

this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OW-2010-0852, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Water Docket is 202-566-2426.

Use EPA's electronic docket and comment system at <http://www.regulations.gov>, to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select "docket search," then key in the docket ID number identified above. Please note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at <http://www.regulations.gov> as EPA receives them and without change, unless the comment contains copyrighted material, confidential business information (CBI), or other information whose public disclosure is restricted by statute. For further information about the electronic docket, go to <http://www.regulations.gov>.

**Title:** National Pollutant Discharge Elimination System (NPDES) Permits for Point Source Discharges from the Application of Pesticides to Waters of the United States.

**ICR numbers:** EPA ICR No. 2397.01, OMB Control No. 2040-New.

**ICR Status:** This ICR is for a new information 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 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, 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:** This Information Collection Request (ICR) calculates the burden and costs associated with information collection and reporting activities from

EPA and State NPDES general permits for point source discharges from the application of pesticides to waters of the United States. On November 27, 2006, EPA issued a final rule (hereinafter called the "2006 NPDES Pesticides Rule") clarifying circumstances in which an NPDES permit was not required to apply pesticide to, or over, including near, waters of the U.S. On January 9, 2009, the Sixth Circuit Court vacated EPA's 2006 NPDES Pesticides Rule. As a result of the Court's decision, beginning October 31, 2011 NPDES permits will be required for discharges to waters of the U.S. from the application of biological pesticides and chemical pesticides that leave a residue. Regulations governing permit requirements for NPDES discharges are codified at 40 CFR parts 122. This ICR includes information submitted or recorded by permittees as well as information used primarily by permitting authorities. The permitting authority will use the information to assess permittee compliance and modify/add new permit requirements as appropriate. The estimated burden in this ICR is based on EPA's NPDES Pesticide General Permit (PGP). EPA posted the final draft PGP on the Agency's Web site on April 1, 2011.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 0.7 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.

**Respondents/Affected Entities:** Industries potentially covered by the general permits include but are not limited to the following NAICS (North American Industry Classification System) codes: 111 Crop Production; 113110 Timber Tract Operations; 113210 Forest Nurseries Gathering of Forest Products; 221310 Water Supply for Irrigation; 923120 Administration of Public Health Programs; 924110

Administration of Air and Water Resource and Solid Waste Management Programs; 924120 Administration of Conservation Programs; and 221 Utilities.

**Estimated Number of Respondents:** 365,000 permittees, 45 permitting authorities (44 states and Virgin Islands).

**Frequency of Response:** varies from once every 5 years to occasionally as needed.

**Estimated Total Annual Hour Burden:** 847,652 hours (841,037 hrs for permittees and 6,615 hrs for permitting authorities).

**Estimated Total Annual Cost:** \$48,034,676 (\$47,783,297 for permittees and \$251,379 for permitting authorities), includes \$0 annualized capital or O&M costs.

**Changes in the Estimates:** There is an increase of 847,652 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This increase is due to a change in NPDES program requirements as result of the Sixth Circuit Court's decision.

Dated: September 19, 2011.

**John Moses,**

*Director, Collection Strategies Division.*

[FR Doc. 2011-24377 Filed 9-21-11; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9469-9]

### An Assessment of Decision-Making Processes: Evaluation of Where Land Protection Planning Can Incorporate Climate Change Information—Release of Final Report

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

**ACTION:** Notice of availability.

**SUMMARY:** EPA is releasing a final report entitled *An Assessment of Decision-Making Processes: Evaluation of Where Land Protection Planning can Incorporate Climate Change Information*, (EPA/600/R-09/142F). The document was prepared by the National Center for Environmental Assessment within EPA's Office of Research and Development.

This report is a review of decision-making processes of selected land protection programs. The goal of this report is to evaluate where land protection planning can incorporate climate change impacts information into programs. The assessment revealed that there are several strategies that might be

useful for incorporating climate change information into decision making. As part of a portfolio of adaptation strategies, land protection may become more important for jurisdictions, particularly to ameliorate climate change impacts on watersheds and wildlife.

**DATES:** The report was posted publically on September 22, 2011.

**ADDRESSES:** The report, *An Assessment of Decision-Making Processes: Evaluation of Where Land Protection Planning can Incorporate Climate Change Information*, is available via the Internet on the National Center for Environmental Assessment's home page under the Recent Additions and the Data and Publications menus at <http://www.epa.gov/ncea>. A limited number of paper copies are available from the Information Management Team, NCEA, telephone: 703-347-8561; *facsimile*: 703-347-8691. If you are requesting a paper copy, please provide your name, mailing address, and the document title.

**FOR FURTHER INFORMATION CONTACT:** For additional information, contact the National Center for Environmental Assessment; Britta Bierwagen; *telephone*: 703-347-8613; *facsimile*: 703-347-8694; or *e-mail*: [bierwagen.britta@epa.gov](mailto:bierwagen.britta@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Information About the Project/Document

The report, *An Assessment of Decision-Making Processes: Evaluation of Where Land Protection Planning can Incorporate Climate Change Information*, describes a review of the decision-making processes of selected programs that protect land to evaluate how information about climate change impacts information can be incorporated. The review focuses on a sample of programs with goals to protect wildlife and watersheds. This review demonstrates that while the land protection programs sampled in this paper did not make acquisition decisions based on climate change considerations directly, many of the criteria and processes reviewed are sensitive to climate change impacts. Incorporating adaptive strategies into existing decision-making processes would not involve changing existing criteria so much as incorporating climate change information into the evaluation of existing criteria. Mechanisms for incorporating such information include: (1) Developing decision-support tools for advisory committees; (2) providing a variety of methods to preserve lands; (3) educating elected officials who approve land

protection decisions about the climate change benefits; (4) engaging in strategic parcel selection; (5) coordinating with land-use planning processes; and (6) developing tools for evaluating and prioritizing land parcels for protection. Incorporating climate change information in these decision-making processes can assist with maintaining land protection goals over time, such as wildlife, habitat and high water quality, as well as contribute to climate change mitigation and adaptation.

Dated: September 9, 2011.

**Darrell A. Winner,**

*Acting Director, National Center for Environmental Assessment.*

[FR Doc. 2011-24365 Filed 9-21-11; 8:45 am]

**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-9470-1]

##### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed consent decree; Request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA"), 42 U.S.C. 7413(g), notice is hereby given of a proposed partial consent decree, to address a lawsuit filed by Sierra Club in the United States District Court for the District of Columbia: *Sierra Club v. EPA*, No. 1:10-cv-1541 (CKK). Plaintiff filed a complaint alleging that EPA failed to perform mandatory duties under sections 110(c)(1) and (k)(2) of the CAA, 42 U.S.C. 7410(c)(1), (k)(2), to: (1) Promulgate a federal implementation plan ("FIP") for the State of Texas that meets the requirements of CAA section 110(a)(2)(D)(i) for the 1997 fine particulate matter ("PM<sub>2.5</sub>") and the 1997 8-hour ozone national ambient air quality standards ("NAAQS"); (2) promulgate a FIP for the State of Texas that meets the requirements of CAA Section 110(a)(2) for the 1997 8-hour ozone NAAQS; and (3) take final approval/disapproval action pursuant to CAA section 110(k)(3) on the state implementation plan ("SIP") that Texas submitted for implementation of the 1997 PM<sub>2.5</sub> NAAQS. The partial proposed consent decree establishes deadlines for EPA to take these actions.

**DATES:** Written comments on the proposed consent decree must be received by *October 24, 2011*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2011-0785, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

#### FOR FURTHER INFORMATION CONTACT:

Geoffrey L. Wilcox, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; *telephone*: (202) 564-1744; *fax number* (202) 564-5601; *e-mail address*: [wilcox.geoffrey@epa.gov](mailto:wilcox.geoffrey@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Additional Information About the Proposed Consent Decree

The partial proposed consent decree would resolve a lawsuit seeking to compel the Administrator to take various actions under sections 110(c)(1) and 110(k) of the CAA with respect to the State of Texas. These required actions are: (1) To take an action or actions in accordance with section 110(c)(1) to promulgate a federal implementation plan ("FIP"), or an unconditional approval of a SIP, that meets certain specified requirements of CAA section 110(a)(2) for the 1997 8-hour ozone NAAQS; (2) to take an action or actions in accordance with section 110(c) to promulgate a FIP, or an unconditional approval of a SIP, that meets the requirements of section 110(a)(2)(D)(i)(II) concerning interference with prevention of deterioration of air quality for the 1997 PM<sub>2.5</sub> NAAQS; (3) to take an action or actions in accordance with section 110(k) approving or disapproving a SIP submission regarding certain specified requirements of section 110(a)(2) for the 1997 PM<sub>2.5</sub> NAAQS; and (4) to take an action or actions in accordance with section 110(c) to promulgate a FIP, or an unconditional approval of a SIP, that meets the requirements of section 110(a)(2)(D)(i)(II) concerning interference with measures required in other states related to protection of