

*Changes in the Estimates:* There is an adjustment increase in the total estimated burden as currently identified in the OMB Inventory of Approved Burdens. This increase is not due to any program changes. The adjustment increase in burden hours from the most recently approved ICR is due to an increase in the number of sources subject to the standard. The increase in costs reflects updated labor rates for both the respondents and Agency.

There is also an increase in the capital/startup costs in this ICR compared to the previous ICR due to an increase in the number of affected sources. The previous ICR estimates annualized capital/startup costs for existing and new facilities. This ICR reflects the on-going annualized capital/startup costs for all facilities including new facilities that have become subject to the standard in the past three years.

**John Moses,**

*Director, Collection Strategies Division.*

[FR Doc. 2012-8066 Filed 4-3-12; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OAR-2011-0841; FRL-9515-3]

### **Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; NESHAP for Hazardous Waste Combustors (Renewal)**

**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 to renew an existing approved 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 May 4, 2012.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-OAR-2011-0841, to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), by email to [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Avenue 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:** Shiva Garg, Office of Resource Conservation and Recovery, Materials Recovery and Waste Management Division, (mail code 5304P), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: 703-308-8459; fax number: 703-308-0522; email address: [garg.shiva@epa.gov](mailto:garg.shiva@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 January 18, 2012 (77 FR 2535), 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 No. EPA-HQ-OAR-2011-0841, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the OAR 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 8:30 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 Air and Radiation Docket is 202-566-1742.

Use EPA's electronic docket and comment system at [www.regulations.gov](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 [www.regulations.gov](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](http://www.regulations.gov).

**Title:** NESHAP for Hazardous Waste Combustors (Renewal).

**ICR numbers:** EPA ICR No. 1773.10, OMB Control No. 2050-0171.

**ICR Status:** This ICR is scheduled to expire on June 30, 2012. 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, 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 affected entities are subject to the General Provisions of the National Emission Standards for Hazardous Air Pollutants (NESHAP) at 40 CFR part 63, Subpart A, and any changes, or additions to the Provisions specified at 40 CFR part 63, Subpart EEE. Hazardous waste combustors include: hazardous waste incinerators, hazardous waste cement kilns, hazardous waste lightweight aggregate kilns, hazardous waste solid fuel boilers, hazardous waste liquid fuel boilers, and hazardous waste hydrochloric acid production furnaces. Owners or operators of the affected facilities must submit a one-time-only report of any physical or operational changes, notification of exceedances, notification of performance test and continuous monitoring system evaluation, notification of intent to comply, notification of compliance, notification if the owner or operator elects to comply with alternative requirements, initial performance tests, and periodic reports and results.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 42 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:*

Owners or operators of combustion units burning hazardous waste, States.

*Estimated Number of Respondents:* 208.

*Frequency of Response:* Initially, occasionally, semiannually, and annually.

*Estimated Total Annual Hour Burden:* 142,447 Hours.

*Estimated Total Annual Cost:* \$19,665,792, includes \$100,059 for annualized capital cost and \$3,951,790 for operation and maintenance (O&M) costs.

*Changes in the Estimates:* There is a decrease of 57,450 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This burden decrease is due to a decrease in the number of estimated hazardous waste combustors affected by this ICR since the last renewal.

**John Moses,**

Director, Collection Strategies Division.

[FR Doc. 2012-8055 Filed 4-3-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9655-9]

### California State Nonroad Engine Pollution Control Standards; Large Spark-Ignition (LSI) Engines; New Emission Standards and In-Use Fleet Requirements; Notice of Decision

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

**ACTION:** Notice of Decision.

**SUMMARY:** EPA is granting the California Air Resources Board's (CARB's) request for authorization of California's emission standards and certification and test procedures for large spark-ignition nonroad engines and in-use fleet average emission requirements for large- and medium-sized fleets. California's LSI in-use fleet requirements are applicable to fleets comprised of four or more pieces of equipment powered by LSI engines, including forklifts, industrial tow tractors, sweepers/scrubbers, and airport ground support equipment.

**DATES:** Petitions for review must be filed by June 4, 2012.

**ADDRESSES:** EPA has established a docket for this action under Docket ID EPA-HQ-OAR-2011-0830. All documents relied upon in making this decision, including those submitted to EPA by CARB, are contained in the

public docket. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Air and Radiation Docket in the EPA Headquarters Library, EPA West Building, Room 3334, located at 1301 Constitution Avenue NW., Washington, DC. The Public Reading Room is open to the public on all federal government working days from 8:30 a.m. to 4:30 p.m.; generally, it is open Monday through Friday, excluding holidays. The telephone number for the Reading Room is (202) 566-1744. The Air and Radiation Docket and Information Center's Web site is <http://www.epa.gov/oar/docket.html>. The electronic mail (email) address for the Air and Radiation Docket is: [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov), the telephone number is (202) 566-1742, and the fax number is (202) 566-9744. 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 [www.regulations.gov](http://www.regulations.gov) Web site, enter EPA-HQ-OAR-2011-0830 in the "Enter Keyword or ID" fill-in box 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.

EPA's Office of Transportation and Air Quality ("OTAQ") maintains a Web page that contains general information on its review of California waiver requests. Included on that page are links to prior waiver **Federal Register** notices, some of which are cited in today's notice; the page can be accessed at <http://www.epa.gov/otaq/cafr.htm>.

**FOR FURTHER INFORMATION CONTACT:** Kristien G. Knapp, Attorney-Advisor, Compliance Division, Office of Transportation and Air Quality, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue (6405), NW., Washington, DC 20460. Telephone: (202) 343-9949. Fax: (202) 343-2800. Email: [knapp.kristien@epa.gov](mailto:knapp.kristien@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

###### A. California's LSI Regulations

By letter dated December 10, 2008, CARB submitted to EPA its request pursuant to section 209(e) of the Clean Air Act ("CAA" or "the Act"), regarding its regulation of emissions from new off-road large spark-ignition (LSI) engines and its in-use fleet requirements for forklifts and other industrial equipment

with LSI engines.<sup>1</sup> The LSI regulations are designed to reduce emissions of hydrocarbons (HC) and oxides of nitrogen (NO<sub>x</sub>) from forklifts and other industrial equipment powered by LSI engines. CARB approved the LSI regulations at a public hearing on May 25, 2006 (by Resolution 06-11).<sup>2</sup> After making modifications to the regulation available on December 1, 2006, and February 1, 2007 for supplemental public comment, CARB's Executive Officer formally adopted the LSI regulations in Executive Order R-07-001 on March 2, 2007.<sup>3</sup> The LSI regulations are codified at title 13, California Code of Regulations, sections 2775 through 2775.2.<sup>4</sup>

Underpinning CARB's LSI regulations is a set of emission standards for new off-road LSI engines beginning in 2007. The emission standards include: adoption of EPA's 2007 and later model year emission standards for the same engines, more stringent standards for the 2010 and later model years, optional certification standards, and more rigorous certification and test procedures. The LSI regulations also apply to operators of large- and medium-sized fleets of forklifts, sweepers/scrubbers, airport ground support equipment (GSE), and industrial tow tractors with engine displacements of greater than one liter. These fleets must meet a fleet average in-use emission standard.

###### B. Clean Air Act Nonroad Engine and Vehicle Authorizations

Section 209(e)(1) of the Act permanently preempts any State, or political subdivision thereof, from adopting or attempting to enforce any standard or other requirement relating to the control of emissions for new nonroad engines or vehicles. States are also preempted from adopting and enforcing standards and other requirements related to the control of emissions from non-new nonroad engines or vehicles. Section 209(e)(2) requires the Administrator, after notice and opportunity for public hearing, to authorize California to enforce such standards and other requirements, unless EPA makes one of three findings. In addition, other states with attainment plans may adopt and enforce such regulations if the standards, and

<sup>1</sup> California Air Resources Board ("CARB"), "Request for Authorization," December 10, 2008, EPA-HQ-OAR-2011-0830-0001.

<sup>2</sup> CARB Enclosure 1, "Resolution 06-11," EPA-HQ-OAR-2011-0830-0002.

<sup>3</sup> CARB Enclosure 2, "Executive Order R-07-001," EPA-HQ-OAR-2011-0830-0003.

<sup>4</sup> CARB Enclosure 3, "Final Regulation Order," EPA-HQ-OAR-2011-0830-0004.