

annual waste quantity, range of benzene concentrations, annual average flow-weighted benzene concentration, and annual benzene quantity.

(2) For each process wastewater stream not controlled for benzene emissions, the records shall include all measurements, calculations, and other documentation used to determine that the continuous flow of process wastewater is less than 0.02 liters per minute, or the annual waste quantity of process wastewater is less than 10 Mg/yr.

(3) For each facility where process wastewater streams are controlled for benzene emissions, the records shall include for each treated process wastewater stream: all measurements, calculations, and other documentation used to determine the annual benzene quantity in the process wastewater stream exiting the treatment process.

(4) For each facility where wastewater streams are controlled for benzene emissions, the records shall include all measurements, calculations, and other documentation used to determine the annual benzene quantity in the wastewater streams exiting wastewater treatment systems at the facility.

(5) Owners or operators transferring waste off-site to another facility for treatment shall maintain documentation for each offsite waste shipment that includes the following information: date waste is shipped offsite, quantity of waste shipped offsite, name and address of the facility receiving the waste, and a copy of the notice sent with the waste shipment.

(6) An owner or operator using control equipment, shall maintain engineering design documentation for all control equipment installed on the waste management unit. The documentation shall be retained for the life of the control equipment.

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.

#### Burden Statement

Most of the industry costs associated with the information collection activity in the standards are labor. The current average annual burden to industry from these record keeping and reporting requirements is estimated at 17,028 person-hours. The respondent costs have been calculated based on \$14.50 per hour plus 110 percent overhead. The current average annual burden to industry is estimated to be \$518,503.

Based upon available information, it has been estimated that 395 facilities are subject to the standards, and 140 of those are estimated to have more than 10 Mg/yr of benzene in the waste. In addition, EPA estimates that these 140 facilities have a total of 2,819 waste streams per facility for which initial benzene concentration determination could be made. A total of 57 facilities are estimated to have more than 50 Mg/yr of benzene in their wastes and are expected to apply controls without applying for exceptions.

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.

Send comments regarding these matters, or any aspect of the information collection, including suggestions for reducing the burden, to the address listed above.

Dated: May 17, 1995.

Elaine G. Stanley,

*Director, Office of Compliance.*

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#### [FRL-5511-3]

#### **Proposed Settlement Agreement, Determinations of Attainment of the Ozone Standard by Pittsburgh-Beaver Valley, Pennsylvania and Reading, Pennsylvania Ozone Nonattainment Areas**

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

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** Inaccordance with Section 113(g) of the Clean Air Act ("Act"), notice is hereby given of a proposed settlement agreement concerning litigation instituted against the Environmental Protection Agency ("EPA") regarding EPA's July 19, 1995

determinations regarding the attainment of the ozone standard by the Pittsburgh-Beaver Valley, Pennsylvania, and Reading, Pennsylvania ozone nonattainment areas and the applicability of certain pollution control requirements, 60 Fed. Reg. 37,015 (July 19, 1995). *Delaware Valley Citizens' Council for Clean Air v. Browner*, No. 95-3494 (3rd Cir.) and *Delaware Valley Citizens' Council for Clean Air v. Browner*, No. 96-3086 (3rd Cir.).

The proposed settlement agreement provides that, no later than June 30, 1996, the EPA Regional Administrator, Region 3, will sign a notice of final rulemaking concerning the proposed Revocation of Determination of Attainment of Ozone Standard by the Pittsburgh-Beaver Ozone Nonattainment and Reinstatement of Applicability of Certain Reasonable Further Progress and Attainment Demonstration Requirements. 61 Fed. Reg. 5360 (Feb. 12, 1996). The proposed agreement also provides that, no later than July 31, 1996, the EPA Regional Administrator, Region 3, shall sign a notice of proposed rulemaking proposing action on the Commonwealth of Pennsylvania's request, submitted November 12, 1993, for EPA to redesignate to attainment for ozone the Reading, Pennsylvania ozone nonattainment area; and that the EPA Regional Administrator, Region 3 shall sign a notice of final rulemaking concerning the above request no later than December 31, 1996.

For a period of thirty [30] days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. EPA or the Department of Justice may withhold or withdraw consent to the proposed settlement agreement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

Copies of the settlement agreement are available from Sonja Lee, Air and Radiation Division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 (202) 260-7606. Written comments should be sent to Kendra Sagoff at the above address and must be submitted on or before June 28, 1996.

Dated: May 22, 1996.

Scott Fulton,

*Acting General Counsel.*

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