

to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6421-4]

Agency Information Collection Activities: Proposed Collection; Comment Request; See List of ICRs Planned To Be Submitted in Section A

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 EPA is planning to submit the following three continuing Information Collection Requests (ICR) to the Office of Management and Budget (OMB). Before submitting the ICRs to OMB for review and approval, EPA is soliciting comments on specific aspects of the information collections as described at the beginning of Supplementary Information.

DATES: Comments must be submitted on or before October 15, 1999.

ADDRESSES: U.S. Environmental Protection Agency, Mail code 2223A, OECA/OC/METD, 401 M Street, SW., Washington, D.C. 20460. A hard copy of an ICR may be obtained without charge by calling the identified information contact individual for each ICR in section B of the Supplementary Information.

FOR FURTHER INFORMATION CONTACT: For specific information on the individual ICRs see section B of the Supplementary Information.

SUPPLEMENTARY INFORMATION:

For All ICRs

An Agency may not conduct or sponsor, and a person is not required to respond to, a collection 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.

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

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; 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.

A. List of ICRs Planned to be Submitted

In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following three continuing Information Collection Requests (ICR) to the Office of Management and Budget (OMB):

(1) NSPS subpart L; New Source Performance Standards (NSPS) for Secondary Lead Smelters (40 CFR part 60, subpart L); EPA ICR No. 1128.05, OMB Control No. 2060-0080; Expires 01/31/00.

(2) NSPS subparts KKK and LLL, New Source Performance Standards (NSPS) for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants (40 CFR part 60, subpart KKK) and New Source Performance Standards (NSPS) for Onshore Natural Gas Processing: SO₂ emissions (40 CFR part 60, subpart LLL); EPA ICR No. 1086.05, OMB Control No. 2060-0120; Expires 01/31/00.

(3) MACT subpart L; National Emission Standards for Coke Oven Batteries (40 CFR part 63, subpart L);

EPA ICR No. 1362.04, OMB Control No. 2060-0253; Expires 12/31/99.

B. Contact Individuals for ICRs

(1) NSPS subpart L; New Source Performance Standards (NSPS) for Secondary Lead Smelters (40 CFR part 60, subpart L); Deborah Thomas at (202) 564-5041 or via E-mail at thomas.deborah@epa.gov; EPA ICR No. 1128.05, OMB Control No. 2060-0080; Expires 01/31/00.

(2) NSPS subparts KKK and LLL, New Source Performance Standards (NSPS) for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants (40 CFR part 60, subpart KKK) and New Source Performance Standards (NSPS) for Onshore Natural Gas Processing: SO₂ emissions (40 CFR part 60, subpart LLL); Dan Chadwick at (202) 564-7054 or via E-mail at chadwick.dan@epa.gov; EPA ICR No. 1086.05, OMB Control No. 2060-0120; Expires 01/31/00.

(3) MACT subpart L; National Emission Standards for Coke Oven Batteries (40 CFR part 63, subpart L); Maria Malavé at (202) 564-7027 or via E-mail to malave.maria@epa.gov. EPA ICR No. 1362.04, OMB Control No. 2060-0253; Expires 12/31/99.

Information may also be acquired electronically through the Internet Web site at www.epa.gov/fedrgstr.

C. Individual ICRs

(1) NSPS subpart L; New Source Performance Standards (NSPS) for Secondary Lead Smelters (40 CFR part 60, subpart L); EPA ICR No. 1128.05, OMB Control No. 2060-0080; Expires 01/31/00.

Affected Entities: Entities potentially affected by this action are secondary lead smelters. Specifically, the affected facility in each smelter is any pot furnace of more than 250 kg charging capacity, blast (cupola) furnaces, and reverberatory furnaces.

Abstract: Secondary lead smelters produce elemental lead from scrap, providing the primary means for recycling lead-acid batteries (automotive) into useable products. Currently upwards of 95% of all lead-acid batteries are recycled by these facilities. Secondary lead smelters emit lead and non-lead particulate matter in quantities that, in the Administrator's judgement, cause or contribute to air pollution that may endanger public health or welfare. Consequently, New Source Performance Standards were promulgated for this source category. These standards rely on the proper installation, operation and maintenance of particulate control devices such as electrostatic precipitators or scrubbers.

In order to ensure compliance with the standards, adequate recordkeeping and reporting is necessary. This information enables the Agency to: (1) identify the sources subject to the standard; (2) ensure initial compliance with emission limits; and (3) verify continuous compliance with the standard. Specifically, the rule requires an application for approval of construction, notification of startup, notification and report of the initial emissions test, and notification of any physical or operational change that may increase the emission rate. In addition, sources are required to keep records of all startups, shutdowns, and malfunctions.

In the absence of such information collection requirements, enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act. Consequently, these information collection requirements are mandatory, and the records required by this NSPS must be retained by the owner or operator for two years. In general, the required information consists of emissions data and other information deemed not to be private. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, part 2, subpart B—Confidentiality of Business Information (See 40 CFR part 2; 41 FR 36902, September 1, 1976; amended by 43 FR 39999, September 8, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

Burden Statement: In the previously approved ICR, the average annual burden to industry to meet these recordkeeping and reporting requirements was estimated at 34.5 person-hours. This is based on an estimated 23 respondents. The average annual burden for reporting only is projected to be less than 10 hours. This is because virtually all reporting requirements apply to new facilities only, and no new secondary lead smelters are anticipated over the next three years. There is a chance that some existing facility might need to report a physical or operational change; however, these reports are very rare, and might only involve one facility over the three-year period, with a burden of less than 10 hours.

(2) NSPS subparts KKK and LLL, New Source Performance Standards (NSPS) for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants (40 CFR part 60, subpart KKK) and New Source Performance Standards (NSPS) for Onshore Natural Gas Processing: SO₂ emissions (40 CFR part 60, subpart

LLL); EPA ICR No. 1086.05, OMB Control No. 2060-0120; Expires 01/31/00.

Affected Facilities: Those entities which process natural gas onshore and are subject to NSPS subpart KKK and or NSPS subpart LLL.

Abstract: There are 586 facilities subject to NSPS subpart KKK and 62 subject to NSPS subpart LLL. There is no expected growth rate in the onshore natural gas processing industry. Subpart KKK regulates VOC emissions and subpart LLL regulates SO₂ emissions. In the Administrator's judgement these pollutants cause or contribute to air pollution that may endanger public health or welfare. Consequently, New Source Performance Standards were promulgated for this source category. These standards rely on the proper installation, operation and maintenance of particulate control devices and leak detection and repair protocols.

In order to ensure compliance with the standards, adequate recordkeeping and reporting is necessary. This information enables the Agency to: (1) identify the sources subject to the standard; (2) ensure initial compliance with emission limits; and (3) verify continuous compliance with the standard. Specifically, the rule requires an application for approval of construction, notification of startup, notification and report of the initial emissions test, and notification of any physical or operational change that may increase the emission rate. In addition, sources are required to keep records of all startups, shutdowns, and malfunctions. Recordkeeping requirements for subpart KKK affected facilities follows a general leak detection program regimen. It consists of inventorying the applicable pumps, pressure relief devices, sampling connections, valves, flanges and compressors; taking note of any leaks found at these pieces of equipment; and recording information regarding repairs. In general, gas leaks are monitored monthly and a visual inspection for liquid leaks is performed weekly.

The initial report for facilities subject to subpart KKK is required to be submitted within six months of affected facility startup. This report shall identify all process units and identify all valves, pumps, and compressors that are subject to the standards. All subsequent reports are due semiannually. These semiannual reports shall include information on applicable valves, pumps, and compressors, including the amount of valves, pumps, and compressors found leaking during the reporting period and information on repair, including the amount of valves,

pumps, and compressors that did not have leaks repaired.

Recordkeeping requirements for subpart LLL affected facilities involve recording the measurements and calculations regarding determining initial and continuous SO₂ emission reduction efficiency, and periods of excess emissions must be recorded. Excess emissions are defined as any 24-hour period during which the average sulfur emission reduction efficiency (as measured by operating temperature) is less than the appropriate operating temperature as determined in the performance test. Each 24 hour period must consist of at least 96 temperature measurements equally spaced over the 24 hours. A semiannual report is required for facilities subject to Ssbpart LLL. These reports shall contain information on periods of excess emissions as defined for facilities using sulfur emission reduction efficiency and those using CEMs.

All reports are sent to the delegated state or local authority. In the event that there is no delegated authority, the reports are sent directly to the EPA Regional office. Notifications are used to inform the Agency or delegated authority when a source becomes subject to the standards. The reviewing authority may then inspect the source to check if the required records are being kept and the pollution control devices have been properly installed and are being operated correctly. Performance test reports are needed for SO₂ since they serve as the Agency's record of a source's initial capability to comply with the SO₂ standards, and provide information on the operating conditions under which compliance was achieved. Excess emission reports are submitted for problem identification, as a check on source operation and maintenance, and for compliance determinations.

In the absence of such information collection requirements, enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act. Consequently, these information collection requirements are mandatory. Records of the calculations and measurements required to show applicability and compliance with the standard and compliance with monitoring requirements must be kept for at least 2 years following the date of the measurements. This requirement is also in the general provisions at section 60.7(d). To certify that a facility is exempt from the control requirements of these standards, each owner or operator of a facility with a design capacity less than 2 Long Tons per Day (LT/D) of H₂S in the acid gas shall keep, for the life of

the facility, an analysis demonstrating that the facility's design capacity is less than 2 LT/D acid gas. Each owner or operator who elects to comply with section 60.646(e) shall keep, for the life of the facility, a record demonstrating that the facilities design capacity is less than 150 LT/D of H₂S expressed as sulfur.

Burden Statement: The burden for NSPS subpart KKK includes 70 hours to prepare semiannual reports, and 80 hours to file and maintain records of measurements. The total burden hours for NSPS subpart KKK is 31,020. The burden for NSPS subpart LLL includes 16 hours to write the excess emissions report, Two hours to implement activities, 30 min to maintain records of start-up, shut-down, and/or malfunction, 1.5 hours to record the required monitoring measurements, and 2 hours for the capacity data records. The total burden hours for NSPS subpart LLL is 15,012. The total for both subparts combined is 46,032 hours.

(3) MACT subpart L; National Emission Standards for Coke Oven Batteries (40 CFR part 63, subpart L; EPA ICR No 1362.04, OMB Control No. 2060-0253; Expires 12/31/99).

Affected Entities: These standards apply to owners or operators of by-product and non-recovery coke oven batteries, whether existing, new, reconstructed, rebuilt or restarted. It also applies to all batteries using the conventional by-product recovery, the nonrecovery process, or any new recovery process. Applicability dates vary depending on the emission limitation the affected facility is subject to.

Abstract: The National Emissions Standards for Coke Oven Batteries were proposed on December 4, 1992 and promulgated on October 27, 1993. Under this rule, all existing batteries must choose a compliance track. Three compliance approaches are available under the rule: the "MACT (Maximum Achievable Control Technology) track," the "LAER (Lowest Achievable Emission Rate) extension track," and straddling both tracks (until January 1, 1998).

Owners or operators of coke oven batteries, whether existing, new, reconstructed, rebuilt or restarted, are required to comply with the following monitoring, recordkeeping and reporting requirements. Monitoring requirements include: daily monitoring of coke oven batteries by a certified observer for each emission point and calculate the 30-run rolling average; daily performance tests for each coke oven battery are needed to determine compliance with the visible emission

limitations for coke oven doors, topside port lids, offtake systems, and charging operations; monitoring of pollution control equipment operation and maintenance (e.g., flare system); and daily inspection of the collecting main for leaks according to Method 303. The recordkeeping requirements include: maintain records of the startup, shutdown, or malfunction plan developed under section 63.310; maintain records of the coke oven emission control work practice plan developed under section 63.306; maintain records of maintenance and inspection on leaks for by-product coke oven batteries; maintain records of daily operating parameters and design characteristics for nonrecovery coke oven batteries; maintain records of bypass/bleeder stack flare system or an approved alternative control device; and maintain records onsite for at least a year. Thereafter records must be accessible within three working days upon the Administrator's request. The reporting requirements include: submit one-time notifications to elect a compliance track and to certify initial compliance; if applicable, respondents also would submit one-time notifications or requests for constructing a new, brownfield, or padup rebuild by-product coke oven battery using a new recovery technology; restarting a cold-idle battery shutdown prior to November 15, 1990; obtaining an exemption from control requirements for bypass/bleeder stacks by committing to permanent closure of a battery or using an equivalent alternative control system for the stacks; and obtaining an alternative standard for coke oven doors on a battery equipped with a shed; if a malfunction occurred, respondents must notify the enforcement agency and follow up with a written report. A report also would be required if coke oven gas were vented through a bypass/bleeder stack and not flared as required under the rule; report for the venting of coke oven gas other than through a flare system; and submit semiannual compliance certifications.

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. 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.

Based on recorded and reported information, EPA and states can identify compliance problems and what records or processes should be inspected at the

plant. The records the plant maintains help indicate whether plants are in compliance with the standard, reveal misunderstanding about how the standard is to be implemented, and indicate to EPA whether plant personnel are operating and maintaining their process equipment properly. Specifically, the information and data will be used by EPA and states to: identify batteries subject to the standards; ensure that MACT and LAER are properly applied; and ensure that daily monitoring and work practice requirements are implemented as required. Effective enforcement of the standard is particularly necessary in light of the hazardous nature of coke oven emissions.

Reporting and recordkeeping requirements on the part of the respondent are mandatory under sections 112 and 114 of the Clean Air Act as amended. All information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, part 2, subpart B—Confidentiality of Business Information (See 40 CFR part 2; 41 FR 36902, September 1, 1976; amended by 43 FR 39999, September 8, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

Burden Statement: In the previously approved ICR, the recordkeeping and reporting burden were estimated to average \$10,740 total annual hours and 306.9 hours per respondent per year. The total annual cost for recordkeeping and reporting was estimated to average \$365,626 based on 35 respondents. The estimated operation and maintenance cost documented was \$2,364,954 due to the total burden hours associated with monitoring requirements (i.e., 69,469 hours). The burden has been calculated on the basis of estimated hourly rates as follows: technical \$35, management \$51, and clerical \$16. There were no capital and start-up cost since no new sources were expected over the next three years. The total average annual burden to industry over the next three years of the ICR is estimated to be \$2,730,580.

Several general assumptions were made for both by-product batteries and nonrecovery batteries in calculating the respondent burden associated with this regulation, as described below. Owners or operators of by-product batteries are required to have daily performance tests for each emission point on each battery conducted by a certified observer provided by the state. Therefore, respondent will reimburse the state through permit fees for all costs associated with daily inspections using

the formula provided in the standard. Other indirect costs attributable to respondents would include the cost of observer certification. It was assumed in this analysis that of the 34 by-product recovery plants only 10% would be required to implement the work practice procedures, specified in the work practice plan, which is required following the second independent exceedance of an applicable visible emission limitation for an emission point. It was also assumed in the analysis that 10% of the 34 by-product plants would experience a venting episode where emissions are released through bypass/bleeder stacks without flaring and, therefore, require to submit a notification and written report to EPA. The nonrecovery plants are not required to use a certified observer to monitor the oven pressure to control emissions from coke oven doors. However, nonrecovery plants are subject to work practices for charging operations for which they need to keep records.

Other specific assumptions made in calculating the burden estimate analysis include: (1) One plant per year will submit a notification for construction or reconstruction, use of new recovery technology, and startup of cold-idle batteries; (2) the enforcement agency will receive requests for an alternative door standard; (3) 1 plant would permanently close batteries and would be required to submit a notification; (4) 1 plant will submit a compliance certification, all existing plants have already submitted by the required date initial compliance certifications; (5) all plants will submit semiannual compliance certifications; (6) 20% of the 35 existing plants had initially selected to comply with the LAER extension compliance track or to straddle both the MACT and LAER compliance track, and would have to submit by January 1998 a notification on whether they want to continue this extension track until the end of the allowable period or comply with the 1995 MACT limits and residual risk standards; (7) no requests for an alternative control system would be submitted to the enforcement agency; and (8) 2 of the 35 existing plants may experience malfunction and, therefore are required to submit a notification and a written report to the enforcement agency.

Dated: August 6, 1999.

Ken Gigliello,

Acting Director, Manufacturing Energy, and Transportation Division.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6418-4]

Public Water System Supervision Program Revision for the State of South Dakota

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Public notice is hereby given in accordance with the provisions of section 1413 of the Safe Drinking Water Act as amended, 42 U.S.C. 300g-2, and 40 CFR part 142, subpart B-Primary Enforcement Responsibility, that the State of South Dakota has revised its Public Water System Supervision (PWSS) Primacy Program. South Dakota's PWSS program, administered by the Drinking Water Program of the South Dakota Department of Environment and Natural Resources (DENR), has adopted regulations for lead and copper in drinking water that correspond to the National Primary Drinking Water Regulations (NPDWR) in 40 CFR part 141, subpart I (56 FR 26460-26564, June 7, 1991). The Environmental Protection Agency (EPA) has completed its review of South Dakota's primacy revisions and has determined that they are no less stringent than the NPDWRs. EPA therefore proposes to approve South Dakota's primacy revisions for the Lead and Copper Rule. Today's approval action does not extend to public water systems in Indian Country as that term is defined in 18 U.S.C. 1151. Please see Indian Country section.

DATES: Any interested parties are invited to submit written comments on this determination, and may request a public hearing on or before September 15, 1999. If a public hearing is requested and granted, this determination shall not become effective until such time following the hearing that the Regional Administrator issues an order affirming or rescinding this action.

ADDRESSES: Written comments and requests for a public hearing should be addressed to: William P. Yellowtail, Regional Administrator, c/o Linda Himmelbauer (8P-W-MS), U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, CO 80202-2466.

FOR FURTHER INFORMATION CONTACT: Linda Himmelbauer, Municipal Systems Unit, EPA Region 8 (8P-W-MS), 999 18th Street, Suite 500, Denver, Colorado 80202-2466 telephone 303-312-6263.

SUPPLEMENTARY INFORMATION:

Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request is made within thirty (30) days after this document, a public hearing will be held.

Any request for a public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such hearing; and (3) the signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of the responsible official of the organization or other entity.

Notice of any hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing. Such notice will be made by the Regional Administrator in the **Federal Register** and in newspapers of general circulation in the State of South Dakota. A notice will also be sent to the person(s) requesting the hearing as well as to the State of South Dakota. The hearing notice will include a statement of purpose, information regarding time and location, and the address and telephone number where interested persons may obtain further information. A final determination will be made upon review of the hearing record.

Should no timely and appropriate request for a hearing be received, and the Regional Administrator does not elect to hold a hearing on his own motion, EPA will publish a final on the primacy revision. Please bring this notice to the attention of any persons known by you to have an interest in this determination.

All documents relating to this determination are available for inspection at the following locations: (1) U.S. EPA Region VIII, Municipal Systems Unit, 999 18th Street (4th floor), Denver, Colorado 80202-2466; (2) South Dakota Department of Environment and Natural Resources, Drinking Water Program, 523 East Capital Avenue, Pierre, South Dakota 57501.

Indian Country

EPA has been consulting with the affected Tribes and has had discussions with the State regarding the extent of Indian country in South Dakota. Based on these discussions, we propose the following language. Recognizing that the affected parties may have differing opinions, we invite comment from the Tribes, the State and others.