### LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

(Week of May 22 through May 26, 1995)

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**Environmental Protection Agency**

**FRL–5290–7**

Agency Information Collection Activities Under OMB Review

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden; where appropriate, it includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before September 27, 1995.

**FOR FURTHER INFORMATION OR A COPY CALL:** Sandy Farmer at EPA, (202) 260–2740, and refer to EPA ICR No. 0270.34.

**SUPPLEMENTARY INFORMATION:** Title: Public Water Supply System Supervision Program, Public Notification and Education Requirements (OMB Control No. 2040–0090; EPA ICR No. 0270.34). This is an amendment to a previously-approved collection. (These requirements were included in rules promulgated by EPA in 1987 and 1991, but were not included in ICRs developed at those times. Due to enactment of the Paperwork Reduction Act of 1995, the requirements are now being submitted for OMB review. EPA is not proposing any modification of the requirements at this time.)

**Abstract:** The Safe Drinking Water Act requires that the public be made aware of potential contaminants in their water systems. A public water system is required to notify its consumers when the system has exceeded regulatory action levels, has received variances or exemptions, or has failed to comply with schedules pursuant to variances. Systems notify their consumers by means of mailed notices (often included with a water bill), newspaper announcements, posted notices, and in some circumstances electronic media (radio and television). Public water systems that exceed action levels for lead must provide educational materials to consumers about lead in drinking water. The educational materials include water bill announcements, newspaper announcements, and brochures distributed by mail and made available at local health agencies, schools and other public entities. The general public notification provisions and lead public education requirements are included in the National Primary Drinking Water Regulations, 40 CFR Parts 141–143.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 6.6 hours per response. This estimate includes the time needed to review regulations and guidance; prepare notification statements and brochures, distributing and/or posting the notices, and training personnel on notification procedures.

**Respondents/Affected Entities:** Public water systems.

**Estimated No. of Respondents:** 61,930.

**Estimated Total Annual Burden on Respondents:** 408,535 hours.

**Frequency of Collection:** On occasion.

**Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to**

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OPPE Regulatory Information Division (2136), 401 M Street, SW, Washington, DC 20460. and Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

**DATED:** August 29, 1995.

**Richard Westlund,**

Acting Director, Regulatory Information Division.

**FRL–5288–6**

Information Collection Request for Used Oil

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

**ACTION:** Notice.
SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) listed below is coming up for renewal. Before submitting the renewal package to the Office of Management and Budget (OMB), EPA is soliciting comments on specific aspects of the collection as described below.

DATES: Comments must be submitted on or before October 31, 1995.

ADDRESSES: Commenters must send an original and two copies of their comments referencing docket number F-95 UIOP FFFFFF to: RCRA Docket Information Center, Office of Solid Waste (5305W), U.S. Environmental Protection Agency Headquarters, 401 M Street, SW., Washington, DC 20460. Comments may also be submitted electronically through the Internet to: RCRA Docket epamail.epa.gov. Comments in electronic format should also be identified by the docket number F-95 UIOP FFFFFF. All electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Public comments and supporting materials are available for viewing in the RCRA Information Center (RIC), located at Room M 2616 at the address listed above. The RIC is open from 9 a.m. to 4 p.m., Monday through Friday, excluding federal holidays. To review docket materials, the public must make an appointment by calling (202) 260-9327. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost $.15/page.

Copies of the original ICR may be requested from the docket address and phone number listed above or may be found on the Internet. The complete ICR can be accessed off the main EPA Gopher menu, in the directory: EPA Offices and Regions /Office of Solid Waste and Emergency Response (OSWER) /Office of Solid Waste (RCRA) /hazardous waste—RCRA Subtitle C/hazardous waste identification/listing of used oil.

Follow these instructions to access the information electronically:

Gopher: gopher.epa.gov
WWW: http://www.epa.gov
Dial-up: (919) 558-0335.

FOR FURTHER INFORMATION CONTACT: For general information, contact the RCRA Hotline at 1-800-424-3946 or TDD 1-800-553-7672 (hearing impaired). In the Washington metropolitan area, call 703-412-9610 or TDD 703-412-3323. For technical information, contact Tracy Bone at (202) 260-3509.

SUPPLEMENTARY INFORMATION: Affected entities: Entities affected by this action are those which handle or manage used oil including used oil: transporters, processors, re-refiners, and burners.

Title: Used Oil Management Standards Recordkeeping and Reporting Requirements, ICR No. 1286, OMB No. 2050-0124, expires 12/31/95.

Abstract: Under statutory authority, EPA established mandatory regulations (See 40 CFR Part 279) that control the storage of used oil in aboveground tanks and containers to minimize potential releases from these units. It establishes notification and testing requirements, and tracking and recordkeeping requirements for used oil transporters, processors, re-refiners, and burners to document the movement of used oil. It also sets standards for the prevention and cleanup of releases to the environment during storage and transit and for the safe closure of storage units and processing and re-refining facilities to mitigate future releases and damages. EPA believes these requirements mitigate potential hazards to human health and the environment from the potential mismanagement of used oils by used oil handlers, while providing for the recycling of used oil. This information will be used to ensure compliance with the Used Oil Management Standards. The EPA would like to solicit 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;

(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 collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

The following estimates are summarized from ICR 1286.

Burden Statement
The bottom line burden to respondents for complying with the Part 279 information collection requirements is approximately 75,626 hours per year, with an annual cost of $465,455. The public reporting burden for this collection of information is estimated to range from 18 to 54 minutes per response, while the recordkeeping burden averages eight minutes per respondent.

EPA estimates that 96 transporter and transfer facilities will be required to obtain an EPA identification number.

EPA estimates that each of the 383 used oil transporters will make 202 shipments annually and that each shipment will consist of 15 pickups, for an annual total of 1,160,490 pickups per year. Used oil transporters will determine the halogen content of each pickup. In addition, EPA estimates that used oil transporters will rebut the hazardous waste presumption for one percent of these shipments, or 774. EPA expects that records will be maintained on file for each of the 1,161,264 determinations.

Oil Processors and Re-Refiners
For the estimated 249 used oil processors and re-refiners, EPA estimates the total estimated annual burden is 56,315 hours, with an annual cost of $1,331,587. The public reporting burden is estimated to range from 94 hours to 108 hours per respondent, while the recordkeeping burden averages 12 to 18 minutes per response.

EPA estimates that all 249 processors and re-refiners will be burdened by information collection requirements relating to the development, amendment, and retention of a contingency plan. EPA estimates that one percent of all used oil processors and re-refiners, or three facilities, will experience an emergency incident each year and have to submit to EPA a written report of the emergency incident. EPA estimates that all 249 processors/re-refiners will be affected by information collection requirements relating to preparing and maintaining a written analysis plans. EPA estimates that used oil processors and re-refiners will manage a total of 323,000 used oil shipments per year. EPA estimates that each shipment will consist of used oil picked up from 10 locations, for a total of 3,230,000 pickups delivered to used oil processors and re-refiners.

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EPA estimates that the bottom line burden to these transporters and transfer facilities to be 58,236 hours per year with an annual cost of approximately $465,455. The public reporting burden for this collection of information is estimated to range from 18 to 54 minutes per response, while the recordkeeping burden averages eight minutes per respondent.

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EPA estimates that the bottom line burden to these transporters and transfer facilities to be 58,236 hours per year with an annual cost of approximately $465,455. The public reporting burden for this collection of information is estimated to range from 18 to 54 minutes per response, while the recordkeeping burden averages eight minutes per respondent.

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EPA estimates that each of the 383 used oil transporters will make 202 shipments annually and that each shipment will consist of 15 pickups, for an annual total of 1,160,490 pickups per year. Used oil transporters will determine the halogen content of each pickup. In addition, EPA estimates that used oil transporters will rebut the hazardous waste presumption for one percent of these shipments, or 774. EPA expects that records will be maintained on file for each of the 1,161,264 determinations.

Oil Processors and Re-Refiners
For the estimated 249 used oil processors and re-refiners, EPA estimates the total estimated annual burden is 56,315 hours, with an annual cost of $1,331,587. The public reporting burden is estimated to range from 94 hours to 108 hours per respondent, while the recordkeeping burden averages 12 to 18 minutes per response.

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EPA estimates that the bottom line burden to these transporters and transfer facilities to be 58,236 hours per year with an annual cost of approximately $465,455. The public reporting burden for this collection of information is estimated to range from 18 to 54 minutes per response, while the recordkeeping burden averages eight minutes per respondent.

EPA estimates that 96 transporter and transfer facilities will be required to obtain an EPA identification number.

EPA estimates that each of the 383 used oil transporters will make 202 shipments annually and that each shipment will consist of 15 pickups, for an annual total of 1,160,490 pickups per year. Used oil transporters will determine the halogen content of each pickup. In addition, EPA estimates that used oil transporters will rebut the hazardous waste presumption for one percent of these shipments, or 774. EPA expects that records will be maintained on file for each of the 1,161,264 determinations.
rebut the hazardous waste presumption for one percent of these shipments, or 3,314 shipments. In addition, EPA expects that one percent of the 249 processors and re-refiners, or approximately three facilities, will experience an emergency incident that will require recordkeeping.

Burners
For the estimated 1,155 burners of off-specification used oil, EPA estimates the total annual burden to be 185 hours, at an annual cost of $4,980. The public reporting burden is estimated to average nine minutes per response, while the recordkeeping burden averages six minutes.

EPA estimates that all 1,155 used oil burners will determine the halogen content of their used oil. EPA expects that each of these 1,155 used oil burners will receive 20 shipments, or a total of 23,100 shipments. Of these shipments, EPA expects one percent, or 231 shipments, will be tested under the rebuttable presumption. As such, EPA expects that 23,331 determinations will be performed annually and that they will keep records of each of the determinations.

States
The public reporting burden for States is estimated to range from nine minutes to 1 hour and fifteen minutes per response, with no recordkeeping burden. EPA estimated that six States would submit petitions during FY 93-95. The total annual burden for States is approximately 7.5 hours, at an annual cost of $137.

No person is 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 are displayed in 40 CFR Part 9.


Michael Shapiro,
Director, Office of Solid Waste.

[FR Doc: 95-21763 Filed 8-31-95; 8:45 am]

BILLING CODE 6560-50-P

[ER-FRL-5228-4]

Environmental Impact Statements and Regulations: Availability of EPA Comments

Availability of EPA comments prepared August 14, 1995 through August 18, 1995 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 260-5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the Federal Register dated April 14, 1995 (60 FR 19047).

Draft EISs

ERP No. D-AFS-L65237-ID Rating EU2, Thunderbolt Wildfire Recovery Project, Implementation, Boise and Payette National Forests, Valley County, ID.

Summary

EPA found the proposed salvage project to be environmentally unsatisfactory. EPA’s primary concerns include impaired water quality, significantly increased sediment loading, degradation to salmon spawning and rearing habitat, and major deviation from the forest plan.

ERP No. D-COE-J35010-UT Rating EC2, Kennecott Tailings Modernization Project, Tailings Impoundment Expansion, COE Section 404 Permit Issuance, Salt Lake County, UT.

Summary

EPA expressed environmental concerns regarding water quality impacts and requested information that will assist in expediting a CERCLA decision.


Summary

EPA expressed environmental concerns about the need for the proposed project, as well as the proposed project’s potential impacts to wetlands, surface water quality, and noise. Accordingly, additional information should be provided in the final EIS to address these issues.

ERP No. D-FAA-L51016-WA Rating EO2, Seattle - Tacoma (Sea-Tac) International Airport Master Plan Update for Development Actions, Funding, Airport Layout Plan Approval and COE Section 404 Permit, King County, WA.

Summary

EPA expressed environmental concerns about the need for the proposed project, as well as the proposed project’s potential impacts to wetlands, surface water quality, and noise. Accordingly, additional information should be provided in the final EIS to address these issues.


Summary

EPA expressed environmental concerns about the proposed project’s environmental impacts to the aquatic environment.

ERP No. D-GSA-K80037-CA Rating EC2, San Diego–United States Courthouse, Site Selection and Construction within a portion of the Central Business District (CBD), City of San Diego, San Diego County, CA.

Summary

EPA expressed environmental concerns regarding the project’s air quality analysis performed for the proposed project.


Summary

Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.


Summary

Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F-COE-L52047-CA Humboldt Harbor and Bay (Deepening) Channels Feasibility Study for Navigation Improvements, Humboldt County, CA.