

**ENVIRONMENTAL PROTECTION
AGENCY**

[EPA-HQ-OECA-2009-0424; FRL-9136-2;
EPA ICR Number 1797.05; OMB Control
Number 2060-0442]

**Agency Information Collection
Activities; Submission to OMB for
Review and Approval; Comment
Request; NSPS for Storage Vessels for
Petroleum Liquids for Which
Construction, Reconstruction or
Modification Commenced After June
11, 1973, and Prior to May 19, 1978
(Renewal)**

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (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 to renew an existing approved collection. The ICR which is abstracted below describes the nature of the collection and the estimated burden and cost.

DATES: Additional comments may be submitted on or before May 12, 2010.

ADDRESSES: Submit your comments, referencing docket ID number EPA-HQ-OECA-2009-0424, to (1) EPA online using <http://www.regulations.gov> (our preferred method), or by e-mail to docket.oeca@epa.gov, or by mail to: EPA Docket Center (EPA/DC), Environmental Protection Agency, Enforcement and Compliance Docket and Information Center, mail code 28221T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, and (2) OMB at: 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: John Schaefer, Office of Air Quality Planning and Standards, Sector Policies and Programs Division (D243-05), Measurement Policy Group, Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-0296; fax number: (919) 541-3207; e-mail address: schaefer.john@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 July 8, 2009 (74 FR 32581), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no

comments. 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 number EPA-HQ-OECA-2009-0424, which is available for public viewing online at <http://www.regulations.gov>, in person viewing at the Enforcement and Compliance Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 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 Enforcement and Compliance Docket is (202) 566-1752.

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, Confidential Business Information (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: NSPS for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction or Modification Commenced after June 11, 1973, and prior to May 19, 1978 (Renewal)

ICR Numbers: EPA ICR Number 1797.05, OMB Control Number 2060-0442.

ICR Status: This ICR is scheduled to expire on May 31, 2010. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. 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, and 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 New Source Performance Standards (NSPS) for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction or Modification Commenced after June 11, 1973, and prior to May 19, 1978, were proposed on June 11, 1973, and promulgated on March 8, 1974.

Owners or operators of the affected facilities must make an initial notification, performance tests, periodic reports, and maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 3.5 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.

Respondents/Affected Entities: Petroleum liquid storage vessels.

Estimated Number of Respondents: 220.

Frequency of Response: Initially, occasionally, and semiannually.

Estimated Total Annual Hour Burden: 769.

Estimated Total Annual Cost: \$72,750 in labor costs exclusively. There are neither capital/startup costs nor operation and maintenance (O&M) costs.

Changes in the Estimates: There is no change in hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens.

Dated: April 6, 2010.

John Moses,

Director, Collection Strategies Division.

[FR Doc. 2010-8290 Filed 4-9-10; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9136-3; Docket ID No. EPA-HQ-ORD-2009-0934]

The Effects of Mountaintop Mines and Valley Fills on Aquatic Ecosystems of the Central Appalachian Coalfields and a Field-Based Aquatic Life Benchmark for Conductivity in Central Appalachian Streams

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public comment period.

SUMMARY: EPA is announcing a 60-day public comment period for two related draft documents: (1) "The Effects of Mountaintop Mines and Valley Fills on Aquatic Ecosystems of the Central Appalachian Coalfields" (EPA/600/R-09/138A) and (2) "A Field-based Aquatic Life Benchmark for Conductivity in Central Appalachian Streams" (EPA/600/R-10/023A). These reports were developed by the National Center for Environmental Assessment (NCEA) within EPA's Office of Research and Development as part of a set of actions taken by EPA to further clarify and strengthen environmental permitting requirements for Appalachian mountaintop removal and other surface coal mining projects, in coordination with Federal and State regulatory agencies (<http://www.epa.gov/owow/wetlands/guidance/mining.html>).

Both documents will be reviewed by an independent review panel convened by EPA's Science Advisory Board (SAB). The SAB's peer review meeting, which the public will be able to attend as observers, will be scheduled at a later date, and announced in the **Federal Register**. The public comment period and the SAB meeting are separate processes that provide opportunities for all interested parties to comment on the document. EPA intends to forward the public comments that are submitted, in accordance with this notice, to the SAB review panel prior to the meeting for their consideration. When finalizing the draft documents, EPA intends to consider any significant public comments that it receives in accordance with this notice.

EPA is releasing these draft documents for the purpose of pre-

dissemination peer review under applicable information quality guidelines. The documents have not been formally disseminated by EPA. They do not represent and should not be construed to represent a final Agency policy or determination; however, the documents reflect EPA's best interpretation of the available science. The draft documents are available via the Internet on NCEA's home page under the Recent Additions and Publications menus at <http://www.epa.gov/ncea>.

DATES: The 60-day public comment period begins April 12, 2010, and ends June 11, 2010. Technical comments should be in writing and must be received by EPA by June 11, 2010.

ADDRESSES: The draft reports, "The Effects of Mountaintop Mines and Valley Fills on Aquatic Ecosystems of the Central Appalachian Coalfields" and "A Field-based Aquatic Life Benchmark for Conductivity in Central Appalachian Streams" are available primarily via the Internet on the National Center for Environmental Assessment's home page under the Recent Additions and Publications menus at <http://www.epa.gov/ncea>. A limited number of paper copies are available, contact the EPA; telephone: 703-347-8629; facsimile: 703-347-8691. If you are requesting a paper copy, please provide your name, your mailing address, and the document titles (1) "The Effects of Mountaintop Mines and Valley Fills on Aquatic Ecosystems of the Central Appalachian Coalfields" and (2) "A Field-based Aquatic Life Benchmark for Conductivity in Central Appalachian Streams."

Comments may be submitted electronically via <http://www.regulations.gov>, by mail, by facsimile, or by hand delivery/courier. Please follow the detailed instructions provided in the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: For information on submitting comments to the docket, please contact the Office of Environmental Information Docket; telephone: 202-566-1752; facsimile: 202-566-1753; or e-mail: ORD.Docket@epa.gov. For technical information, please leave a message at 703-347-8629 or send e-mail to MTM-Cond@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The purpose of the first draft report entitled "The Effects of Mountaintop Mines and Valley Fills on Aquatic Ecosystems of the Central Appalachian Coalfields," is to assess the state of the

science on the ecological impacts of Mountaintop Mining and Valley Fill (MTM-VF) operations on streams in the Central Appalachian Coal Basin. This basin covers about 12 million acres in West Virginia, Kentucky, Virginia, and Tennessee. The draft report reviews literature relevant to evaluating five potential consequences of MTM-VF operations: (1) Impacts on headwater streams; (2) impacts on downstream water quality; (3) impacts on stream ecosystems; (4) the cumulative impacts of multiple mining operations; and (5) effectiveness of mining reclamation and mitigation. The impacts of MTM-VF operations on cultural and aesthetic resources are not included in the review. EPA used two primary sources of information for the evaluation: (1) The peer reviewed, published literature and (2) the Programmatic Environmental Impact Statement (PEIS) on Mountaintop Mining/Valley Fills in Appalachia and its associated appendices prepared in draft in 2003 and finalized in 2005.

The second draft report entitled, "A Field-based Aquatic Life Benchmark for Conductivity in Central Appalachian Streams," uses field data to derive an aquatic life benchmark for conductivity. Conductivity is a measurement of the salt content of water. The saltier the water, the more it will conduct electricity. This benchmark value may be applied to waters in the Appalachian Region that are near neutral or mildly alkaline in their pH and are influenced by salts of sulfate and bicarbonate. This benchmark is intended to protect the biological integrity of waters in the region. It is derived by a method modeled on the U.S. EPA's standard methodology for deriving water quality criteria. In particular, the methodology was adapted for use of field data. Field data were used because sufficient and appropriate laboratory data were not available and because high quality field data were available to relate conductivity to effects on biotic communities. This draft report provides scientific evidence for a conductivity benchmark in a specific region rather than for the entire United States.

II. How To Submit Technical Comments to the Docket at <http://www.regulations.gov>

Submit your comments, identified by Docket ID No. EPA-HQ-ORD 2009-0934, by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.
- E-mail: ORD.Docket@epa.gov.
- Fax: 202-566-1753