rescinded, and a refund was granted to Amerigas.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Advance Publications, Inc	RR272–00305	4/28/98
McCann-Shields Paint Co	RF272–94052	5/1/98
N. Central Local Schl Dist. et al	RF272–95741	5/1/98
Pritchard & Van Zandt et al	RK272–04794	4/30/98

Dismissals

The following submissions were dismissed.

Name	Case No.
William H. Payne	VFA–0408

[FR Doc. 98–15723 Filed 6–11–98; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6110–9]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; State Small Business Stationary Source Technical and Environmental Compliance Assistance Program Annual Reporting Form

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 the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: State Small Business Stationary Source Technical and Environmental Compliance Assistance Program Annual Reporting Form, OMB Control Number 2060–0337, expiration date 7/31/98. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 13, 1998.

FOR FURTHER INFORMATION CONTACT: For a copy of the ICR, call Sandy Farmer at EPA, by phone at (202) 260–2740, by E-Mail at Farmer.Sandy@epamail.epa.gov or download off the Internet at http://www.epa.gov/icr/icr.htm, and refer to EPA ICR No. 1748.02.

SUPPLEMENTARY INFORMATION:

Title: State Small Business Stationary Source Technical and Environmental Compliance Assistance Program Annual Reporting Form, OMB Control Number 2060–0337, EPA ICR Number 1748.02, expiration date 7/31/98. This is a request for extension of a currently approved collection.

Abstract: As part of the Clean Air Act Amendments of 1990, The U.S. Congress included, as part of Section 507, the requirement that each state establish a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (SBTCP) to assist small businesses comply with the Act. EPA must provide the Congress with periodic reports from the EPA Small Business Ombudsman (SBO) on these programs, including their effectiveness, difficulties encountered, and other relevant information. Each state assistance program will submit requested information to EPA for compilation and summarization.

This collection of information is mandatory pursuant to section 507 (a), (d), and (e) of the Clean Air Act as amended in 1990, Public Law 101–549, November 15, 1990. This Act directs EPA to monitor the SBTCPs and to provide a report to Congress. This responsibility has been delegated to the EPA SBO.

Response to the collection is not required to obtain or retain a benefit.

Information in the Annual Report to Congress is aggregated and is not of a confidential nature. None of the information collected by this action results in or requests sensitive information of any nature from the states.

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. The **Federal Register** document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on 2/26/98 (63 FR 9791); 15 comments were received.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 80 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; 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: Respondents will be one of the following state offices: environmental agency (SIC 9511), commerce or economic development department (SIC 9611), governor's office (SIC 9111), or ombudsman's office (SIC 9511). These departments/agencies typically are responsible for the conduct of the SBTCPs.

Estimated Number of Respondents: 53.

Frequency of Response: Annual.

Estimated Total Annual Hour Burden: 4,240 hours.

Estimated Total Annualized Cost Burden: 0.

Send comments on the Agency's need for this information, the accuracy of the

provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 1748.02 and OMB Control No. 2060–0337 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Office of Policy, Planning, & Evaluation, Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460; and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

Dated: June 8, 1998.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 98–15742 Filed 6–11–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6107–3]

Proposed Determination of Attainment of the Air Quality in the Liberty Borough, Pennsylvania PM–10 Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed finding of attainment and withdrawal of previously proposed finding.

SUMMARY: EPA is proposing to find that air quality in the Liberty Borough, Pennsylvania moderate nonattainment area has attained national ambient air quality standards (NAAQS) for particulate matter of nominal aerodynamic diameters smaller than 10 micrometers (PM–10). The Clean Air Act (the Act) establishes a December 31, 1994 attainment date for moderate PM–10 nonattainment areas, and requires EPA to determine the attainment status of such areas by June 30, 1995. For the reasons explained herein, this proposed finding is based on monitored air quality data for the area during the years 1995–1997. EPA is also withdrawing its previous September 19, 1995 proposal to find that the area did not attain the NAAQS. Elsewhere in the Proposed Rules section, EPA is also proposing to approve the Allegheny County Health Department's (ACHD's) attainment demonstration, submitted to EPA by the Commonwealth of Pennsylvania, that the state implementation plan (SIP) requirements for the Liberty Borough area are sufficient to attain and maintain the NAAQS. In the same document EPA is also proposing to approve contingency measures for the area. In the Final Rules section of today's **Federal Register**, EPA is taking direct final action to approve a SIP revision requiring additional control measures at the USX Clairton coke works. On July 18, 1997, EPA revised the NAAQS for particulate matter. In this document, ''NAAQS'' and ''PM–10 NAAQS'' refer only to the previously existing NAAQS that were in effect at the time that the attainment plan was submitted.

DATES: Comments must be received on or before July 13, 1998.

ADDRESSES: Comments may be mailed to Makeba Morris, Chief, Technical Assessment Branch, Mailcode 3AP22, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107 and the Allegheny County Health Department, Department of Air Quality, 301 39th Street, Pittsburgh, Pennsylvania 15201.

FOR FURTHER INFORMATION CONTACT: Denis M. Lohman, (215) 566–2192, or by e-mail at lohman.denny@epamail.epa.gov. While requests for information may be made via e-mail, comments for EPA's consideration regarding this proposal must be submitted in writing to the address indicated above.

SUPPLEMENTARY INFORMATION:

I. Background

A. Clean Air Act Requirements

Upon enactment of Clean Air Act Amendments of 1990, PM–10 areas meeting the criteria of section 107(d)(4)(B) of the Act was designated nonattainment by operation of law. Once an area is designated nonattainment, section 188 of the Act outlines the process for classification of the area and establishes the area's attainment date. Pursuant to section 188(a), all PM–10 nonattainment areas were initially classified as moderate by operation of law upon designation as nonattainment, and the attainment date for these areas were December 31, 1994. These nonattainment designations and moderate area classifications were codified in 40 CFR part 81 on November 6, 1991 (56 FR 56694).

States containing areas which were designated as moderate nonattainment by operation of law under section 107(d)(4)(B) were to develop and submit SIPs to provide for the attainment of the PM–10 NAAQS. Those SIPs were to include the adoption and implementation of PM–10 reduction requirements which constitute reasonably available control measures, (RACM), including reasonably available control technology (RACT). Pursuant to section 189(a)(2) of the Act, those SIP revisions were to be submitted to EPA by November 15, 1991. Section 188(c)(1) sets December 31, 1994 as the attainment date, and section 188(b)(2) requires that EPA determine the attainment status of the area by June 30, 1995. EPA is guided in these determinations by 40 CFR 50.6 and 40 CFR part 50, appendix K.

B. Regulatory Activity to Date

On January 6, 1994, the Pennsylvania Department of Environmental Protection (PADEP) submitted an attainment plan to EPA, produced by the Allegheny County Health Department (ACHD), for the Liberty Borough PM–10 nonattainment area.[1] The purpose of this revision to the Pennsylvania SIP is to fulfill the requirements under section 189 of the Act for a regulatory plan to attain the PM–10 NAAQS and to submit a demonstration (including air quality modeling) that the plan is sufficient to attain this goal. These ''Part D'' requirements are described in more detail in the technical support document (TSD) to this rulemaking. On April 11, 1995, EPA proposed to fully approve the January 1994 attainment plan submittal, as well as two SIP revisions that the County had submitted previously (see 60 FR 18385). After EPA proposed to approve the County's demonstration, the County reported that the PM–10 NAAQS had been exceeded twice in March of 1995. These exceedances brought the adequacy of the County's attainment plan into doubt, and, though EPA took final action to approve the regulatory portion of the attainment plan (61 FR 29664), EPA took no action on the modeled attainment demonstration at that time.

Pursuant to its obligations under section 188(b)(2), on September 19, 1995, EPA proposed to find that the Liberty Borough moderate nonattainment area did not attain the NAAQS (60 FR 48439). This proposal was based on the available air quality data at the time, which showed that the number of expected exceedances of the

[1] The Liberty Borough PM–10 nonattainment area is comprised of the City of Clairton and the Boroughs of Glassport, Liberty, Lincoln, and Port Vue.