

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:* 155.  
*Estimated Number of Responses:* 310.  
*Frequency of Response:* 2.

*Estimated Total Annual Hour Burden:* 15,668 hours.

*Estimated Total Annualized Cost Burden:* \$477,090.

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. 0746.03 and OMB Control No. 2060-0251 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OPPE Regulatory Information Division (2136), 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: February 27, 1996.

Joseph Retzer,  
*Director, Regulatory Information Division.*  
[FR Doc. 96-5030 Filed 3-4-96; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5434-4]

#### **TSCA; Agency Information Collection Activities Under OMB Review**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Office of Prevention, Pesticides and Toxic Substances (OPPTS) is seeking the renewal of an existing Information

Collection Request (ICR) from the Office of Management and Budget (OMB). OPPTS has forwarded the following ICR to OMB: TSCA Section 12(b) Notification of Chemical Exports (OMB Control No. 2070-0030, EPA ICR No. 795), which is abstracted below. The ICR describes the nature of the information collection and its expected cost and burden; where appropriate, it includes the actual data collection instrument. EPA requested comments on this ICR and its proposed renewal in a Federal Register notice on September 29, 1995 (60 FR 50568). The sole comment received was considered prior to finalizing this ICR.

**DATES:** Comments must be submitted on or before April 4, 1996.

**FOR FURTHER INFORMATION OR A COPY CALL:** Sandy Farmer at EPA (202) 260-2740, and refer to EPA ICR No. 0795.09.

**SUPPLEMENTARY INFORMATION:** *Title:* Notification of Chemical Exports (OMB Control No. 2070-0030, EPA ICR No. 0795). This is a request for extension of a currently approved information collection which expires on April 30, 1996.

*Abstract:* Section 12(b)(2) of the Toxic Substances Control Act (TSCA) requires that any person who exports or intends to export to a foreign country a chemical substance or mixture that is regulated under TSCA sections 4, 5, 6 and/or 7 submit to EPA notification of such export or intent to export. Upon receipt of notification, EPA will advise the government of the importing country of the U.S. regulatory action with respect to that substance. EPA uses the information obtained from the submitter via this collection to advise the government of the importing country. Responses to the collection of information are mandatory (see 40 CFR part 707). Respondents may claim all or part of a notice confidential. EPA will disclose information that is covered by a claim of confidentiality only to the extent permitted by, and in accordance with, the procedures in TSCA section 14 and 40 CFR part 2. However, notwithstanding any claims of confidentiality, the government of the importing country will be notified of the export of the substances in question.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 0.55 hours per response. This estimate 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. 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.

*Respondents/Affected Entities:* Those which export or engage in wholesale sales of chemicals.

*Estimated No. Of Respondents:* 200.

*Estimated Total Annual Burden on Respondents:* 3,800 hours.

*Frequency of Collection:* On occasion.

Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to the following address. Please refer to EPA ICR No. 0795.09 and OMB Control No. 2070-0030 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Information Policy Branch (2136), 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: February 27, 1996.

Joseph Retzer,  
*Director, Regulatory Information Division.*  
[FR Doc. 96-5031 Filed 3-4-96; 8:45 am]

BILLING CODE 6560-50-M

[OPPTS-62152; FRL-4985-9]

#### **Asbestos-Containing Materials in Schools; State Request for Waiver from Requirements**

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

**ACTION:** Notice of proposed waiver.

**SUMMARY:** EPA has received from the State of Maine a request for a waiver from the requirements of 40 CFR part 763, Subpart E, Asbestos-Containing Materials in Schools. This document announces an opportunity for public review and comment on the State waiver request.

**DATES:** Comments on the waiver request must be received by May 6, 1996.

**ADDRESSES:** Written comments must be sent in triplicate, identified by the

docket control number OPPTS-62152 to: James M. Bryson, Regional Abatement Coordinator, Environmental Protection Agency, OEP 309 Region I, John F. Kennedy Federal Building, Boston, MA 02203-0001. Copies of the Maine waiver request are on file and may be reviewed at the EPA Region I Office.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: bryson.jamesm@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number OPPTS-62152. No CBI should be submitted through e-mail. Electronic comments on this document may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in the SUPPLEMENTARY INFORMATION unit of this document. **FOR FURTHER INFORMATION CONTACT:** James M. Bryson at the address listed above.

**SUPPLEMENTARY INFORMATION:** This document is issued under the authority of Title II of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2641, *et seq.* TSCA Title II was enacted as part of the Asbestos Hazard Emergency Response Act (AHERA), Pub. L. 99-519. AHERA is the name commonly used to refer to the statutory authority for EPA's rules affecting asbestos in schools. For purposes of this document, EPA will use the AHERA designation. In the Federal Register of October 30, 1987 (52 FR 41846), EPA issued a final rule as required in AHERA, the Asbestos-Containing Materials in Schools Rule (40 CFR part 763, Subpart E), which requires all Local Education Agencies (LEAs) to identify Asbestos-Containing Building Materials (ACBMs) in their school buildings and to take appropriate actions to control the release of asbestos fibers. The LEAs are required to describe their asbestos control activities in management plans, which must be available to all concerned persons and submitted to the State Governor's Designee. The rule requires LEAs to use specially trained and accredited persons to conduct inspections for asbestos, develop management plans, and design and conduct actions to control asbestos.

The recordkeeping and reporting burden associated with waiver requests was cleared under OMB control number 2070-0091. This document merely

announces the Agency's receipt of a waiver request and therefore impose no additional burden beyond that which was covered under existing OMB control number 2070-0091. Send any comments regarding the burden estimate or any other aspect of this collection to Chief, Information Policy Branch (2136), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, Attention: Desk Officer.

Under section 203 of TSCA Title II, EPA may, upon request of a State Governor and after notice and comment and opportunity for a public hearing in the State, waive in whole or in part the requirements of the rule promulgated under section 203, if the State has established and is implementing or intends to implement a program of asbestos inspection and management which is at least as stringent as the requirements of 40 CFR part 763, Subpart E. The AHERA rule requests specific information be included in a waiver request submitted to EPA, establishes a process for reviewing waiver requests, and sets forth procedures for oversight and rescission of waivers granted to the States.

The rule requires States seeking waivers to submit requests to the Regional Administrator for the EPA Region in which the State is located. EPA is hereby issuing a notice in the Federal Register announcing receipt of the request and soliciting written comments from the public pertaining to the State of Maine's asbestos waiver request, and Senate Bill 38 MSRA impact on the implementation and enforcement of Maine's Regulation 16B. Comments must be submitted by May 6, 1996. If during the comment period, EPA receives a written objection to the State's request, EPA will schedule a hearing to be held in the affected State after the close of the comment period.

On December 20, 1994, Assistant Attorney General Jon H. Edwards submitted to John P. DeVillars, Regional Administrator, EPA Region I, a request for a waiver under the AHERA 40 CFR 763.98. The request was received by the Regional Office on January 3, 1995. The State's submittal requested a waiver from all requirements of 40 CFR part 763, Subpart E.

The State's waiver request was complete in that it contained all of the following provisions which are required by the AHERA:

1. A copy of the State provisions and proposed provisions relating to its program of asbestos inspection and

management in schools for which the request is made.

2. The name of the State agency that is responsible for administering and enforcing the requirements for which a waiver is requested, the names and job titles of responsible officials in that agency, and phone numbers where the officials can be contacted.

3. Detailed reasons, supporting papers, and the rationale for concluding that the State's asbestos inspection and management program provisions for which the request is made are at least as stringent as the requirements of 40 CFR part 763, Subpart E.

4. A discussion of any special situations, problems, and needs pertaining to the waiver request accompanied by an explanation of how the State intends to handle them.

5. A statement of the resources that the State intends to devote to the administration and enforcement of the provisions relating to the waiver request.

6. Copies of any specific or enabling State laws and regulations relating to the request, including provisions for assessing criminal and/or civil penalties.

7. Assurance from the Governor/Attorney General or the lead agency that the lead agency has the legal authority necessary to carry out the requirements relating to the request.

EPA may waive some or all of the requirements of 40 CFR part 763, Subpart E if:

1. *The State has the legal authority necessary to carry out the provisions of asbestos inspection and management in schools relating to the waiver request.* The Maine Department of Environmental Protection recognizes that asbestos exposure in schools (and elsewhere) is a serious concern. The Maine General Assembly also recognized this, and during a 1987 legislative session a bill was passed authorizing the Air Pollution Control Division, Maine Department of Environmental Protection to implement State requirements under the AHERA, establish a certification program for abatement contractors, develop and implement asbestos work practices and exposure standard, collect fees, and levy fines. Effective June 30, 1993, Maine's revised asbestos regulation required the certification of all persons engaging in asbestos-related work. The requirement applies to all public and commercial buildings as well as schools. The revised regulation also contains more stringent work practices for asbestos abatement and expands the enforcement capabilities of the State in regards to false training documents submitted to

obtain certification. The Maine General Assembly has enacted authority for the Maine Air Quality Control Commission to enforce rules and regulations to minimize the risk to the public from the exposure to asbestos, including specifically, requirements for asbestos management plans to be submitted and implemented by schools. All requisite legislative/legal authority to implement the AHERA waiver program have been adopted, and no problems are anticipated in meeting waiver objectives.

2. *The State's asbestos inspection and management will be at least as stringent as the requirements of 40 CFR part, 763 Subpart E.* The requirements of Subpart E of 40 CFR part 763 have been adopted in its entirety, with the exception of §§ 763.97 and 763.98 into the Maine Air Quality Control Commission's Regulation No. 16B, Chapter 12A, "Emission Standards for Asbestos" School Requirements. The State intends to administer these regulations in a manner that would be at least as stringent as the requirements of 40 CFR part 763, Subpart E.

3. *The State has the appropriate enforcement resources to devote to the administration and enforcement of the provisions relating to the waiver request.* The State conducts routine AHERA inspections, abatement inspections and "for cause" inspections. Routine AHERA inspections result in a determination of compliance with the need to have and implement an adequate, updated management plan. Routine inspections focus on assessing compliance with the AHERA and State asbestos requirements, including such things as implementation of appropriate work practices, compliance with accreditation (State Certification) requirements and proper recordkeeping. "For cause" inspections, are initiated as a result of tips or complaints, and are made to assess compliance with any applicable State or EPA asbestos rules. The State will continue to update its existing Neutral Administrative Inspection Scheme (NAIS) in support of targeting LEAs and other "persons" for AHERA compliance inspections. The NAIS will include a specific method or criteria for selecting inspection targets and will comply with EPA's National Compliance Monitoring Strategies for AHERA. The State has devoted four full-time employees to the existing TSCA Enforcement Grant and will continue to devote at least that amount of time to stringently enforce the requirements of 40 CFR part 763, Subpart E. The State has completed an enforcement response policy to determine the most appropriate enforcement action for each

violation of the State's laws and regulations.

4. *The State has or will have qualified personnel to carry out the provisions relating to the waiver request.* The program will be carried out by staff in the Maine Department of Environmental Protection, Air Pollution Control Division. The State is currently well staffed on the TSCA Asbestos program. The staff is fully trained and certified as Building Inspector/Management Planners and Contractor/Supervisors. Two of three staff persons are conducting full AHERA inspections. One staff person is conducting Worker Protection inspections and is currently training to conduct full AHERA inspections. The fourth person administers the grant and works on case development resulting from inspections.

5. *The State will devote adequate resources to the administration and enforcement of the asbestos inspection and management provisions relating to the waiver request.* Based upon review by the EPA Region I Office, the Agency feels that the Maine Department of Environmental Protection has resources to effectively implement and administer the asbestos program in Maine.

6. *When specified by EPA, the State gives satisfactory assurances that necessary steps, including specific actions it proposes to take and a time schedule for their accomplishment, will be taken within a reasonable time to conform with applicable criteria in items 2 through 5 above.* Final approval of the program by EPA will require effective implementation and continued use of the EPA-approved NAIS, logging and tracking system, enforcement strategy/standard operating procedure, enforcement response policy, and communication strategy. EPA's final approval of the State's program will require the State to provide adequate resources to support the administration of the program.

The reporting and recordkeeping provisions relating to State waivers from the requirements of the Asbestos-Containing Materials in Schools Rule (40 CFR part 763) have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act and have been assigned OMB control number 2070-0091.

On June 16, 1993, Maine Governor Angus S. King signed Senate Bill 38 M.R.S.A. (S.B. 38). S.B. 38 M.R.S.A. may have an impact on enforcement of Maine's asbestos rules and regulations. S.B. 38 M.R.S.A. S.B. 38 appears to create a statutory privilege for environmental audits and a presumption against imposition of penalties for voluntary disclosures

arising out of an environmental self-evaluation. EPA is concerned that S.B. 38 restricts the enforcement options available to the State and, therefore, may not be as stringent as the AHERA. Prior to making a final decision on Maine's request for an AHERA waiver, the State, should clarify S.B. 38's impact on the State's enforcement capabilities. EPA intends to request a legal analysis from the State on whether S.B. 38 applies to Maine's asbestos rules and regulations, and if so, to what extent. In addition, EPA specifically requests public comment on this issue.

EPA with this document is hereby announcing receipt of the State's request and soliciting written comments from the public pertaining to the State of Maine's asbestos waiver request, and Senate Bill 38 M.R.S.A. impact on the implementation and enforcement of Maine's Regulation 8. Comments must be submitted by May 6, 1996. If during the comment period, EPA receives a written objection to the State's request, EPA will schedule a hearing to be held in the affected State after the close of the comment period.

A record has been established for this document under docket number "OPPTS-62152 including comments and data submitted electronically as described below. A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as confidential business information (CBI), is available for inspection from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The public record is maintained in Region I at the location listed under the ADDRESSES unit of this document.

Electronic comments can be sent directly to EPA at:  
bryson.jamesm@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this document, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

## Lists of Subjects

Environmental protection and  
Asbestos.

Dated: February 14, 1996.

John P. DeVillars,

*Regional Administrator, Region I.*

[FR Doc. 96-4968 Filed 3-4-96; 8:45 am]

BILLING CODE 6560-50-F

## EXECUTIVE OFFICE OF THE PRESIDENT

### Office of National Drug Control Policy

**AGENCY:** Executive Office of the President, Office of National Drug Control Policy.

**ACTION:** The Drug Control Research, Data, and Evaluation Committee (DCRDEC); Notice of establishment.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, the Director of the Office of National Drug Control Policy has established the Drug Control Research, Data, and Evaluation Committee (DCRDEC).

The Committee shall provide an avenue of communications by which a distinguished expert group representing scientific, engineering, law enforcement, treatment, and associated international scientific communities may advise the Director of the Office of National Drug Control Policy (ONDCP) on questions related to national drug control research. In pursuing this objective, the DCRDEC may operate in subgroups composed of selected committee members to conduct detailed examinations of specific issues related to national drug control policy research.

The Committee will identify gaps in current data collection to improve the generation of accurate and useful information on which to base national drug control policy. It will function solely as an advisory body and in compliance with the provisions of the Federal Advisory Committee Act. Its charter will be filed under the Act fifteen (15) days from the date of this publication.

The Committee will be comprised of approximately fourteen members. The full DCRDEC subgroup will meet approximately twice per year in plenary sessions at the convenience of the Director of the ONDCP. In addition, various sub-committees meet periodically throughout the year.

**FOR FURTHER INFORMATION CONTACT:** Comments and questions regarding the Drug Control Research, Data, and Evaluation Committee (DCRDEC) should be directed to Mr. Edward H. Jurith, General Counsel, Office of National

Drug Control Policy, Executive Office of the President, 750 17th Street, N.W., Washington, D.C. 20500, (202) 395-6709.

Signed at Washington, DC, this 26th day of February, 1996.

Edward H. Jurith,  
*General Counsel.*

[FR Doc. 96-5021 Filed 3-4-96; 8:45 am]

BILLING CODE 3180-02-P

## FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-1104-DR]

### Alabama; Major Disaster and Related Determinations

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This is a notice of the Presidential declaration of a major disaster for the State of Alabama (FEMA-1104-DR), dated February 23, 1996, and related determinations.

**EFFECTIVE DATE:** February 23, 1996.

**FOR FURTHER INFORMATION CONTACT:** Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that, in a letter dated February 23, 1996, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*), as follows:

I have determined that the damage in certain areas of the State of Alabama, resulting from a severe winter storm, ice and flooding on February 1-12, 1996, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("the Stafford Act"). I, therefore, declare that such a major disaster exists in the State of Alabama.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas. Hazard Mitigation Assistance may be provided at a later date, if warranted. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance or Hazard Mitigation will be limited to 75 percent of the total eligible costs.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for

Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Glenn C. Woodard of the Federal Emergency Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of Alabama to have been affected adversely by this declared major disaster:

Cullman, DeKalb, Jackson, Limestone, Marshall and Morgan for Public Assistance. (Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

James L. Witt,

*Director.*

[FR Doc. 96-5092 Filed 3-4-96; 8:45 am]

BILLING CODE 6718-02-P

[FEMA-1102-DR]

### Idaho; Amendment to Notice of a Major Disaster Declaration

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster for the State of Idaho (FEMA-1102-DR), dated February 11, 1996, and related determinations.

**EFFECTIVE DATE:** February 27, 1996.

**FOR FURTHER INFORMATION CONTACT:** Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the incident period for this disaster is closed effective February 23, 1996.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

G. Clay Hollister,

*Deputy Associate Director, Response and Recovery Directorate.*

[FR Doc. 96-5090 Filed 3-4-96; 8:45 am]

BILLING CODE 6718-02-P

[FEMA-1105-DR]

### Montana; Major Disaster and Related Determinations

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This is a notice of the Presidential declaration of a major