

commercial organizations through the Energy Star Buildings and Green Lights Programs. The Residential and Energy Star Business Unit uses the Energy Star label to reach the American consumer through the Energy Star Homes, Energy Star HVAC Equipment, and Energy Star Office Equipment programs. The Methane and Utility Business Unit promotes the efficient delivery of electricity through the Energy Star Transformer Program and encourages the profitable recovery and use of otherwise wasted methane through Natural Gas Star, the Coalbed Methane Outreach, AgStar, the Landfill Methane Outreach, and the Ruminant Livestock Efficiency Programs. APPD also administers Environmental Stewardship Programs that strive to reduce emissions of highly potent greenhouse gases through partnerships with industries including the aluminum and semiconductor industries.

Under this generic clearance, APPD will conduct a series of surveys, interviews, or focus group meetings to collect non-duplicative information on the effectiveness of current APPD programs, including partner and customer satisfaction; the potential environmental and economic effects of future or proposed APPD programs, including market or industry data; and the direct or indirect experience and/or involvement of third-parties with APPD's programs. The Agency intends to use telephone surveys or interviews, written surveys or questionnaires, face-to-face interviews, focus group meetings, or a combination of these methods, as appropriate, to collect information under this generic clearance. Through these collection methods, APPD will ask respondents to perform any or all of the following activities: Receive and review survey, interview, or focus group instructions or agenda, create or collect the information requested, respond verbally or in writing, and submit follow-up information or clarify responses, if requested.

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 Ch. 15.

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, including the validity of the methodology and assumptions used;

(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 the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses).

Burden Statement: In general, APPD expects to undertake 12 information collections per year under this generic clearance, two of which may involve upwards of 5,000 respondents and 10 of which may involve upwards of 500 respondents. Therefore, APPD estimates that on average 1,250 respondents will be contacted for a single information collection and that up to 15,000 respondents will be contacted annually under this generic clearance. Prior experience indicates that approximately 50 percent of all respondents, or 7,500 annually, will need to be asked to submit follow-up information or clarification. Further, APPD expects that the two larger efforts and half (or five) of the smaller efforts will be written information collection tools; the other five collections will involve telephone or other interview techniques.

Public reporting burden for this collection of information is estimated to average three hours per respondent. The burden estimate includes time to receive the instructions, create or collect the information, respond verbally or in writing, and submit follow-up information or clarify responses, if requested. There is no recordkeeping burden. It is expected that respondents will incur no capital costs and only photocopying costs when responding to each of the seven written information collections. An average of five photocopies per respondent yields an average cost of \$0.50 per respondent to written collections (\$0.42 per respondent when distributed across all respondents). The aggregate annualized bottom-line burden and cost for respondents is approximately 42,000 hours per year with an annual cost of approximately \$2,398,800. The bottom line burden to APPD is approximately 64,428 hours, at a cost of approximately \$2,441,016 per year.

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.

Dated: August 28, 1998.

Salomon Salinas,

Atmospheric Pollution Prevention Division.

[FR Doc. 98-25322 Filed 9-21-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[AD-FRL-6166-6]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Information Collection Request for Electric Utility Steam Generating Unit Mercury Emissions Collection Effort

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: Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort; EPA ICR No. 1858.01. 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 October 22, 1998.

FOR FURTHER INFORMATION CONTACT: Contact Sandy Farmer at EPA by phone at (202) 260-2740, by email at farmer.sandy@epamail.epa.gov, or download off the internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 1858.01. The ICR supporting statement and other relevant materials are also available from the EPA's website listing **Federal Register** documents at <http://www.epa.gov/ttn/oarpg/t3pfpr.html>.

SUPPLEMENTARY INFORMATION:

Title: Information Collection Request for Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort (EPA ICR No. 1858.01). This is a new collection.

Abstract: This ICR is intended to provide EPA information that will aid its decision making regarding mercury emissions from electric utility steam generating units. It will also provide the public with information about mercury emissions from these plants. Section 112(n)(1)(A) of the Clean Air Act (the Act) requires EPA to perform a study of the hazards to public health reasonably anticipated to occur as a result of emissions by electric utility steam generating units of hazardous air pollutants (HAPs) after imposition of the requirements of the Act and to prepare a Report to Congress containing the results of the study. The study has been completed and the Final Report to Congress was issued on February 24, 1998.

Section 112(n)(1)(A) of the Act also requires the Administrator to regulate electric utility steam generating units under section 112 if she finds that such regulation is appropriate and necessary after "considering the results of the study" noted above. The Administrator interprets the quoted language as indicating that the results of the study are to play a principle, but not exclusive, role in informing the Administrator's decision as to whether it is appropriate and necessary to regulate electric utility steam generating units under section 112. The Administrator believes that in addition to considering the results of the study, she may collect and consider any additional information which may be helpful to inform this decision, as well as possible subsequent decisions, regarding mercury emissions from electric utility steam generating units.

In the Final Report to Congress, the EPA stated that the available information, on balance, indicates that mercury emissions from electric utility steam generating units (primarily those of coal-fired units) are of potential concern for public health. The EPA acknowledged that there are substantial uncertainties that make it difficult to assess electric utility steam generating unit mercury emissions and controls, and that further research, monitoring, and/or evaluation would reduce those uncertainties. Among those uncertainties are: (1) The amount of mercury being emitted by all electric utility steam generating units on an annual basis (including how much is emitted from various individual types of units); (2) the speciation (or valence state) of the mercury which is being

emitted (e.g., how much is divalent vs. elemental mercury); and, (3) the effectiveness of various sulfur dioxide (SO₂) control technologies in reducing the amount of each form of mercury which is emitted (including how factors such as control device, fuel type, and plant configuration affect emissions and speciation).

The EPA has designed this information collection effort so as to address these uncertainties in as cost-effective a manner as possible. For example, rather than require all coal-fired plants to perform stack testing or continuous emissions monitoring to determine their emissions, the EPA intends to require coal sampling by all of the plants and stack testing by only a stratified random sample of plants. The information gained by the stack tests will allow EPA to better calculate the effect on emissions of current emissions control technology for the universe of coal-fired plants meeting the definition of electric utility steam generating unit (section 112(a)(8) of the Act; generally units above 25 megawatts electric (MWe), including independent power producers (IPPs) and cogenerators meeting the definition).

To address the question of the amount of mercury potentially being emitted by all coal-fired electric utility steam generating units meeting the definition on an annual basis, the ICR includes a requirement for the owners/operators of all such units to periodically provide the results of certain analyses, to include mercury, of each shipment of coal which they receive, along with the quantity and source of the coal. To the extent that such analyses can be most cost effectively provided by the coal suppliers, the Agency encourages this approach, provided that the analyses represent coal that is fired by the electric utility steam generating unit (i.e., no further cleaning of the coal occurs).

To address the questions of emitted species and SO₂ control device effectiveness for mercury removal, the ICR also includes provisions requiring use of the latest mercury emission stack testing methodology to acquire additional speciated mercury data on both controlled and uncontrolled air emissions from a representative sample of units. This will allow EPA to determine factors that characterize the relationship between coal mercury content and other coal characteristics, the species of mercury formed in the unit, and the mercury removal performance of various existing emission control devices.

The coal-fired units are grouped into categories according to coal

characteristics and method of SO₂ control so that a more representative sample of coal-fired units can be selected for stack testing. Coal characteristics are related to the coal type, which is defined as either bituminous (including anthracite and waste anthracite and bituminous for this ICR), subbituminous, and lignite. Sulfur dioxide control is defined as either a dry-scrubber (any type/model), wet-scrubber (any type/model), fluidized bed combustion (FBC; any type), coal gasification (any type), or no mechanical control at all (including the use of low sulfur or compliance coals or coal blending).

Information necessary to identify all coal-fired units is publicly available for facilities owned and operated by publicly-owned utility companies, Federal power agencies, rural electric cooperatives, and investor-owned utility generating companies. However, similar information is not publicly available for nonutility generators qualifying under the Public Utility Regulatory Policies Act (PURPA). Such units include, but may not be limited to, IPPs, qualifying facilities, and cogenerators. To obtain the information necessary to identify all coal-fired units in this sector for both the coal sampling and analysis and for selection of units for speciated stack sampling, the Agency will solicit from all such facilities, under authority of section 114, information relating to the type of coal used, the method of firing the coal, and the method of SO₂ control.

The EPA expects that the information requested as part of this effort will only be required for one year. The Agency will shortly propose a regulation to lower the Emergency Planning and Community Right-to-Know Act (EPCRA) section 313 activity thresholds for reporting releases of certain toxic chemicals, including mercury and mercury compounds, to the Toxic Release Inventory (TRI). The EPA plans to begin collecting information on mercury emissions from electric utility steam generating units under the new threshold in the year 2000.

Under EPCRA section 313, facilities are not required to measure their emissions specifically to report to TRI, but may use readily available data (including monitoring data) collected pursuant to other provisions of law. This ICR is authorized by section 114 of the Clean Air Act, which allows EPA to require electric utility steam generating unit owners and operators to perform analyses that they may not currently perform and, therefore, that would provide emissions estimates that may be more precise than those that would otherwise be provided under EPCRA

section 313. Facilities that have emissions information gathered through actual emissions monitoring or testing would be required to use the results of such monitoring or testing in compiling their reports under EPCRA section 313. Other facilities would be required to apply the results of the stack testing performed under this ICR (i.e., the publicly available data on coal mercury and the emissions factors developed from those data) to estimates of the mercury content of coal when reporting mercury releases to the TRI.

A final decision has not yet been made as to the new threshold for mercury under EPCRA section 313. If, after providing an opportunity for notice and comment, the EPA decides on a threshold for mercury that omits a significant portion of coal-fired power plants, the EPA may require that information be submitted under section 114 of the Act for additional years. Also, if for any reason, information collection on mercury emissions under the new lower threshold for mercury is delayed beyond the year 2000, the EPA may require the coal sampling, but not the stack testing, beyond one year.

The responses to the survey are mandatory and are being collected under the authority of section 114 of the Act. If a respondent believes that disclosure of certain information requested would compromise a trade secret, it would need to be clearly identified as such and will be treated as confidential until a determination is made. Any information subsequently determined to constitute a trade secret will be protected under 18 U.S.C. 1905. If no claim of confidentiality accompanies the information when it is received by the EPA, it may be made available to the public without further notice (40 CFR 2.203, September 1, 1976).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information that is sent to ten or more persons unless it displays a currently valid OMB control number. The OMB control numbers for EPA's approved information collection requests are listed in 40 CFR part 9 and 48 CFR Ch. 15. The **Federal Register** notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information, was published on April 9, 1998 (63 FR 17406); over 120 comments were received, including several from organizations representing more than a single entity.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 1 hour per

respondent for the first component, 41 hours per respondent for the second component, and 90 hours per respondent for the third component. 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: 1,100.

Estimated Number of Respondents: 1,100.

Frequency of Response: Quarterly for coal analyses; once per year for emission testing.

Estimated Total Annual Hour Burden: 45,445 hours.

Estimated Total Annualized Cost Burden: \$18,891,000.

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. 1858.01 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OP Regulatory Information Division (2137), 401 M Street, SW, Washington, D.C. 20460 and
Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, D.C. 20503.

Dated: September 17, 1998.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 98-25324 Filed 9-21-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6165-2]

Notice of Certification of Alternative Battery Label

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On May 29, 1998 the Environmental Protection Agency certified alternative labels for nickel-cadmium (Ni-Cd) and certain small sealed lead-acid rechargeable batteries, pursuant to the Mercury-Containing and Rechargeable Battery Management Act (Battery Act), 42 U.S.C. 1432(c)(2)(A). The approval was in response to a May 7 and 8, 1998 amended application from the Rechargeable Battery Recycling Corporation (RBRC). In an effort to facilitate the collection and recycling of regulated batteries, the Battery Act prescribes national, uniform labels. Statutory labels for regulated Ni-Cd and lead-acid batteries must include three chasing arrows or a comparable recycling symbol. In addition, Ni-Cd batteries must be labeled "nickel-cadmium" or "Ni-Cd," with the phrase "BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY." Regulated lead-acid batteries must be labeled "Pb" or with the words "LEAD," "RETURN," and "RECYCLE" and, if the regulated batteries are sealed, the phrase "BATTERY MUST BE RECYCLED." Manufacturers may apply to the EPA Administrator for certification that an alternative label either conveys the same information as the statutory label, or conforms with a recognized international standard that is consistent with the overall purposes of the Battery Act. The newly-certified alternative labels feature the RBRC battery recycling seal, a designation of the appropriate battery chemistry, the word "RECYCLE," and a contact number valid throughout the U.S. which consumers can call to find out how and where to recycle the batteries. RBRC currently runs a nationwide collection and recycling program for nickel-cadmium batteries, in which consumers can call 1-800-8-BATTERY or visit the web site at www.rbrc.com to find local Ni-Cd drop-off locations. The Agency believes that the alternative labels will help alleviate consumer confusion about what to do with Ni-Cd batteries once they run out of power, and so empower consumers with practical recycling information.

ADDRESSES: The public docket for this notice is Docket F-98-ABLN-FFFFF. Documents related to today's notice are available for viewing in the RCRA Information Center (RIC), located at Crystal Gateway I, First Floor, 1235 Jefferson Davis Highway, Arlington, VA. The RIC is open from 9 a.m. to 4 p.m., Monday through Friday, excluding federal holidays. To review docket materials, it is recommended that the public make an appointment by calling