

725 17th Street NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:**

Learia Williams, Monitoring, Assistance, and Media Programs Division, Office of Compliance, Mail Code 2227A, Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone number: (202) 564-4113; fax number: (202) 564-0050; email address: [williams.learia@epa.gov](mailto:williams.learia@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 May 9, 2011 (76 FR 26900), 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 both EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under docket ID number EPA-HQ-OECA-2011-0267, which is available for public viewing either online at <http://www.regulations.gov>, or in person viewing at the Enforcement and Compliance Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue NW., Washington, DC. The EPA Docket Center 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 Enforcement and Compliance Docket is (202) 566-1752.

Use EPA's electronic docket and comment system at <http://www.regulations.gov>, to either 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 <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:** NESHP for Asphalt Processing and Asphalt Roofing Manufacturing (Renewal)

**ICR Numbers:** EPA ICR Number 2029.05, OMB Control Number 2060-0520.

**ICR Status:** This ICR is scheduled to expire on August 31, 2012. Under OMB regulations, the Agency may continue to either conduct or sponsor the collection of information while this submission is pending at OMB.

**Abstract:** The affected entities are subject to the General Provisions of the NESHP at 40 CFR part 63, subpart A, and any changes, or additions to the Provisions specified at 40 CFR part 63, subpart LLLLL.

Owners or operators of the affected facilities must submit initial notification, performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are required semiannually at a minimum.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 225 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 asphalt processing and asphalt roofing manufacturing facilities.

**Estimated Number of Respondents:** 27.

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

**Estimated Total Annual Hour Burden:** 13,497.

**Estimated Total Annual Cost:** \$1,318,753, which includes \$1,293,301 in labor costs, no capital/startup costs, and \$25,452 in operation and maintenance (O&M) costs.

**Changes in the Estimates:** There is an increase in costs for both the

respondents and the Agency from the most recently approved ICR. The increase in burden cost is due to an increase in the number of new or modified sources and adjustments in labor rates. This ICR uses updated labor rates from the Bureau of Labor Statistics to calculate burden costs.

There is an increase of 1,480 hours in labor hours for the respondents, as well as an increase of 55 hours in labor hours for the Agency, due to the increase in the number of sources that are subject to the standard. There may also be some apparent differences that are attributable to rounding; this ICR presents more exact figures. There is no change in the estimation methodology in this ICR compared to the previous ICR.

There is also an increase of \$45.00 in O&M costs to the respondents in this ICR as compared to the previous ICR. This is attributed to the photocopying and postage costs for an increased number of total sources subject to the standard.

**John Moses,**

*Director, Collection Strategies Division.*

[FR Doc. 2012-18291 Filed 7-26-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OECA-2012-0157; FRL 9519-9]

### Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Enforcement Policy Regarding the Sale and Use of Aftermarket Catalytic Converters (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 August 27, 2012.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-OECA-2012-0157, to: (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), by email to [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov) or by mail to: EPA

Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460, and to (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:**

David E. Alexander, Air Enforcement Division (2242A), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 564-2109; fax number: (202) 564-0069; email address: [alexander.david@epa.gov](mailto:alexander.david@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 April 19, 2012 (77 FR 23478), 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-OECA-2012-0157, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the Enforcement and Compliance 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 Enforcement and Compliance Docket is 202-566-1752.

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:* Enforcement Policy Regarding the Sale and Use of Aftermarket Catalytic Converters (Renewal).

*ICR numbers:* EPA ICR No. 1292.09, OMB Control No. 2060-0135.

*ICR Status:* This ICR is scheduled to expire on August 31, 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 aftermarket catalytic converter policy (AMCC Policy) (51 FR 28114-28119, 28113 (Aug. 5, 1986); 52 FR 42144 (Nov. 3, 1987)) allows aftermarket automobile catalytic converter (AMCC) manufacturers and reconditioners to compete with the automobile manufacturers for the AMCC replacement market. Without this policy, it would be illegal, under section 203 of the Clean Air Act, 42 U.S.C. 7522, to sell or install AMCCs that do not conform exactly to the automobile manufacturers' original equipment (OE) versions of these parts. The AMCC Policy makes it possible for automobile repair shops, which are often small businesses, to take on a significant share of the AMCC replacement market. In doing so, consumers are able to purchase AMCCs at a much lower price than they would pay for an OE catalytic converter. This helps to ensure that vehicles will not create excessive air pollution because motorists are more likely to replace damaged catalytic converters if they can be obtained at a cost that is significantly less than OE catalytic converters (cost savings resulting from the AMCC Policy are estimated to be about \$716 million in 2007 dollars).

New AMCC manufacturers are required to report, on a one-time basis for each type or line of converter manufactured, the supplier identities, physical specifications of each AMCC line produced, and information regarding pre-production testing of the AMCCs that show they meet the AMCC Policy emission reduction standards for certain specified vehicle applications. The AMCC Policy requires new AMCC

manufacturers to retain warranty and sales records.

Reconditioners (sellers of used catalytic converters) must report, on a one-time basis, the identity of the company, a description of the test bench used for testing used catalytic converters, and the intended vehicle application(s) for each catalytic converter type. All used catalytic converters must be tested individually to ensure they are still functional. The current AMCC Policy also requires reconditioners to retain sales and customer records.

Installers of AMCCs have no reporting requirements. They must fill out a written warranty and give it to the customer, include a statement with each invoice stating the need for replacing the original converter, and tag each removed converter with a reference to the invoice for repair, and retain the tagged catalytic converters for 15 days and the invoices for six months.

The reporting and recordkeeping requirements for manufacturers of new AMCCs and sellers of reconditioned catalytic converters help ensure that proper AMCCs are manufactured, tested and distributed to installers and help ensure proper retail level installation of AMCCs. The installer requirements enable EPA to monitor whether correct AMCCs are installed at the retail level and whether AMCCs are used only in appropriate circumstances. The information required to be maintained or reported is not otherwise available and is not covered under any other information request since it is unique to the AMCC Policy. The information collected is necessary for the proper performance of the functions of the Agency, particularly enforcement.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 7 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:* Manufacturers, Reconditioners, and Installers of Aftermarket Catalytic Converters.

*Estimated Number of Respondents:* 30,014.

*Frequency of Response:* On Occasion.

*Estimated Total Annual Hour Burden:* 220,860.

*Estimated Total Annual Cost:*

\$7,896,947, including \$777,112 annualized capital or O&M costs.

*Changes in the Estimates:* There is a decrease of 68 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This decrease is due to the correction of two errors. First, we failed to account for the fact that new catalyst manufacturers submit information on average every other year. Therefore, although the burden of submitting is two hours per respondent, the annual average is one hour per respondent. This correction decreased the burden estimate by eight hours. Second, we corrected a multiplication error affecting the burden hour calculation for installers, a decrease of 60 hours. The decrease reflects an adjustment in ICR estimates, not a program change.

**John Moses,**

*Director, Collection Strategies Division.*

[FR Doc. 2012-18288 Filed 7-26-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2012-0489; FRL-9355-7]

### Cancellation of Pesticides for Non-Payment of Year 2012 Registration Maintenance Fees

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

**ACTION:** Notice.

**SUMMARY:** Since the amendments of October 1988, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) has required payment of an annual maintenance fee to keep pesticide registrations in effect. The fee due last January 15, 2012, has gone unpaid for 204 registrations. Section 4(i)(5)(G) of FIFRA provides that the EPA Administrator may cancel these registrations by order and without a hearing; orders to cancel all 204 of these registrations have been issued within the past few days.

**DATES:** A cancellation is effective on the date the cancellation order is issued.

### FOR FURTHER INFORMATION CONTACT:

Michael Yanchulis, Information Technology and Resources Management Division (7502P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 347-0237; email address: [yanchulis.michael@epa.gov](mailto:yanchulis.michael@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. General Information

##### A. Does this action apply to me?

This action is directed to the public in general. Although this action may be of particular interest to persons who produce or use pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the information in this notice, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

##### B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2012-0489, is available at <http://www.regulations.gov> or at the OPP Docket in the Environmental Protection Agency Docket Center (EPA/DC), located in EPA West, Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The 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 Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

#### II. Background

Section 4(i)(5) of FIFRA, as amended in October 1988 (Pub. L. 100-532), December 1991 (Pub. L. 102-237), and again in August 1996 (Pub. L. 104-170), requires that all pesticide registrants pay an annual registration maintenance fee, due by January 15 of each year, to keep their registrations in effect. This requirement applies to all registrations granted under FIFRA section 3 as well as those granted under FIFRA section 24(c) to meet special local needs. Registrations for which the fee is not paid are subject to cancellation by order and without a hearing.

The Food, Agriculture, Conservation, and Trade Act Amendments of 1991, Public Law 102-237, amended FIFRA to allow the EPA Administrator to reduce or waive maintenance fees for minor agricultural use pesticides when she

determines that the fee would be likely to cause significant impact on the availability of the pesticide for the use. The Agency has waived the fee for 196 minor agricultural use registrations at the request of the registrants.

In fiscal year 2012, maintenance fees were collected in one billing cycle. The Pesticide Registration Improvement Renewal Act (PRIIRA) was passed by Congress in October 2007. PRIIRA authorized the Agency to collect \$22 million dollars in maintenance fees in fiscal year 2012. In late 2011, all holders of either FIFRA section 3 registrations or FIFRA section 24(c) registrations were sent lists of their active registrations, along with forms and instructions for responding. They were asked to identify which of their registrations they wished to maintain in effect, and to calculate and remit the appropriate maintenance fees. Most responses were received by the statutory deadline of January 15. A notice of intent to cancel was sent in February 2012, to companies who did not respond and to companies who responded, but paid for less than all of their registrations. Since mailing the notices of intent to cancel, EPA has maintained a toll-free inquiry number through which the questions of affected registrants have been answered.

Maintenance fees have been paid for about 15,420 FIFRA section 3 registrations, or about 96% of the registrations on file in December 2011. Fees have been paid for about 2,028 FIFRA section 24(c) registrations, or about 88% of the total on file in December 2011. Cancellations for non-payment of the maintenance fee affect about 182 FIFRA section 3 registrations and about 22 FIFRA section 24(c) registrations.

The cancellation orders generally permit registrants to continue to sell and distribute existing stocks of the canceled products until January 15, 2013, 1 year after the date on which the fee was due. Existing stocks already in the hands of dealers or users, however, can generally be distributed, sold, or used legally until they are exhausted. Existing stocks are defined as those stocks of a registered pesticide product which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation order.

The exceptions to these general rules are cases where more stringent restrictions on sale, distribution, or use of the products have already been imposed, through special reviews or other Agency actions. These general provisions for disposition of stocks should serve in most cases to cushion