

**DATES:** EPA's approval is effective April 4, 2012 for the State of Ohio's National Primary Drinking Water Regulations Implementation program if no timely request for a public hearing is received and accepted by the Agency; and on March 5, 2012 for the State of Ohio's other authorized programs.

**FOR FURTHER INFORMATION CONTACT:** Evi Huffer, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue NW., Washington, DC 20460, (202) 566-1697, [huffer.evi@epa.gov](mailto:huffer.evi@epa.gov), U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue NW., Washington, DC 20460, or Karen Seeh, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue NW., Washington, DC 20460, (202) 566-1175, [seeh.karen@epa.gov](mailto:seeh.karen@epa.gov).

**SUPPLEMENTARY INFORMATION:** On October 13, 2005, the final Cross-Media Electronic Reporting Rule (CROMERR) was published in the **Federal Register** (70 FR 59848) and codified as part 3 of title 40 of the CFR. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. Subpart D of CROMERR requires that state, tribal or local government agencies that receive, or wish to begin receiving, electronic reports under their EPA-authorized programs must apply to EPA for a revision or modification of those programs and obtain EPA approval. Subpart D provides standards for such approvals based on consideration of the electronic document receiving systems that the State, Tribe, or local government will use to implement the electronic reporting. Additionally, § 3.1000(b) through (e) of 40 CFR part 3, subpart D provides special procedures for program revisions and modifications to allow electronic reporting, to be used at the option of the State, Tribe or local government in place of procedures available under existing program-specific authorization regulations. An application submitted under the subpart D procedures must show that the state, tribe or local government has sufficient legal authority to implement the electronic reporting components of the programs covered by the application and will use electronic document receiving systems that meet the applicable subpart D requirements.

On December 9, 2010, the Ohio Environmental Protection Agency (Ohio

EPA) submitted an application titled "eBusiness Center Electronic Document Receiving System" for revisions/modifications of its EPA-authorized programs under title 40 CFR. EPA reviewed Ohio EPA's request to revise its EPA-authorized programs and, based on this review, EPA determined that the application met the standards for approval of authorized program revisions/modifications set out in 40 CFR part 3, subpart D. In accordance with 40 CFR 3.1000(d), this notice of EPA's decision to approve Ohio's request to modify/revise its following EPA-authorized programs to allow electronic reporting under 40 CFR parts 61, 70, 122, 141, 146, and 262-265 is being published in the **Federal Register**:

Part 60—Standards of Performance for New Stationary Sources;

Part 70—State Operating Permit Programs;

Part 123—National Pollutant Discharge Elimination System State Program Requirements;

Part 142—National Primary Drinking Water Regulations Implementation; and

Part 272—Approved State Hazardous Waste Management Programs.

Ohio EPA was notified of EPA's determination to approve its application with respect to the authorized program listed above. Also, in today's notice, EPA is informing interested persons that they may request a public hearing on EPA's action to approve the State of Ohio's request to revise its authorized public water system program under 40 CFR part 142, in accordance with 40 CFR 3.1000(f). Requests for a hearing must be submitted to EPA within 30 days of publication of today's **Federal Register** notice. Such requests should include the following information:

- (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 EPA's determination, a brief explanation as to why EPA should hold a hearing, and any other information that the requesting person wants EPA to consider when determining whether to grant the request;
- (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 a responsible official of the organization or other entity.

In the event a hearing is requested and granted, EPA will provide notice of the hearing in the **Federal Register** not less than 15 days prior to the scheduled hearing date. Frivolous or insubstantial requests for hearing may be denied by

EPA. Following such a public hearing, EPA will review the record of the hearing and issue an order either affirming today's determination or rescinding such determination. If no timely request for a hearing is received and granted, EPA's approval of the State of Ohio's request to revise its Part 142—National Primary Drinking Water Regulations Implementation program to allow electronic reporting will become effective 30 days after today's notice is published, pursuant to CROMERR section 3.1000(f)(4).

Dated: February 23, 2012.

**Andrew Battin,**

*Director, Office of Information Collection.*

[FR Doc. 2012-5255 Filed 3-2-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9642-7]

### Disclosure of Confidential Business Information Obtained Under the Comprehensive Environmental Response, Compensation and Liability Act to EPA Authorized Representative, South Dakota Department of Environment and Natural Resources

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

**ACTION:** Notice; request for comment.

**SUMMARY:** EPA hereby complies with the requirements of 40 CFR 2.310(h)(3) for notice of disclosure to its authorized representative, the South Dakota Department of Environment and Natural Resources (SD DENR), Superfund confidential business information (CBI) which has been submitted to EPA Region 8, Office of Ecosystems Protection and Remediation.

**DATES:** Comments may be submitted until April 4, 2012.

**ADDRESSES:** Comments should be sent to: Sharon Abendschan (Mail Code 8ENF-RC), Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129.

**FOR FURTHER INFORMATION CONTACT:** Andrea Madigan (Mail Code 8ENF-L), Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129 (303) 312-6904.

### Notice of Required Determinations, Provisions, and Opportunity To Comment

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, (commonly known as "Superfund") requires the establishment of an

administrative record upon which the President shall base the selection of a response action. CERCLA also requires the maintenance of many other records including those relevant to cost recovery. EPA has granted authorized representative status to the State of South Dakota Department of Environment and Natural Resources. Pursuant to 40 CFR 2.310(h)(3), a state or local governmental agency which has duties or responsibilities under CERCLA, or under regulations which implement CERCLA, may be considered an authorized representative of the United States for purposes of disclosure of CBI and may be furnished such CBI upon the agency's written request, but only if:

(i) The agency has first furnished to the EPA office, having custody of the information, a written opinion from the agency's chief legal officer or counsel stating that under applicable state or local law the agency has the authority to compel a business which possesses such information to disclose it to the agency, or

(ii) Each affected business is informed of those disclosures under this paragraph (h)(3) which pertain to it, and the agency has shown to the satisfaction of an EPA legal office that the agency's use and disclosure of such information will be governed by state or local law and procedures which will provide adequate protection to the interests of affected businesses.

Pursuant to 40 CFR 2.310(h)(4), at the time any information is released to a state or local government pursuant to paragraph 2.310(h), EPA must notify the state or local government that the information may be entitled to confidential treatment and that any knowing and willful disclosure of the information may subject the state or local government and its employees to penalties in section 104(e)(2)(B) of CERCLA. EPA has determined that SD DENR has satisfied the requirements of subparagraph 40 CFR 2.310(h)(3)(ii) that the agency demonstrate to the satisfaction of EPA that the agency's use and disclosure of such information will be governed by state or local law and procedures which will provide adequate protection to the interests of affected businesses. EPA hereby advises affected parties that they are informed of potential disclosures to SD DENR under paragraph 40 CFR 2.310(h)(3), and that they have ten working days to comment pursuant to 40 CFR 2.301(h)(2)(iii), incorporated by reference into 40 CFR 2.310(h)(2).

*Comments should be sent to:*  
Environmental Protection Agency,  
Region 8, Sharon Abendschan (Mail

Code 8ENF-RC), Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129.

**Andrew M. Gaydosh,**

*Assistant Regional Administrator, Office of Enforcement, Compliance and Environmental Justice, EPA, Region 8.*

[FR Doc. 2012-5258 Filed 3-2-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9642-4]

### Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with Section 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA), 42 U.S.C. 9622(h)(1), notice is hereby given of a proposed administrative settlement concerning the Eagle Picher Carefree Battery Superfund Site, located in Socorro, Socorro County, New Mexico.

The settlement requires the one (1) settling party to pay a total of \$200,000.00 as payment of response costs to the Hazardous Substances Superfund. The settlement includes a covenant not to sue pursuant to Section 107 of CERCLA, 42, U.S.C. 9607.

For thirty (30) days beginning the date of publication of this notice, the Agency will receive written comments relating to this notice and will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at 1445 Ross Avenue, Dallas, Texas 75202-2733.

**DATES:** Comments must be submitted on or before April 4, 2012.

**ADDRESSES:** The proposed settlement and additional background information relating to the settlement are available for public inspection at 1445 Ross Avenue Dallas, Texas 75202-2733. A copy of the proposed settlement may be obtained from Robert Werner, Enforcement Officer, 1445 Ross Avenue,

Dallas, Texas 75202-2733 or by calling (214) 665-6724. Comments should reference the Eagle Picher Carefree Battery Superfund Site, located in Socorro, Socorro County, New Mexico and EPA CERCLA Docket Number 06-08-11, and should be addressed to Robert Werner, Enforcement Officer, at the address listed above.

**FOR FURTHER INFORMATION CONTACT:**  
Gloria Moran, Attorney, 1445 Ross Avenue Dallas, Texas 75202-2733 or call (214) 665-3193.

Dated: February 17, 2012.

**Al Armendariz,**

*Regional Administrator (6RA).*

[FR Doc. 2012-5262 Filed 3-2-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9642-6]

### Tentative Approval and Solicitation of Request for a Public Hearing for Public Water System Supervision Program Revision for the Commonwealth of Virginia

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

**ACTION:** Notice of tentative approval and Solicitation of Requests for a Public Hearing.

**SUMMARY:** Notice is hereby given in accordance with the provision of section 1413 of the Safe Drinking Water Act, as amended, and the requirements governing the National Primary Drinking Water Regulations Implementation, 40 CFR part 142, that the Commonwealth of Virginia is revising its approved Public Water System Supervision Program. The Commonwealth has adopted the Long Term 2 Enhanced Surface Water Treatment Rule and the Stage 2 Disinfectants and Disinfection Byproducts Rule which will provide for better public health protection by reducing potential cancer and reproductive and developmental health risks from disinfection byproducts in drinking water and by reducing illness linked with *Cryptosporidium* and other pathogenic microorganisms in drinking water. EPA has determined that these revisions are no less stringent than the corresponding Federal regulations. EPA is taking action to tentatively approve these program revisions. All interested parties are invited to submit written comments on this determination and may request a public hearing.

**DATES:** Comments or a request for a public hearing must be submitted by