

Name	Case No.
WATCHTOWER BIBLE & TRACT SOCIETY OF NY	RF272-98962

[FR Doc. 98-19815 Filed 7-23-98; 8:45 am]
BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6130-5]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Environmental Impact Assessment of Nongovernmental Activities in Antarctica

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: Environmental Impact Assessment of Nongovernmental Activities in Antarctica, OMB Control No. 2020-0007, expiring August 8, 1998. 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 August 24, 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. 1808.02.

SUPPLEMENTARY INFORMATION:

Title: Environmental Impact Assessment of Nongovernmental Activities in Antarctica, EPA ICR No. 1808.02, OMB Control No. 2020-0007, expiring August 31, 1998. This is a request for extension of a currently approved collection.

Abstract: The EPA promulgated an Interim Final Rule for Environmental Impact Assessment of Nongovernmental Activities in Antarctica, 40 CFR part 8, in accordance with the Antarctic Science, Tourism, and Conservation Act (Act) of 1996, 16 U.S.C. 2401 *et seq.*, as amended 16 U.S.C. 2403a, which implements the Protocol on Environmental Protection (Protocol) to the Antarctic Treaty of 1959 (Treaty).

The Interim Final Rule provides for assessment of the environmental impacts of nongovernmental activities in Antarctica, including tourism, and for coordination of the review of information regarding environmental impact assessments received from other Parties under the Protocol. The requirements of the Interim Final Rule apply to operators of nongovernmental expeditions organized in or proceeding from the territory of the United States to Antarctica and include commercial and noncommercial expeditions. The Interim Final Rule does not apply to individual U.S. citizens or groups of citizens planning to travel to Antarctica on an expedition for which they are not acting as an operator.

Persons subject to the Interim Final Rule at 40 CFR part 8 must prepare environmental documentation, as appropriate to support the operator's determination regarding the level of environmental impact of the proposed expedition. Environmental documentation includes a Preliminary Environmental Review Memorandum (PERM), an Initial Environmental Evaluation (IEE), or a Comprehensive Environmental Evaluation (CEE). The environmental documentation must be submitted to the Office of Federal Activities (OFA) in accordance with the schedule for the level of environmental documentation as provided in the Interim Final Rule.

The Protocol and the Interim Final Rule also require an operator to employ procedures to assess and provide a regular and verifiable record of the actual impacts of an activity which proceeds on the basis of an IEE or a CEE, including monitoring of key environmental indicators for an activity proceeding on the basis of a CEE, or, if necessary, an IEE.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15. The **Federal Register** document required under 5 CFR 1320.8(d), soliciting comments on this collection of information, was published on April 22, 1998 (63 FR 19912). Four comment letters were received. Responses to comments are included in the ICR document.

Burden Statement: For the initial year no PERMs or CEEs were submitted; four IEEs were submitted on behalf of nine operators with an estimated average burden of 216 hours per IEE, or 96 hours per operator, including assessment and verification procedures. For each of the subsequent years, four IEEs that fully incorporate paperwork reduction provisions of the Interim Final Rule are anticipated on behalf of eleven operators with an estimated annual average burden of 25 hours per operator, including assessment and verification procedures. 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: Commercial tour operators and all other nongovernmental entities including privately funded research expeditions.

Estimated Number of Respondents: 11.

Frequency of Response: Once per year.

Estimated Total Annual Hour Burden: 1415 hours.

Estimated Total Annualized Cost Burden: 0

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques, to the following addresses. Please refer to EPA ICR No. 1808.02, and OMB Control No. 2020-0007 in any correspondence.

Ms. Sandy Farmer, .S. Environmental Protection Agency, OP Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460; and

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

Dated: July 20, 1998.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 98-19840 Filed 7-23-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6128-5]

Notice of Availability; Alternatives for New Source Review (NSR) Applicability for Major Modifications; Solicitation of Comment

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: The EPA is soliciting comments on a specific alternative for determining the applicability of NSR to modifications of major stationary sources, under the Prevention of Significant Deterioration (PSD) and the nonattainment provisions of the Clean Air Act (Act). This alternative would allow any source to legally avoid major NSR review for a physical or operational change to an existing emissions unit by taking an enforceable temporary limit on emissions from that unit for a period of at least 10 years after the change. In addition, the Agency is seeking comment upon when and under what circumstances permitting authorities should have to revise the emissions level set under a plantwide applicability limitation (PAL) for any given source.

DATES: Written comments must be received on or before August 24, 1998.

ADDRESSES: Comments must be identified by the docket number [A-90-37], and should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-90-36, Room M-1500, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. The EPA requests a separate copy also be sent to the contact person listed below (see **FOR FURTHER INFORMATION CONTACT**).

Comments may also be submitted electronically by sending electronic mail (e-mail) to: a-and-r-docket@epamail.epa.gov. Submit comments as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on a diskette in

WordPerfect 5.1 or 6.1 or ASCII file format. Identify all comments and data in electronic form by docket number A-90-37. No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential will be included in the public docket by EPA without prior notice.

FOR FURTHER INFORMATION CONTACT: By mail: David Solomon, Integrated Implementation Group, Information Transfer and Program Integration Division, (MD-12), Environmental Protection Agency, Research Triangle Park, N.C. 27711, telephone 919-541-5375, facsimile 919-541-5509, or e-mail solomon.david@epamail.epa.gov. For information on the section of this notice addressing PAL's, contact Mike Sewell at the above address, telephone 919-541-0873, facsimile 919-541-5509, or e-mail sewell.mike@epamail.epa.gov.

Electronic Availability: Internet

Electronic copies of this document also are available from the EPA home page at the **Federal Register**—Environmental Documents entry for this document under “Laws and Regulations” (<http://www.epa.gov/fedrgstr/>) or from the Office of Air and Radiation home page at <http://www.epa.gov/ttn/oarpg>.

I. Purpose

The first purpose of this notice is to solicit comment from the interested public on a specific policy option for determining the applicability of NSR to modifications at existing major stationary sources. Although this option was one of many proposed in an earlier Notice of Proposed Rulemaking, EPA now seeks comment on a single alternative in order to ensure that the public has full opportunity to evaluate its merit. Second, the Agency is seeking comment on a specific approach with regard to PAL's. Previously EPA solicited and received several hundred comments on its NSR reform package proposed in July 1996. The EPA has reviewed and is duly considering these comments. For purposes of this Notice of Availability, commenters should limit their remarks to the issues discussed below. Because of the opportunity provided previously for

comment on the NSR Reform items, comments relating to issues other than those set forth in this Notice will not be considered.

II. Background

On July 23, 1996, EPA proposed to make significant changes to the existing major NSR program (“NSR Reform”) [See 61 FR 38249]. In large part, these proposed changes concern the applicability of the major NSR requirements to modifications at existing stationary sources. The Agency solicited comment on a number of methodologies for determining NSR applicability when a source undergoes a modification [See *id.* at 38266-70]. As a result of comments received, changed circumstances, and further review of the issues by the Agency, EPA is seeking further comment on one particular methodology.

In the same earlier notice, EPA proposed to authorize permitting authorities to establish facility-specific PAL's based on the source's historic actual emissions. The Agency solicited public comment on what circumstances would necessitate revision of PAL limits. Several commenters suggested that PAL's must be periodically changed to reflect recent actual emissions. The EPA is also concerned that legal considerations may require a periodic evaluation of the PAL limit.

III. Applicability Methodology for Modifications to Existing Major Sources

A. Current NSR Applicability Test for Major Modifications

1. In General

Major NSR—that is, PSD or nonattainment NSR—applies to all “major modifications.” A “major modification” is “any physical change or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act.” In other words, major NSR applies if, as a result of the change, the total emissions from new and existing emission units at the source, which are otherwise affected by or part of the change, exceed the current actual emissions of those units by a significant amount (as defined in the regulations).¹

¹ When post-change emissions from a changed unit and all other affected units are significant, the proposed change at the source may nevertheless avoid review if, when considering any other contemporaneous emission increases and decreases at the source, the net emissions increase is less than significant. The summing of increases and decreases at a source that are contemporaneous with, but not resulting from, a proposed change for the purpose

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