

Historic Preservation Officer (SHPO), as required by § 106, National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

1. Under Section 4.32(b)(7) of the Commission's regulations (18 CFR 4.32(b)(7)), if any resource agency, SHPO, Indian Tribe, or person believes that the applicant should conduct an additional scientific study to form an adequate, factual basis for a complete analysis of this application on its merits, they must file a request for the study with the Commission, together with justification for such request, not later than 60 days after application is filed, and must serve a copy of the request on the applicant.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 98-9894 Filed 4-15-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5978-3]

### Agency Information Collection Activities: Proposed Collection; Comment Request; Best Management Practices for the Bleached Papergrade Kraft and Soda Subcategory and the Papergrade Sulfite Subcategory of the Pulp, Paper, and Paperboard Point Source Category

**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 EPA is planning to submit the following proposed and/or continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): Information Collection Request for Best Management Practices, Effluent Limitations Guidelines and Standards, Pulp, Paper, and Paperboard Manufacturing Category (40 CFR Part 430). Before submitting the ICR to OMB for review and approval, EPA is soliciting comment on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before June 15, 1998.

**ADDRESSES:** Send comments on this notice in triplicate to Mr. Troy Swackhammer, Office of Water, Engineering and Analysis Division (4303), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460. In addition to submitting

hard copies of the comments, the public may also send comments via e-mail to: swackhammer.j-troy@epamail.epa.gov. Copies of the draft information collection request are available at <http://www.epa.gov/OST/pulppaper/>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Troy Swackhammer by voice on (202) 260-712, by facsimile on 202-260-7185, or by e-mail at swackhammer.j-troy@epamail.epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### Regulated entities

Entities potentially affected by this action are those operations that chemically pulp wood fiber using kraft or soda methods to produce bleached papergrade pulp, paperboard, coarse paper, tissue paper, fine paper, and/or paperboard; and those operations that chemically pulp wood fiber using papergrade sulfite methods to produce pulp and/or paper.

**Title:** Best Management Practices for the Bleached Papergrade Kraft and Soda Subcategory and the Papergrade Sulfite Subcategory of the Pulp, Paper, and Paperboard Point Source Category (EPA ICR No. 1829.01).

**Abstract:** The Environmental Protection Agency (EPA) has established Best Management Practice provisions as part of final amendments to 40 CFR Part 430, the Pulp, Paper and Paperboard Point Source Category published elsewhere in today's **Federal Register**. See 40 CFR Part 430.03. These provisions, promulgated under the authorities of Sections 304, 307, 308, 402, and 501 of the Clean Water Act, require that owners or operators of bleached papergrade kraft, soda and sulfite mills implement site-specific BMPs to prevent or otherwise contain leaks and spills of spent pulping liquors, soap and turpentine and to control intentional diversions of these materials.

EPA has determined that these BMPs are necessary because the materials controlled by these practices, if spilled or otherwise lost, can interfere with wastewater treatment operations and lead to increased discharges of toxic, nonconventional, and conventional pollutants. For further discussion of the need for BMPs, see Section VI.B.7 of the preamble to the amendments to 40 CFR Part 430 published elsewhere in today's **Federal Register**.

The BMP program includes information collection requirements that are intended to help accomplish the overall purposes of the program by, for example, training personnel, see 40 CFR 430.03(c)(4), analyzing spills that occur, see 40 CFR 430.03(c)(5), identifying

equipment items that might need to be upgraded or repaired, see 40 CFR 430.03(c)(2), and performing monitoring—including the operation of monitoring systems—to detect leaks, spills and intentional diversion and generally to evaluate the effectiveness of the BMPs, see 40 CFR 430.03(c)(3), (c)(10), (h), and (i). The regulations also require mills to develop and, when appropriate, amend plans specifying how the mills will implement the specified BMPs, and to certify to the permitting or pretreatment authority that they have done so in accordance with good engineering practices and the requirements of the regulation. See 40 CFR 430.03(d), (e) and (f). The purpose of those provisions is, respectively, to facilitate the implementation of BMPs on a site-specific basis and to help the regulating authorities to ensure compliance without requiring the submission of actual BMP plans. Finally, the recordkeeping provisions are intended to facilitate training, to signal the need for different or more vigorously implemented BMPs, and to facilitate compliance assessment. See 40 CFR 430.03(g).

EPA has structured the regulation to provide maximum flexibility to the regulated community and to minimize administrative burdens on National Pollutant Discharge Elimination System (NPDES) permit and pretreatment control authorities that regulate bleached papergrade kraft and soda and papergrade sulfite mills. Although EPA does not anticipate that mills will be required to submit any confidential business information or trade secrets as part of this ICR, all data claimed as confidential business information will be handled by EPA pursuant to 40 CFR Part 2.

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 are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

#### Solicitation of Comments

EPA solicits comments that would help the Agency to better:

(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**

The following discussion describes the information collection requirements of the BMP regulations and estimates the burden associated with each one.

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 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 previously applicable instructions and requirements; train personnel to be able to respond to the collection of information; search data sources; complete and review the collection of information and transmit or otherwise disclose the information.

The BMP regulations at 40 CFR 430.03 include the following major components: (1) Development, review and certification of a BMP plan, which should include programs to identify and repair leaking equipment, to track equipment repairs, to train personnel, to report and evaluate spills, to review planned mill modifications, and to establish wastewater treatment system influent action levels (including an initial six-month monitoring program) in addition to a detailed engineering review of the pulping and chemical recovery areas; (2) amendment and periodic review of the BMP plan; (3) reporting of spills; (4) additional monitoring and reporting; and (5) additional recordkeeping. See 40 CFR 430.03 (c) through (h) and the "Technical Support Document for Best Management Practices for Spent Pulping Liquor Management, Spill Prevention, and Control," October 1997, DCN 14489, EPA-821-R-97-015 (also referred to below as the BMP TSD) for more detailed information on the requirements. The BMP requirements apply to approximately 95 papergrade kraft, soda, and sulfite mills.

#### *a. Development, Review and Certification of a BMP Plan*

Development of a site-specific BMP plan is a one-time initial burden. Plan preparation costs will vary based upon mill complexity. EPA anticipates that mills will use outside consultants under direction of mill personnel to prepare the site-specific BMP plan, including the detailed engineering review. Costs for preparing the BMP Plan, which range from \$150,000 to \$250,000, are included in the compliance cost estimates developed for the regulation (see Table 9.2 of the BMP TSD, DCN 14489). EPA anticipates mill labor burden of 40, 60, and 80 hours (at \$30 per hour) for direction and oversight of the consultant effort for simple, moderately complex, and complex mills, respectively. Review of the initial plan by the senior technical manager and certification by the mill manager is expected to take less than one day of effort (at \$40 per hour). These one-time burden estimates associated with the BMP plan are summarized in Table 1 of this notice.

As part of the BMP plan development, mills must establish a training program for technical personnel. This training program must include both an initial training effort and an annual refresher training. The burden for initial training is included in the compliance costs referenced above (see Table 9.2 of the BMP TSD, DCN 14489). Burden for annual refresher training is included in the annual estimates presented in Table 2 of this notice.

#### *b. Amendment and Periodic Review of a BMP Plan*

Owners or operators must amend their BMP Plans whenever there is a change in mill design, construction, operation or maintenance that materially affects the potential for leaks or spills of spent pulping liquor, soap or turpentine from the immediate process areas. See 40 CFR 430.03(e)(1). In addition, owners or operators must complete a review and evaluation of their BMP plans at least once every five years, and amend the plan within three months if warranted. See 40 CFR 430.03(e)(2). Any BMP plan amendments also require review by the senior technical manager and certification by the mill manager. See 40 CFR 430.03(f).

EPA anticipates less than 50 hours of mill labor per amendment, and based the ICR burden on an assumption that each mill would need to amend its BMP plan twice every five years, for an annual burden of 20 hours (\$620),

which is included in the annual estimates presented in Table 2.

#### *c. Reporting of Spills*

Reports of spills of spent pulping liquor, soap or turpentine not contained in the immediate process area must list the equipment involved, the circumstances leading to the incident, the effectiveness of corrective actions taken and plans to implement future changes. These reports must be maintained by the owner or operator, and they need only be submitted to the NPDES permit or pretreatment control authority upon request. EPA anticipates that the burden of preparing a spill report is approximately four hours and can be conducted by a mill engineer at \$30 per hour. ICR burden is calculated on an annual basis using an assumption of 1 spill per mill per month and is included in the annual estimates presented in Table 2.

#### *d. Additional Monitoring and Reporting*

Mills are required to operate continuous, automatic monitoring systems that the mill determine are necessary to detect and control leaks, spills, and intentional diversions of spent pulping liquor, soap, and turpentine. See 40 CFR 430.03(c)(3). The burden for designing, testing, and operating the monitoring system, expressed in the form of costs, is included in the compliance cost estimates developed for the regulation (see Table 9.2 of the BMP TSD, DCN 14489).

In addition, all mills with the exception of new sources are required to perform two six-month monitoring programs in order to determine the characteristics (or action levels) of their wastewater treatment system effluent. See 40 CFR 430.03(h). (New sources are required to perform only one six-month monitoring program for this purpose. See 40 CFR 430.03(h)(5).) All mills are also required to perform additional monitoring to revise those action levels after any change in mill design, construction, operation, or maintenance that materially affects the potential for leaks or spills or spent pulping liquor, soap, or turpentine from the immediate process area. See 40 CFR 430.03(h)(6). The effort required to implement the initial monitoring program and perform the associated statistical analysis to establish the action levels is included in the compliance cost estimates developed for the regulation, and the burden to perform monitoring to revise those action levels is included in the incremental monitoring burden discussed below.

The regulation also requires all mills to conduct daily monitoring of wastewater treatment system influent for the purpose of detecting leaks and spills, tracking the effectiveness of the BMPs, and detecting trends in spent pulping liquor losses. See 40 CFR 430.03(i). EPA estimates the burden associated with this monitoring to be increment of 1 additional hour per day (at \$20/hour) as included in annual estimates shown in Table 2 of this notice. Costs for monitoring equipment were included in the compliance cost estimates developed for the regulation (see Table 9.2 of the BMP TSD, DCN 14489).

Mill operators are required to provide their NPDES permit or pretreatment control authorities reports of the monitoring required by the BMP regulation. The reports must include a

summary of the monitoring results, the number and dates of exceedances of the applicable action levels, and brief descriptions of any corrective actions taken to respond to such exceedances. Submission of such reports shall be at the frequency established by the NPDES permit or pretreatment control authority, but in no case less than once per year. EPA has based the burden estimates on a semi-annual reporting frequency and estimates that each report will take 16 hours to complete, including both engineer and senior technical manager effort (also included in Table 2 estimates).

#### *e. Recordkeeping Requirements*

The regulation requires that certain equipment repair records, records of employee training, reports of spills outside the immediate process area, and records of monitoring conducted as part

of the BMP program be maintained for three years. See 40 CFR 430.03(g). EPA expects that the level of effort will depend upon mill complexity. Burden estimates for recordkeeping are based on an incremental level of effort to comply with BMP requirements consisting of 2 to 4 hours per month for the operators/shift supervisors over current shift log recordkeeping (at \$20 per hour), 2 to 4 hours per month for engineering technicians (at \$30 per hour), and two hours per month for clerical support (at \$15 per hour). These burden estimates are also included in the annual estimates presented in Table 2 below.

#### *f. Total Industry Burden Estimates*

Based on the assumptions listed above, EPA estimates the following one-time burden associated with mill labor for the BMP requirements:

TABLE 1.—BURDEN ESTIMATES FOR PREPARING AND CERTIFYING THE BMP PLAN  
[One-time burden]

Process (complexity)	Number of mills	Hours (industry-wide)	Dollars (\$) (industry-wide)
Kraft (simple) .....	41	1,969	62,320
Kraft (moderately complex) .....	30	2,040	63,600
Kraft (complex) .....	13	1,144	35,360
Sulfite (simple) .....	11	528	16,720
Total .....	95	5,680	178,000

**Note:** BMP plan development costs that are contracted out are considered compliance costs and are not included here; they are

presented in Table 9–2 of the BMP TSD, DCN 14489.

Based on the assumptions listed above, EPA estimates the following recurring burden associated with mill labor for the BMP requirements:

TABLE 2.—BURDEN ESTIMATE FOR MAINTAINING BMP PLAN, SPILL RECORDS, PERSONNEL TRAINING, ETC.  
[Recurring burden]

Process (complexity)	Number of mills	Annual hours (industry-wide)	Annual dollars (\$) (industry-wide)
Kraft (simple) .....	41	22,017	487,080
Kraft (moderately complex) .....	30	16,830	374,400
Kraft (complex) .....	13	7,605	170,040
Sulfite (simple) .....	11	5,907	130,680
Total .....	95	52,359	1,162,200

#### *g. Government Burden Estimates*

EPA estimates the initial burden to state NPDES permitting authorities and state and local pretreatment control authorities will be 950 hours based on ten hours per facility for the preparation of new NPDES permit or pretreatment control mechanism conditions implementing the BMP regulation. EPA estimates the recurring incremental burden to these state and local

authorities will be 950 hours per year based on ten hours per year per facility for administrative work associated with reviewing periodic (e.g., annual or semi-annual) reports of monitoring and conducting compliance reviews. State and local labor costs are estimated at \$19,000 per year, based on labor rates of \$20 per hour. EPA estimates that its incremental labor burden will be 100 hours annually for the BMP regulation

and will incur costs of \$3,000 per year, based on labor rates of \$30 per hour.

Dated: April 3, 1998.

**Tudor T. Davies,**

*Director, Office of Science and Technology.*  
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