

Dated: October 19, 2011.

Timothy J. Meeks,
Administrator.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OECA-2011-0210; FRL-9490-4]

Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; NSPS for Municipal Waste Combustors (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 December 12, 2011.

ADDRESSES: Submit your comments, referencing docket ID number EPA-HQ-OECA-2011-0210, to (1) EPA online using www.regulations.gov (our preferred method), or by email 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 2822IT, 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:

Learia Williams, Monitoring, Assistance, and Media Programs Division, Office of Compliance, Mail Code 2223A, Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone number: (202) 564-4113; fax number: (202) 564-0050; email address: williams.learia@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 May 9, 2011 (76 FR 26900), 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 both 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-2011-0210, which is available for public viewing online at <http://www.regulations.gov>, or 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 either 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 www.regulations.gov.

Title: NSPS for Municipal Waste Combustors (Renewal).

ICR Numbers: EPA ICR Number 1506.12, OMB Control Number 2060-0210.

ICR Status: This ICR is scheduled to expire on December 31, 2011. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB.

Abstract: The New Source Performance Standards (NSPS) for Municipal Waste Combustors apply to municipal waste combustors with unit capacities greater than 225 megagrams per day. Owners or operators of the affected facilities must make one-time-only notifications and reports and must keep records of all facilities subject to NSPS requirements. Owners or operators are also required to 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. The pollutants of concern for subpart Ea are metals, municipal waste combustor (MWC) organics, MWC acid gases, and nitrogen oxides. In subpart Eb, the additional pollutants of concern are cadmium (Cd), lead (Pb), and mercury (Hg). Subparts Ea and Eb require owners and operators with unit capacity above 225 megagrams per day to notify the Agency of intent to construct and initiate operation of a new, modified, or reconstructed MWC. The notification must contain supporting information regarding unit design capacity, the calculations used to determine capacity, and estimated startup dates.

Owners and operators must submit semiannual and annual compliance reports. In addition, facilities subject to subpart Eb are required to keep records of the weekly amount of carbon used for activated carbon injection and to calculate the estimated hourly carbon injection rate for hours of operation as a means of determining continuous compliance for Hg. Annual reports of excess emissions are required under subpart Ea, while semiannual reports of excess emissions are required under subpart Eb. These notifications, reports, and records are essential in determining compliance and are required, in general, of all sources subject to the standard.

Any owner or operator subject to subpart Ea will maintain a file of these measurements, and retain the file for at least two years. For those facilities subject to subpart Eb, all records are required to be maintained at the source for a period of five years.

Notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated and that the standard is being met. Performance test reports are needed as these are the Agency's records of a source's initial capability to comply with the emission standards, and serve as a record of the operating conditions under which compliance was achieved. The information generated by monitoring, recordkeeping, and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the standard continue to operate the control equipment and achieve continuous compliance with the regulation.

All reports are sent to the delegated state or local authority. In the event that

there is no such delegated authority, the reports are sent directly to the EPA regional office. This information is being collected to assure compliance with 40 CFR part 60, subparts Ea and Eb, as authorized in section 112 and 114(a) of the Clean Air Act. The required information consists of emissions data and other information that have been determined to be private.

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 the EPA regulations are listed in 40 CFR part 9 and 48 CFR chapter 15, and are identified on the form and/or instrument, if applicable.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 198 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: Municipal waste combustors.

Estimated Number of Respondents: 12.

Frequency of Response: Initially, quarterly, annually, and semiannually.

Estimated Total Annual Hour Burden: 20,421.

Estimated Total Annual Cost: \$1,916,503, which includes \$1,757,811 in labor costs, \$60,000 in capital/startup costs, and \$98,692 in operation and maintenance (O&M) costs.

Changes in the Estimates: There is no change in the labor hours or cost in this ICR compared to the previous ICR. This is due to two considerations: (1) The regulations have not changed over the past three years and are not anticipated to change over the next three years; and (2) the growth rate for the industry is very low, negative, or non-existent, so there is no significant change in the overall burden. There is, however, an increase in the estimated burden cost as

currently identified in the OMB Inventory of approved Burdens. The increase is not due to any program changes. The change in burden cost is due to the use of the most updated labor rates.

Since there are no changes in the regulatory requirements and there is no significant industry growth, the labor hours from the previous ICR are used in this ICR.

Dated: November 4, 2011.

John Moses,

Director, Collection Strategies Division.

[FR Doc. 2011-29186 Filed 11-9-11; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[AMS-FRL-9490-7]

California State Motor Vehicle Pollution Control Standards; Amendments to the California Heavy-Duty Engine On-Board Diagnostic Regulation; Waiver Request; Opportunity for Public Hearing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Opportunity for Public Hearing and Comment.

SUMMARY: The California Air Resources Board (CARB) has notified EPA that it has adopted amendments to its regulations related to heavy-duty engine on-board diagnostic (HD OBD) in California. By letter dated September 27, 2010, CARB requested that EPA confirm that its amendments are within-the-scope of a previous waiver of preemption issued by EPA. In the alternative, CARB requested that EPA confirm that the amendments that relax and clarify the existing HD OBD regulation are within-the-scope of a previous waiver of preemption issued by EPA and that EPA grant a new waiver of preemption for the remainder of CARB's HD OBD amendments. This notice announces that EPA has tentatively scheduled a public hearing concerning California's request and that EPA is accepting written comment on the request.

DATES: EPA has tentatively scheduled a public hearing concerning CARB's request on December 12, 2011 at 10 a.m. EPA will hold a hearing only if any party notifies EPA by November 25, 2011, expressing its interest in presenting oral testimony. By December 1, 2011, any person who plans to attend the hearing may call David Dickinson at (202) 343-9256 to learn if a hearing will be held or may check the following Web

site for an update: <http://www.epa.gov/otaq/cafr.htm>.

Parties wishing to present oral testimony at the public hearing should also provide written notice to David Dickinson at the address noted below. If EPA receives a request for a public hearing, that hearing will be held at 1310 L St. NW., Washington, DC 20005. If EPA does not receive a request for a public hearing, then EPA will not hold a hearing, and instead consider CARB's request based on written submissions to the docket. Any party may submit written comments by January 9, 2012.

ADDRESSES: EPA will make available for public inspection materials submitted by CARB, written comments received from interested parties, and any testimony given at the public hearing. Materials relevant to this proceeding are contained in the Air and Radiation Docket and Information Center, maintained in Docket No. EPA-HQ-OAR-2011-0816. The docket is located at The Air Docket, Room 3334, 1301 Constitution Avenue NW., Washington, DC 20460, and may be viewed between 8 a.m., and 5:30 p.m., Monday through Friday. The telephone is (202) 566-1742. A reasonable fee may be charged by EPA for copying docket material.

Additionally, an electronic version of the public docket is available through the Federal government's electronic public docket and comment system. You may access EPA dockets at <http://www.regulations.gov>. After opening the <http://www.regulations.gov> Web site, enter EPA-HQ-OAR-2011-0816 in "Search Documents" to view documents in the record. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: David Dickinson, Compliance Division (6405J), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460. *Telephone:* (202) 343-9256, *Fax:* (202) 343-2804, *email address:* Dickinson.David@epa.gov.

SUPPLEMENTARY INFORMATION:

(A) Procedural History

CARB initially adopted the HD OBD requirements in December 2005, and EPA issued a waiver of preemption in August 2008.¹ CARB's HD OBD regulation, as initially adopted, required manufacturers to install a fully compliant HD OBD system on both

¹ The EPA decision was signed on August 13, 2008 and published at 73 FR 52042 (September 8, 2008).