 114(a)(3) requires us to promulgate rules for enhanced monitoring and compliance certifications. Section 114(a)(1) of the Act provides additional authority concerning monitoring, reporting, and record keeping requirements. This section provides the Administrator with the authority to require any owner or operator of a source to install and operate monitoring systems and to record the resulting monitoring data. We promulgated the Compliance Assurance Monitoring (CAM) rule, 40 CFR part 64, on October 22, 1997 (62 FR 54900) to implement these authorities.

In accordance with these provisions, the monitoring information source owners must submit must also be available to the public, except as entitled top protection from disclosure as allowed in section 114(c) of the 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 in 40 CFR are listed in 40 CFR part 9.

We are soliciting 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:** We estimate the annual public reporting and recordkeeping burden for this collection of information to average about 340 hours per response. 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 which have subsequently changed; 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.

Based on the Agency's knowledge of the number of title V permits issued since 1997 and the implementation of part 64 through permit renewals, the expected impact of the CAM program for the 3 years from October 1, 2006 until September 30, 2009 is about 2.0 million hours annually. The CAM rule will incur an average annual cost of about \$220 million in 2005 dollars. This includes an annualized capital and operation and maintenance cost of about \$2.7 million.

The CAM program burden for source owners or operators means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide monitoring 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. We have also included annualized capital and operational and maintenance costs for monitoring programs in the cost burden calculation. The CAM program potentially affects about 3,600 large pollutant-specific emissions units plus about 22,000 other pollutant-specific emissions units nationwide. The annual burden for source owners or operators is about 2.0 million hours for large and other pollutant-specific emissions units combined.

During the review period, permitting authorities will review CAM rule submittals from source owners or operators whose permits have already

been issued and are renewing those permits as the 5-year permit terms expire. Permitting authorities will also be interacting with the source owners or operators in addressing the CAM in semi-annual monitoring reports and reporting CAM data as necessary. We estimate the annual CAM burden to permitting authorities to be about 57,000 hours and about \$2.6 million. 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.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

*Estimated total number of potential respondents:* 6,000.

*Frequency of response:* Every 5 years at permit renewal.

*Estimated total average number of responses for each respondent:* 8.

*Estimated total annual burden hours:* 2.0 million hours.

*Estimated average annual costs:* about \$221 million. This includes an estimated burden cost of \$218 million and an estimated cost of about \$2.7 for capital investment or maintenance and operational costs.

#### **Are There Changes in the Estimates From the Last Approval?**

There is an increase of 1.84 million hours in the total estimated respondent annual burden compared with that identified in the ICR currently approved by OMB. This increase reflects the significant increase in number of respondents resulting from the implementation of the rule through operating permit renewals and EPA's reassessment of the reporting and recordkeeping burdens associate with implementing this rule.

#### **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. At that time, 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.**

Dated: November 28, 2006.

**Jeffrey S. Clark,**

*Acting Director, Office of Air Quality Planning and Standards.*

[FR Doc. E6-20643 Filed 12-5-06; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2006-0408; FRL-8251-8]

### Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Reporting and Recordkeeping Under EPA's Water Efficiency Program; EPA ICR No. 2233.01

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request for a new collection. The ICR, which is abstracted below, describes the nature of the information collection and its estimated burden and cost.

**DATES:** Additional comments may be submitted on or before January 5, 2006.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA HQ-OW-2006-0408, to (1) EPA online using <http://www.regulations.gov> (our preferred method), by e-mail to [OW-Docket@epa.gov](mailto:OW-Docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Water Docket, 1200 Pennsylvania Ave., NW., Washington, DC 20460, and (2) OMB by mail 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.

**FOR FURTHER INFORMATION CONTACT:**

Cindy Simbanin, Office of Waste Water Management, Office of Water, 4204M, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 202 564-3837; fax number: 202 501-2396; e-mail address: [simbanin.cynthia@epa.gov](mailto:simbanin.cynthia@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On August 4, 2006 (71 FR 44277), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received one

comment during the comment period, which is addressed in the ICR. Any additional comments on this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OW-2006-0408, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room is open from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Water Docket is 202-566-2426.

Use EPA's electronic docket and comment system at <http://www.regulations.gov>, to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select "docket search," then key in the docket ID number identified above. Please note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at <http://www.regulations.gov> as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. For further information about the electronic docket, go to <http://www.regulations.gov>.

**Title:** Reporting and Recordkeeping Requirements Under EPA's Water Efficiency Program.

**ICR numbers:** EPA ICR No. 2233.01.

**ICR Status:** This ICR is for a new information collection activity. 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 in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

**Abstract:** EPA's Water Efficiency Program is a voluntary program designed to create self-sustaining markets for water efficient products and services via a common label. The

program provides incentives for manufacturers to design, produce, and market water-efficient products. In addition, the program provides incentives for service providers (e.g., landscapers) to deliver water-efficient products. The program also encourages consumers and commercial and institutional purchasers of water-using products and systems to choose water-efficient products and engage in water-efficient practices.

EPA's Water Efficiency Program partners with manufacturers, retailers, utilities, state and local governments, NGOs, plumbers, developers, contractors, architects, landscapers, irrigation professionals, and service certification programs to market and adopt the Water Efficiency Program, and provide labeled products and programs. To participate in the program, organizations will complete a Partnership Agreement, which details the partner and EPA commitments under the program, and is signed by a senior official at both EPA and the partner organization. EPA asks manufacturers, certification programs, and builders to submit an EPA Water Efficiency Program New Certified Product Notification Form within 12 months of execution of the Partnership Agreement. This document provides EPA information to verify that the product or service meets EPA specifications based on independent testing. EPA will use this information to inform the public on water efficient products and services. In addition, EPA requests partners submit promotional plans and annual updates on progress implementing the program. EPA intends to use this information to identify partnership opportunities and assess progress meeting program goals.

In the third year of the program, EPA plans to initiate an awards program that will require interested partners to submit an awards application form. Participation in the awards program is strictly voluntary. The purpose of this information collection is to document partner successes for further recognition. Partners may designate certain information submitted under this ICR as confidential business information. All information identified as confidential business information collected under this ICR will not be available to the public. Participation on the awards program is entirely voluntary.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 89 hours per response. Burden means the total time, effort, or financial resources expended