Title: Underground Storage Tanks: Information Request Letters, Pacific Southwest Region (Region IX).

ICR numbers: EPA ICR No. 2405.01, OMB Control No. 2009–NEW.

ICR Status: This ICR is for a new collection activity. 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 49 of the CFR, after appearing in the Federal Register or other Federal Agency document, 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: EPA has already received approval from OMB for its information collection request, entitled “EPA Information Collection Request Number 1360.08, Underground Storage Tanks: Technical and Financial Requirements, and State Program Approval Procedures.” This approval grants EPA authority to collect information from owners and operators, as specified in 40 CFR Part 280, that may otherwise be subject to the Paperwork Reduction Act, including owner and operator requirements to bring a tank into service, pursuant to 40 CFR 280.22, and owner and operator requirements to notify the implementing agency of any decision to permanently close or make a change-in-service at an UST system, pursuant to 40 CFR 280.71. ICR No. 1360.08, however, does not include the authority for EPA to request that facility owners and operators submit documents or other information to the Agency upon request. EPA Region IX is seeking approval from OMB to request documents or other information from UST owners and operators within the Region. EPA Region IX’s Underground Storage Tanks Program Office (R9 USTPO) is planning to undertake an effort to increase the rate of compliance in Region IX. R9 USTPO has direct implementation responsibilities in Indian country and our data have shown a low rate of compliance. While Indian country is our highest priority because of our direct implementation responsibility, EPA has also reviewed data that suggest facilities outside Indian country are also of concern. In FY 08, the average rate of compliance in Region IX Indian country was 36% and, outside of Indian country, the average was 68%. An Information request pursuant to RCRA section 9005 directed to UST facility owners and operators in order to determine compliance will help to increase the rate of compliance.

As a result, R9 USTPO would like to send an information request letter in accordance with RCRA Section 9005 and 40 CFR 280.34 annually to approximately 500 UST facilities. This letter will request that the facility owner or operator send to the R9 USTPO the compliance records that they are already required to keep, but have not previously been asked to submit to the Agency. The information request letter authority was codified in 40 CFR 280.34 of the UST regulations and this regulation and other provisions of the UST regulations also contain specific ongoing facility reporting and record keeping obligations. In accordance with 40 CFR 280.34(c), these records should be kept either on-site or must be readily available at an alternative site and, thus, should be easy to locate. The information is routinely reviewed during inspections, but we believe there is non-compliance that warrants additional collection and believe that these requests will encourage owners and operators to maintain regulatory compliance and will allow the R9 USTPO to better ensure compliance with regulatory requirements for those facilities. The R9 USTPO seeks to continue this request for records from facilities indefinitely and would monitor whether our efforts to increase compliance are successful.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 5 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.

The ICR provides a detailed explanation of the Agency’s estimate, which is only briefly summarized here: Estimated total number of potential respondents: 500. Frequency of response: Annual. Estimated total average number of responses for each respondent: One. Estimated total annual burden hours: 2,500 hours. Estimated total annual costs: $29,025. This includes an estimated burden cost of $25,000 and an estimated cost of $4,025 for capital investment or maintenance and operational costs.

What is the next step in the process for this ICR? EPA will consider the comments received and revise the ICR, if appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another Federal Register notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under FOR FURTHER INFORMATION CONTACT.

Authority: RCRA Section 9005 and 40 CFR 280.34.

Dated: August 26, 2010.

Jeff Scott,
Director, Waste Management Division, Region IX.

[FR Doc. 2010–23997 Filed 9–23–10; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY
[ER–FRL–8992–8]

Environmental Impacts Statements; Notice of Availability


Weekly receipt of Environmental Impact Statements filed 09/13/2010 through 09/17/2010 pursuant to 40 CFR 1506.9.

Notice

In accordance with Section 309(a) of the Clean Air Act, EPA is required to make its comments on EISs issued by other Federal agencies public. Historically, EPA has met this mandate by publishing weekly notices of availability of EPA comments, which includes a brief summary of EPA’s comment letters, in the Federal Register. Since February 2008, EPA has been including its comment letters on EISs on its Web site at: http://www.epa.gov/compliance/nepa/exisdta.html. Including the entire EIS comment letters on the website satisfies the Section 309(a) requirement to make
EPA’s comments on EISs available to the public. Accordingly, on March 31, 2010, EPA discontinued the publication of the notice of availability of EPA comments in the Federal Register.


EIS No. 20100375, Final EIS, USFWS, MT, Western Snowy Plover Habitat Conservation Plan, Proposed Issuance of an Incidental Take Permit, Oregon Parks and Recreation Department, Oregon Coast, OR, WA, Comment Period Ends: 10/25/2010, Contact: Laura Todd 541–867– 4558.


Robert W. Hargrove, Director, NEPA Compliance Division, Office of Federal Activities.

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

Lead in Ammunition and Fishing Sinkers; Disposition of TSCA Section 21 Petition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On August 3, 2010, several groups filed a petition under the Toxic Substances Control Act (TSCA) section 21 requesting that EPA prohibit under TSCA section 6(a) the manufacture, processing, and distribution in commerce of (1) lead bullets and shot; and (2) lead fishing sinkers. On August 27, 2010, EPA denied the first request due to a lack of authority to regulate lead in bullets and shot under TSCA. EPA’s decision is based on the exclusion of shells and cartridges from the definition of “chemical substance” in TSCA section 3(2)(B)(v). EPA is still considering the second request and will respond to that portion of the petition within the 90-day period provided in section 21 of TSCA. This notice explains EPA’s reasons for the denial of the request specific to lead bullets and shot.

FOR FURTHER INFORMATION CONTACT: For technical information contact: Christina Waddington, National Program Chemicals Division (7404T), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (202) 566–1850; e-mail address: waddington.christina@epa.gov.

For general information contact: The TSCA–Hotline, ABVI–Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; e-mail address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general. This action may, however, be of interest to you if you manufacture, process, import, or distribute in commerce lead shot or bullets. If you have any questions regarding this action, consult the technical person listed under FOR FURTHER INFORMATION CONTACT.

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

EPA has established a docket for this action under docket identification (ID)