

- The 6-inch-diameter Selma Pipeline between MP 0.0 and MP 4.338 in Dallas County.

Southern seeks authority to construct and operate:

- About 4.04 miles of 30-inch-diameter loop pipeline from MP 261.00 to MP 265.04 along the South Main System in Macon County;

- About 1.5 miles of 30-inch-diameter loop pipeline along the South Main System from MP 183.657 and MP 185.167 in Dallas County.

- About 500 feet of 6-inch-diameter pipeline within the existing right-of-way to tie-in the Selma Tap and Selma Loop, and install a regulator at the Selma Tap at MP 83.420;

- Gas heaters at MPs 109.733, 116.919, 120.963, and 142.970 on the South Main System; and

- Appurtenant facilities, including connecting active taps presently tied into the pipelines being abandoned to its adjacent pipelines (to maintain service).

The location of the project facilities is shown in appendix 1.² If you are interested in obtaining procedural information please write at the Secretary of the Commission.

Land Requirements for Construction

Construction of the proposed facilities would require about 37.23 acres of land. Following construction, about 14.69 acres would be maintained as new right-of-way. The remaining 22.54 acres of land would be restored and allowed to revert to its former use.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. We call this "scoping". The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents

of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils;
- Water resources, fisheries; and wetlands
- Vegetation and wildlife;
- Endangered and threatened species;
- Land use;
- Cultural resources;
- Air quality and noise;
- Public safety.

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by Southern.

- One residence is within 50 feet of the construction right-of-way at MP 263.469.

- Five perennial streams are crossed by the new facilities.

- About 19.8 acres of forest (9.2 acres of upland forest, 7.2 acres of pine plantation, and 3.4 acres of forested wetlands) would be cleared for construction of the new facilities.

- About 35.4 acres of wetlands would be disturbed. This preliminary list of issues may be changed based on your comments and our analysis.

Public Participation

You can make a difference by sending a letter addressing your specific comments or concerns about the project. You should focus on the potential environmental effects of the proposal, alternatives to the proposal, and

measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please follow the instructions below to ensure that your comments are received and properly recorded:

- Address your letter (and send two copies) to: Lois Cashell, Secretary, Federal Energy Regulatory Commission, 888 First St., N.E., Room 1A, Washington, DC 20426;
- Reference Docket No. CP97-223-000; and
- Mail your comments so that they will be received in Washington, DC on or before May 7, 1997.

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding or become an "intervenor". Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide copies of its filings to all other parties. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 2).

The date for filing timely motions to intervene in this proceeding has passed. Therefore, parties now seeking to file late interventions must show good cause, as required by section 385.214(b)(3), why this time limitation should be waived. Environmental issues have been viewed as good cause for late intervention. You do not need intervenor status to have your comments considered.

Lois D. Cashell,

Secretary.

[FR Doc. 97-9316 Filed 4-10-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5809-4]

Request for Comments: National Oil and Hazardous Substances Pollution Contingency Plan, Subpart J; Agency Information Collection Activities up for Renewal (OMB Control Number: 2050-0141)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C.

²The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, DC 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.

3501 *et seq.*), this notice announces that EPA is planning to submit the following continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB). Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Comments must be submitted on or before June 10, 1997.

ADDRESSES: Oil Program Center, 401 M Street SW. (5203G), Washington, DC 20460. Materials relevant to this ICR may be inspected by visiting Public Docket No. NCP-J, located at 1235 Jefferson Davis Highway (ground floor), Arlington, Virginia. The docket is available for inspection between 9:00 a.m. and 4:00 p.m. Monday through Friday, excluding Federal holidays. Appointments are necessary and can be made by calling (703) 603-9232. A reasonable fee may be charged for copying docket material.

FOR FURTHER INFORMATION CONTACT: Gail Thomas, (703) 603-8736. Facsimile number: (703) 603-9116. Electronic address: thomas.gail@epamail.epa.gov. Note that questions, but not comments, will be accepted electronically.

SUPPLEMENTARY INFORMATION:

Affected Entities

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) subpart J (40 CFR 300.900, "Use of Dispersants and Other Chemicals") includes criteria for listing oil spill mitigating products on the NCP Product Schedule. The Product Schedule is required by section 311(d)(2)(G) of the Clean Water Act (CWA), as amended by the Oil Pollution Act of 1990 (OPA), and identifies "dispersants, other chemicals, and other spill mitigating devices and substances, if any, that may be used in carrying out" the NCP. Under Subpart J, respondents wishing to add a product to the Schedule must submit technical product data specified in 40 CFR 300.915 to EPA's Oil Program Center. The specific private industry sectors subject to this action include but are not limited to: Manufacturers of dispersants, surface washing agents, surface collecting agents, bioremediation agents, and other chemical agents and biological additives used as countermeasures against oil spills. Affected private industries can be expected to fall within the following industrial classifications: Manufacturers of industrial inorganic chemicals (SIC 281), manufacturers of industrial organic chemicals (SIC 286), and

manufacturers of miscellaneous chemical products (SIC 289).

Title

National Oil and Hazardous Substances Pollution Contingency Plan, Subpart J, OMB Control Number: 2050-0141. EPA Control Number: 1664.02. Expiration Date: 8/31/97.

Abstract

The use of dispersants, other chemical agents, and bioremediation agents to respond to oil spills in U.S. waters is governed by subpart J of the NCP (40 CFR 300.900). EPA's regulation, which is codified at 40 CFR 300.00, requires that EPA prepare a schedule of "dispersants, other chemicals, and other spill mitigating devices and substances, if any, that may be used in carrying out the NCP." Under subpart J, respondents wishing to add a product to the Product Schedule must submit technical product data specified in 40 CFR 300.915 to EPA. EPA places oil spill mitigating products on the Product Schedule if all the required data are submitted. The Product Schedule is available to Federal On-Scene Coordinators (OSCs), Regional Response Teams (RRTs), and Area Committees for determining the most appropriate products to use in various spill scenarios. Subpart J ensures that OSCs, RRTs, and Area Committees have necessary data regarding the toxicity, effectiveness, and other characteristics of different products in order to make more informed decisions regarding the use of such products during time critical spill responses. Because local conditions may require additional information, RRTs may, under the revisions, require supplemental toxicity and effectiveness testing of products.

Section 300.920(c) allows respondents to assert that certain information in the technical product data submissions is confidential business information. EPA will handle such claims pursuant to the provisions in 40 CFR part 2, subpart B. Such information must be submitted separately from non-confidential information, clearly identified, and clearly marked "Confidential Business Information." If the submitter fails to make such a claim at the time of submittal, EPA may make the information available to the public without further notice.

Products currently listed on the Product Schedule are divided into five basic categories: dispersants, surface washing agents, surface collecting agents, bioremediation agents, and miscellaneous oil spill control agents. Under subpart J, manufacturers who wish to list a product on the Schedule

must report the items specified below for the appropriate category.

Dispersants

1. Name, brand, or trademark, if any, under which the dispersant is sold;
2. Name, address, and telephone number of the manufacturer, importer, or vendor;
3. Name, address, and telephone number of primary distributors or sales outlets;
4. Special handling information and worker precautions for storage and field application, including maximum and minimum storage temperatures;
5. Shelf life;
6. Recommended application procedures, concentrations, and conditions for use;
7. Results of the effectiveness test set forth in Appendix C of the NCP;
8. Results of the toxicity test set forth in Appendix C of the NCP;
9. Physical properties covered by the American Society for Testing and Material's reference standards;
10. Dispersing agent components;
11. The concentrations or upper limits of any heavy metals, cyanide, and chlorinated hydrocarbons; and
12. The identity of the laboratory that performed tests, the qualifications of the laboratory's staff, and laboratory experience with similar tests.

Under NCP subpart J, respondents must test some products for effectiveness and toxicity and provide the results to EPA's Oil Program Center. Dispersants are required to demonstrate a 45% ($\pm 5\%$) effectiveness level in order to be placed on the Schedule. Only those dispersants that meet or exceed the effectiveness acceptability threshold, and are therefore eligible to be listed on the Schedule, need be tested for toxicity.

Surface Washing Agents

1. Name, brand, or trademark, if any, under which the surface washing agent is sold;
2. Name, address, and telephone number of the manufacturer, importer, or vendor;
3. Name, address, and telephone number of primary distributors or sales outlets;
4. Special handling information and worker precautions for storage and field application, including maximum and minimum storage temperatures;
5. Shelf life;
6. Recommended application procedures, concentrations, and conditions for use;
7. Results of the toxicity test set forth in Appendix C of the NCP;

8. Physical properties covered by the American Society for Testing and Material's reference standards;

9. Surface washing agent components;

10. The concentrations or upper limits of any heavy metals, cyanide, and chlorinated hydrocarbons; and

11. The identity of the laboratory that performed tests, the qualifications of the laboratory's staff, and laboratory experience with similar tests.

Surface Collecting Agents

1. Name, brand, or trademark, if any, under which the surface collecting agent is sold;

2. Name, address, and telephone number of the manufacturer, importer, or vendor;

3. Name, address, and telephone number of primary distributors or sales outlets;

4. Special handling information and worker precautions for storage and field application, including maximum and minimum storage temperatures;

5. Shelf life;

6. Recommended application procedures, concentrations, and conditions for use;

7. Results of the toxicity test set forth in Appendix C of the NCP;

8. Physical properties covered by the American Society for Testing and Material's reference standards;

9. Test results distinguishing surface collecting agents from other chemical agents;

10. Surface collecting agent components;

11. The concentrations or upper limits of any heavy metals, cyanide, and chlorinated hydrocarbons; and

12. The identity of the laboratory that performed tests, the qualifications of the laboratory's staff, and laboratory experience with similar tests.

Bioremediation Agents

1. Name, brand, or trademark, if any, under which the bioremediation agent is sold;

2. Name, address, and telephone number of the manufacturer, importer, or vendor;

3. Name, address, and telephone number of primary distributors or sales outlets;

4. Special handling information and worker precautions for storage and field application, including maximum and minimum storage temperatures;

5. Shelf life;

6. Recommended application procedures, concentrations, and conditions for use;

7. Results of the effectiveness test set forth in Appendix C of the NCP;

8. For microbiological cultures, a listing of all microorganisms by species,

including percentages, special nutrient requirements, etc.;

9. For enzyme additives, information on the enzyme, including source, operating conditions, shelf life, etc.;

10. The identity of the laboratory that performed tests, the qualifications of the laboratory's staff, and laboratory experience with similar tests.

Miscellaneous Oil Spill Control Agents

1. Name, brand, or trademark, if any, under which the miscellaneous oil spill control agent is sold;

2. Name, address, and telephone number of the manufacturer, importer, or vendor;

3. Name, address, and telephone number of primary distributors or sales outlets;

4. Special handling information and worker precautions for storage and field application, including maximum and minimum storage temperatures;

5. Shelf life;

6. Recommended application procedures, concentrations, and conditions for use;

7. Results of the toxicity test set forth in Appendix C of the NCP;

8. Physical properties covered by the American Society for Testing and Material's reference standards;

9. Miscellaneous oil spill control agent components;

10. The concentrations or upper limits of any heavy metals, cyanide, and chlorinated hydrocarbons;

11. Information on any microbiological cultures, enzyme additives, or nutrient additives; and

12. The identity of the laboratory that performed tests, the qualifications of the laboratory's staff, and laboratory experience with similar tests.

Respondents submit the required data to EPA in hard copy. If the data are approved by EPA, they are entered electronically on the Product Schedule. The data are then made available to OSCs through five media: (1) Hard copy; (2) computer disk; (3) electronic mail; (4) NOAA First Class; and (5) File Transfer Protocol. The five options ensure that OSCs can obtain the information as efficiently as possible and that the information is useful in practice.

Recordkeeping

No specific recordkeeping activities are required under Subpart J of the NCP.

Purpose of Data Collection

The Product Schedule is available for use by OSCs, Regional Response Teams (RRTs), and Area Committees in determining the most appropriate products to use in various spill

scenarios. Under 40 CFR 300.910(a), RRTs and Area Committees are required to address the desirability of using the products on the Product Schedule in their Regional Contingency Plans (RCPs) and Area Contingency Plans (ACPs), respectively. The required information is needed from the respondent so that the OSCs, RRTs, and Area Committees can make informed decisions to safely employ chemical countermeasures to control oil discharges. Correct product use is critical in emergency situations. Subpart J ensures that OSCs, RRTs, and Area Committees have necessary data regarding the toxicity, effectiveness, and other characteristics of different products.

Burden Statement

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide the information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems to collect, validate, and verify information, process and maintain information, and disclose and provide information; adjust methods to comply with any new requirements and instructions; 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.

This notice provides the Agency's estimate of burden to respondents to perform the required actions under 40 CFR 300.900. The burden is estimated in terms of the time spent by respondents to complete activities necessary to submit an application for listing a product on the Schedule, i.e., review instructions and guidance; search existing data sources; gather and maintain the data received (including conducting any tests that may be necessary); and complete, review, and submit the information.

The Agency developed the burden hours estimates for manufacturers of an oil spill mitigating product based on consultations with Federal OSCs, chemical countermeasure experts, such as Scientex Corporation personnel, technical experts, both international and domestic, such as personnel at the National Environmental Technology Applications Center, and various commercial laboratories. The Agency is soliciting public comment on the burden estimates contained in the notice.

Except for effectiveness and toxicity testing, the data items discussed previously should already be available

to respondents through customary business practices (i.e., normal research and development activities). Effectiveness and toxicity tests, where applicable, burden respondents with the additional task of sending the product to a laboratory for testing.

Processing, compiling, and reviewing the information required under subpart J requires the following respondent activities:

- Inserting simple information;
- Drafting short answers;
- Drafting narrative answers and preparing backup documentation;
- Secretarial/clerical support; and
- Managerial review.

Under subpart J, the respondent must also notify EPA of any changes in the composition, formulation, or application of the dispersant, surface washing agent, surface collecting agent, bioremediation agent, or miscellaneous oil spill control agent. If the change is likely to alter the effectiveness or toxicity of the product, EPA may require retesting. If EPA decides that retesting is necessary, the submitter must have the product tested in a laboratory and send

a summary of the results along with the qualifications of the laboratory staff to EPA.

The burden to respondents is estimated in terms of the time (in hours) spent by respondent personnel to comply with the information collection activities. These burden estimates are based on the following set of time range assumptions:

- Insert simple information, 0.0–0.5 hours.
- Draft short answers, 0.5–1.0 hours.
- Draft narrative answers and prepare backup materials, 2.0–5.0 hours.
- Managerial review, One-fifth of the time required to complete the response items.
- Secretarial/clerical support, 5.0–10.0 hours (per response).

The time estimates include the time to complete each individual response item as required under NCP subpart J, as well as (depending on the type of information requested) time to: review instructions, search existing data sources, prepare backup documentation, and maintain/record the data.

Exhibit 1 shows the unit burden (in hours) for respondents under subpart J. Surface washing agents are placed with surface collecting and miscellaneous oil spill control agents in the exhibit because similar data items are required for each. As demonstrated in Exhibit 1, the unit burden ranges are: dispersants, 17–40 hours; surface collecting agents, 15.5–36 hours; surface washing agents, 15.5–36 hours; miscellaneous oil spill control agents, 15.5–36 hours; and bioremediation agents, 14–33 hours. Although sorbents are not included on the Product Schedule, sorbent manufacturers are required to certify the composition of their product. The written certification, which will certify that a sorbent meets the definition in subpart J, may be requested by OSCs when determining whether to use a sorbent.¹ The estimated unit burden for sorbent certification is 2.0–3.5 hours. Because sorbents are not listed on the Product Schedule, the small burden of sorbent certification is not shown in the exhibit.

EXHIBIT 1.—RESPONDENT BURDEN FOR THE DATA ITEMS REQUIRED UNDER NCP SUBPART J

Response form items	Respondent activities	Dispersants	Burden (hours)	
			Surface washing agents, surface collecting agents, and miscellaneous oil spill control agents	Bioremediation agents
Product, manufacturer, and distributor information	Simple information	0–0.5	0–0.5	0–0.5
Special handling information and precautions	Short answer	0.5–1	0.5–1	0.5–1
Shelf life information	Simple information	0–0.5	0–0.5	0–0.5
Recommended application procedures	Short answer	0.5–1	0.5–1	0.5–1
Toxicity testing information	Narrative answer	2.0–5.0	2.0–5.0	N/A
Effectiveness testing information	Narrative answer	2.0–5.0	N/A	2.0–5.0
List of ASTM physical properties	Short answer	0.5–1	0.5–1	N/A
Test results for distinguishing surface collecting agents from other chemical agents.	Short answer	N/A	0.5–1	N/A
List of product components	Narrative answer	2.0–5.0	2.0–5.0	N/A
Analysis results for heavy metals, cyanide, and chlorinated hydrocarbons.	Short answer	0.5–1	0.5–1	N/A
Identity of laboratory performing tests	Narrative answer	2.0–5.0	2.0–5.0	2.0–5.0
Information on microbiological cultures, enzyme additives, and nutrient additives.	Narrative answer	N/A	N/A	2.0–5.0
Description of how the product works and its uses	Short answer	N/A	0.5–1	N/A
	Managerial Review	2.0–5.0	1.5–4.0	2.0–5.0
	Secretarial/Clerical Support.	5.0–10.0	5.0–10.0	5.0–10.0
Unit Burden		17.0–40.0	15.5–36.0	14.0–33.0
Frequency of response		(¹)	(²)	(²)
Annual Burden		57	155	141

N/A—No response required for this item.

¹ 2/year.

² 6/year.

Unit cost (cost per individual response) is based on two components: labor cost and laboratory cost. Labor

cost results from the amount of time spent by industry personnel supplying the required data. The cost for labor is

derived by multiplying the unit burden hours presented in Exhibit 1 by the wage rate for industry personnel. The

¹ The following model certification statement suffices: “[SORBENT NAME] is a sorbent material

and consists solely of the materials listed in § 300.915(g)(1) of the NCP.”

hourly rates, in 1996 dollars, are \$38.01 for Management, \$28.74 for Technical, and \$17.19 for Clerical.

These wage rates reflect private industry averages, which were estimated by the Bureau of Labor Statistics (BLS) based on a survey of 22,000 occupations within 4,200 establishments in the private sector. These rates include direct salary and fringe benefits. In addition, these BSL rates were adjusted to include overhead costs through a 17 percent multiplier.²

The wage rate used in this analysis is a weighted hourly rate that reflects the assumption that the total number of work hours necessary for completing an application form is divided among three labor categories in the following way: 20% for managerial staff to direct and review activities; 70% for technical staff to conducting the majority of the information collection activities; and the remaining 10% for clerical support. Based on the above assumptions, the weighted hourly wage rate developed for this FR is $(.20)(\$38.01) + (.70)(\$28.74) + (.10)(\$17.19) = \29.43 per hour.

Laboratory costs are incurred when a respondent must test its product for effectiveness and/or toxicity according to the methods outlined in Appendix C of the NCP. In order to provide the necessary information, respondents need to have their product tested at a laboratory. The costs for toxicity tests for dispersants, surface collecting agents, surface washing agents, and miscellaneous oil spill control agents

are estimated to cost \$5,000 each. Dispersant effectiveness testing will cost an estimated \$500 each using the swirling flask method. A dispersant must exceed the 45% ($\pm 5\%$) threshold in order to be listed on the Schedule. The protocol for effectiveness testing of bioremediation agents under subpart J is estimated to cost \$8,000.³

The unit costs for each respondent to comply with the information collection requirements are presented in Exhibit 2 for subpart J. The unit costs are presented as ranges, reflecting the ranges of burden estimates. The unit cost is the sum of the labor cost and the laboratory cost.

The unit costs under subpart J are: Dispersants, \$6,000—\$6,677; surface washing agents, \$5,456—\$6,059; surface collecting agents, \$5,456—\$6,059; miscellaneous oil spill control agents, \$5,456—\$6,059; and bioremediation agents, \$8,412—\$8,971. Certification of sorbent materials costs the average respondent $(2.75 \text{ hours/certification} \times \$29.43/\text{hour}) = \$80.93$. Because sorbents are not listed on the Product Schedule, the small cost of sorbent certification is not shown in the exhibit.

The number of responses expected annually over the three-year ICR approval period has been estimated based on the average rate of applications for listing on the Schedule over the last three years. It is estimated that responses would be submitted for 6 bioremediation agents, 3 surface washing agents, 0 surface collecting agents, 3 miscellaneous oil spill control

agents, and 2 dispersants each year of the ICR period; consequently, EPA estimates that, on average 14 total product listings will occur each year of the ICR period.

The annual burdens (i.e., the burdens to all respondents within a product category) are presented at the bottom of Exhibit 1. The annual burden is arrived at by multiplying the average unit burden (the midpoint of the range) by the estimated frequency of responses per year.

Based on the annual burdens shown in Exhibit 1, the total annual burden under subpart J will be $(57+155+141=) 353$ hours for all 14 respondents. However, it is also expected that 6 sorbent manufacturers per year will have to certify the composition of their product, at an annual burden of $(6 \text{ products} \times 2.75 \text{ hours/product} =) 16.5$ hours. Therefore, the total annual burden to manufacturers under subpart J will be 340 hours.

The annual costs for the product categories are presented at the bottom of the tables in Exhibit 2. These are calculated by multiplying the unit cost for listing a product under each category by the number of products expected to be listed in each category on an annual basis.

It is also expected that 6 sorbent manufacturers per year will have to certify the composition of their product, at an annual cost of $(\$80.93/\text{response} \times 6 \text{ responses} =) \485.58 . The total annual cost to manufacturers under subpart J will, therefore, be \$99,710.

EXHIBIT 2.—RESPONDENT COST FOR ACTIVITIES REQUIRED UNDER NCP SUBPART J

NCP Subpart J	Dispersants	Surface washing agents, surface collecting agents, and miscellaneous oil spill control agents	Bioremediation agents
Labor Cost: (# of hours \times \$29.43/hour)	\$500—\$1,177	\$456—\$1,059	\$412—\$971
Laboratory Cost:			
—Effectiveness	500	N/A	8,000
—Toxicity	5,000	5,000	N/A
Unit Cost	6,000—6,677	5,456—6,059	8,412—8,971
Frequency of response	(¹)	(²)	(²)
Annual Cost	12,677	34,545	52,149

N/A—No response required for this item.

¹ 2 per year.

² 6 per year.

With respect to Agency burden under subpart J, EPA will perform the

following activities when a manufacturer applies to have a product

listed on the Product Schedule, when a product already on the Schedule is

² The overhead multiplier was computed based on the average state benefit load reported in Employer Costs for Employee Compensation, March 1995.

³ Estimates from National Environmental Technology Applications Center.

changed in composition, formulation, or application:

- Receive and process the data;
- Review the data for completeness and procedural accuracy;
- Notify the respondent of the decision on listing the product on the Schedule; and

—If approved, place the product on the Schedule, store the data, and supply the data upon request.

EPA's decision to place a product on the Schedule is based solely on the completeness of the information presented and whether required effectiveness thresholds are met.

Exhibit 3 provides estimates of the unit burden and unit cost to EPA for processing information on products to be listed. Burden estimates are based on EPA's experience with placing products on the Schedule under subpart J. Under subpart J, EPA's burden is 12 hours per listing application for all product categories.

EXHIBIT 3.—EPA BURDEN TO IMPLEMENT NCP SUBPART J

NCP subpart J	Burden (hours)		
	Dispersants	Surface washing agents, surface collecting agents, and miscellaneous oil spill control agents	Bioremediation agents
Process submitted data	5.0	5.0	5.0
Review data for approval	4.0	4.0	4.0
Notify respondent of decision	2.0	2.0	2.0
Store data	1.0	1.0	1.0
Unit Burden	12.0	12.0	12.0
Frequency of response	(¹)	(²)	(²)
Annual Burden	24	72	72

¹ 2 per year.

² 6 per year.

The unit costs to EPA for processing each type of application are presented in Exhibit 4 for subpart J. Labor rates for government workers reflect the median GS level salaries for managerial and technical positions at EPA, based on the Office of Personnel Management's January 1997 general schedule salary table. The hourly rate are: \$44.46 for management (GS-13) and \$31.20 for technical (GS-11). These rates include both direct salary and personnel benefits (medical insurance, income protection, etc.; estimated at 60% of direct salary).⁴ For purposes of this information collection, a weighted government wage is used that assumes an equal amount of managerial (GS-13) and technical (GS-11) time for processing and reviewing applications. This weighted government wage rate is $(.50)(\$44.46) + (.50)(\$31.20) = \$37.83$ per hour. This wage rate is multiplied by the hours in Exhibit 3 to obtain the cost to EPA for labor. The cost for labor per

application is $(\$37.83/\text{hour} \times 12 \text{ hours}) = \454 for all applications.

For dispersants under subpart J, § 300.920 (a)(2) gives EPA the right to verify test results and consider the results of EPA's verification testing in determining whether the dispersant meets the listing criteria. For purposes of this analysis, EPA estimates that 10 percent of all submitted dispersant applications will undergo verification tests at a cost of \$500 per test. Thus, on average, EPA estimates that verification testing will cost approximately \$50 per dispersant submission. This results in a total unit cost of \$504 per dispersant application under subpart J. There are no costs in addition to labor costs for other types of products under subpart J.

The annual burdens and costs to EPA under subpart J are presented at the bottom of the tables in Exhibits 3 and 4, respectively. The annual burden depends on the frequency of applications. As mentioned previously, it is estimated that, under subpart J, applications would be received for 6 bioremediation agents, 3 surface

washing agents, 3 miscellaneous oil spill control agents, and 2 dispersants.

The annual agency burden is determined by multiplying the unit agency burden by the frequency of applications. For example, it is estimated that the average request to list a dispersant would require 12 hours of EPA staff time under subpart J (as shown in Exhibit 3). It is also estimated that EPA would process two applications for dispersants each year, as mentioned above. The annual burden to EPA for dispersants under subpart J would, therefore, be $(12 \text{ hours/application} \times 2 \text{ applications}) = 24 \text{ hours}$. The total annual burden will be $(24 + 72 + 72) = 168 \text{ hours}$.

The annual cost to EPA is calculated by multiplying the unit costs presented in Exhibit 4 by the frequencies of application. For example, under subpart J, the annual cost to EPA for dispersants would be $(\$554/\text{application} \times 2 \text{ applications}) = \$1,108$. The total annual cost will be $(\$1,108 + \$2,724 + \$2,724) = \$6,556$.

⁴ U.S. Environmental Protection Agency, ICR Handbook, June 1992, p. 30.

EXHIBIT 4.—EPA COST TO IMPLEMENT NCP SUBPART J

NCP subpart J	Dispersants	Surface washing agents, surface collecting agents, and miscellaneous oil spill control agents	Bioremediation agents
Labor Cost: (# of hours × \$37.83/hour)	\$454	\$454	\$454
Laboratory Cost:			
—Effectiveness	¹ 100	N/A	N/A
—Toxicity	N/A	N/A	N/A
Unit cost	554	454	454
Frequency of response	(²)	(³)	(³)
Annual Cost	1,108	2,724	2,724

¹ EPA assumes that it will on average verify 2 out of every 10 dispersants at \$500 per test.

N/A—No response required for this item.

² 2 per year.

³ 6 per year.

As part of the Agency's efforts to reduce the overall paperwork burden on regulated facilities, EPA would like to solicit comments on how the Agency could best reduce the total paperwork burden hours for this rule while maintaining an effective level of environmental protection. EPA also would like to solicit public 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 through 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.

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 at 40 CFR Part 9. Send comments regarding these matters, or any other aspects of the information collection, including suggestions for reducing the burden, to the address listed above under **ADDRESSES** near the top of this Notice.

Dated: April 3, 1997.

Elaine Davies,

Deputy Director, Office of Emergency and Remedial Response.

[FR Doc. 97-9379 Filed 4-10-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5810-4]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Collection of Compliance Information From Automotive Service and Repair Shops

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Collection of Compliance Information from Automotive Service and Repair Shops. This information request has no prior OMB number. 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 May 12, 1997.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, (202) 260-2740, and refer to EPA ICR No. 1793.01.

SUPPLEMENTARY INFORMATION:

Title: Collection of Compliance Information from Automotive Service

and Repair Shops, no prior OMB Control No., EPA ICR No. 1793.01. This is a new request to collect information.

Abstract: The Office of Compliance within the Office of Enforcement and Compliance Assurance is conducting a statistical survey using a consolidated screening checklist to determine the level of compliance within the automotive service and repair industry. The information being obtained in the first survey will provide the Agency with a baseline of compliance that can be associated with this industry. The second survey, to be conducted twenty-four months later, is to determine if the level of compliance has improved and whether any compliance activities undertaken by the Agency can be attributed to that improvement. The information being collected is on a voluntary basis from the industry.

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** Notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on October 11, 1996 (61 FR 55293); Three letters of comments were received.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 1.5 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