

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-RCRA-2014-0694; FRL-9922-67-OEI]

**Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Requirements and Exemptions for Specific RCRA Wastes (Renewal)****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency has submitted an information collection request (ICR), "Requirements and Exemptions for Specific RCRA Wastes (Renewal)" (EPA ICR No. 1597.11, OMB Control No. 2050-0145) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This is a proposed extension of the ICR, which is currently approved through February 28, 2015. Public comments were previously requested via the **Federal Register** (79 FR 65652) on November 5, 2014 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. 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.

**DATES:** Additional comments may be submitted on or before March 25, 2015.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-RCRA-2014-0694, to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), by email to [rcra-docket@epa.gov](mailto:rcra-docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460, and (2) OMB via email to [oira\\_submission@omb.eop.gov](mailto:oira_submission@omb.eop.gov). Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

**FOR FURTHER INFORMATION CONTACT:**

Peggy Vyas, Environmental Protection Agency, 1200 Pennsylvania Ave. NW.,

Washington, DC 20460; telephone number: 703-308-5477; fax number: 703-308-8433; email address: [vyas.peggy@epa.gov](mailto:vyas.peggy@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at [www.regulations.gov](http://www.regulations.gov) or in person at the EPA Docket Center, EPA WJC, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

**Abstract:** In 1995, EPA promulgated regulations at 40 CFR part 273 that govern the collection and management of widely-generated hazardous wastes known as "Universal Wastes." Part 273 regulations are designed to ensure facilities collect and properly manage these wastes. EPA needs to collect notifications of Universal Waste management to obtain general information on handlers and to facilitate enforcement of the part 273 regulations, to ensure that Universal Waste is being accumulated responsibly, to collect information on illegal Universal Waste shipments, and lastly to help ensure that Universal Waste is being properly treated, recycled, and/or disposed. In 2001, EPA promulgated regulations in 40 CFR part 266 that provide increased flexibility to facilities managing wastes commonly known as "Mixed Waste." Section 266.345(a) requires that generators or treaters notify EPA or the Authorized State that they are claiming the Transportation and Disposal Conditional Exemption prior to the initial shipment of a waste to a LLRW disposal facility. Finally, the regulations at 40 CFR part 279 establish streamlined procedures for notification, testing, labeling, and recordkeeping including an approach for tracking off-site shipments that allow used oil handlers to use standard business practices (*e.g.*, invoices, bill of lading). Used oil transporters must comply with all applicable packaging, labeling, and placarding requirements of 49 CFR parts 173, 178, and 179. In addition, used oil transporters must report discharges of used oil according to existing 49 CFR part 171 and 33 CFR part 153 requirements.

**Form Numbers:** None.

**Respondents/affected entities:** Private Sector and State, Local, or Tribal Governments.

**Respondent's obligation to respond:** Mandatory (40 CFR part 273), required

to obtain or retain a benefit (40 CFR parts 266 and 279).

**Estimated number of respondents:** 134,280.

**Frequency of response:** Occasionally.

**Total estimated burden:** 679,354 hours per year. Burden is defined at 5 CFR 1320.03(b)

**Total estimated cost:** \$44,737,952 (per year), includes \$10,015,823 annualized capital or operation & maintenance costs.

**Changes in the Estimates:** There is an increase of 28,189 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This increase is due to updating the current Universe and Mixed Waste estimates.

**Courtney Kerwin,**

*Acting Director, Collection Strategies Division.*

[FR Doc. 2015-03541 Filed 2-20-15; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OAR-2007-0269; FRL-9923-38-OAR]

**Proposed Information Collection Request; Comment Request; Transportation Conformity Determinations for Federally Funded and Approved Transportation Plans, Programs and Projects**

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) is planning to submit an information collection request (ICR), "Transportation Conformity Determinations for Federally Funded and Approved Transportation Plans, Programs, and Projects" (EPA ICR No. 2130.05, OMB Control No. 2060-0561) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR.

**DATES:** Comments must be submitted on or before April 24, 2015.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-OAR-2007-0269 online using [www.regulations.gov](http://www.regulations.gov) (our preferred method) or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200

Pennsylvania Ave. NW., Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

**FOR FURTHER INFORMATION CONTACT:**

Astrid Larsen, Transportation and Climate Division, State Measures and Transportation Planning Center, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105; telephone number: 734-214-4812; fax number: 734-214-4052; email address: [larsen.astrid@epa.gov](mailto:larsen.astrid@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at [www.regulations.gov](http://www.regulations.gov) or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit [www.epa.gov/dockets](http://www.epa.gov/dockets).

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it 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. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

**Abstract:** Transportation conformity is required under Clean Air Act section

176(c) (42 U.S.C. 7506(c)) to ensure that federally supported transportation activities are consistent with ("conform to") the purpose of the state air quality implementation plan (SIP).

Transportation activities include transportation plans, transportation improvement programs (TIPs), and federally funded or approved highway or transit projects. Conformity to the purpose of the SIP means that transportation activities will not cause or contribute to new air quality violations, worsen existing violations, or delay timely attainment of the relevant national ambient air quality standards (NAAQS or "standards") or interim milestones.

Transportation conformity applies under EPA's conformity regulations at 40 CFR part 93, subpart A, to areas that are designated nonattainment, and those redesignated to attainment after 1990 ("maintenance areas" with plans developed under Clean Air Act section 175A) for the following transportation-related criteria pollutants: ozone, particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>), carbon monoxide (CO), and nitrogen dioxide (NO<sub>2</sub>). The EPA published the original transportation conformity rule on November 24, 1993 (58 FR 62188), and subsequently published several revisions. EPA develops the conformity regulations in coordination with the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

Transportation conformity determinations are required before federal approval or funding is given to certain types of transportation planning documents as well as non-exempt highway and transit projects.<sup>1</sup>

EPA considered the following in renewing the existing ICR:

- Burden estimates for transportation conformity determinations (including both regional and project-level) in current nonattainment and maintenance areas for the ozone, PM<sub>2.5</sub>, PM<sub>10</sub>, CO, and NO<sub>2</sub> NAAQS;
- Federal burden associated with EPA's adequacy review process for submitted SIP motor vehicle emissions budgets that are to be used in conformity determinations;
- Efficiencies in areas making conformity determinations for multiple NAAQS;
- Differences in conformity resource needs in large and small metropolitan areas and isolated rural areas;
- Burden estimates for the transition from MOVES2010 to MOVES2014:

<sup>1</sup> Some projects are exempt from all or certain conformity requirements; see 40 CFR 93.126, 93.127, and 93.128.

- Reduced burden as a result of areas no longer determining conformity for the 1997 ozone NAAQS due to revocation<sup>2</sup> anticipated in early 2015; and,

- Reduced burden as a result of areas completing 20 years of maintenance for the PM<sub>10</sub> and CO NAAQS, at which time transportation conformity is no longer required.

This ICR does not include burden associated with the general development of transportation planning and air quality planning documents for meeting other federal requirements.

*Form numbers:* None.

*Respondents/affected entities:* Entities potentially affected by this action are metropolitan planning organizations, local transit agencies, state departments of transportation, and state and local air quality agencies. Federal agencies potentially affected by this action include FHWA, FTA, and EPA.

*Respondent's obligation to respond:* Mandatory pursuant to Clean Air Act section 176(c) (42 U.S.C. 7506(c)) and 40 CFR part 51 and 93.

*Estimated number of respondents:* EPA estimates that 126 MPOs will be subject to conformity requirements during the period covered by this ICR and that EPA Regional Offices, the FHWA, and FTA will be involved in interagency consultation, and review of transportation-related conformity determinations performed by MPOs during this process. EPA also estimates that similar consultation will occur for projects in isolated rural areas.

*Frequency of response:* The information collections described in this ICR must be completed before a transportation plan, TIP, or project conformity determination is made. The Clean Air Act requires conformity to be determined for transportation plans and TIPs every four years. Conformity determinations on projects in metropolitan and isolated rural areas are required on as-as-needed bases.

*Total estimated burden:* 63,237 hours (per year). Burden is defined at 5 CFR 1320.03(b).

*Total estimated cost:* \$3,768,668 (per year), includes zero annualized capital or operation and maintenance costs.

*Changes in estimates:* There is a decrease of 136,200 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This decrease is due to less burden associated with decreased conformity analysis for PM<sub>10</sub>, CO and 1997 ozone NAAQS, the transition from MOVES2010 to MOVES2014, decreased

<sup>2</sup> See 78 FR 34178 (June 3, 2013).

project-level conformity analyses, and decreased EPA adequacy findings.

Dated: February 12, 2015.

**Karl Simon,**

*Director, Transportation and Climate Division, Office of Transportation and Air Quality.*

[FR Doc. 2015-03577 Filed 2-20-15; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9923-16-Region 6]

### Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permits for Luminant Generating Company, LLC Steam Electric Generating Stations Martin Lake, Monticello, and Big Brown in Texas

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

**ACTION:** Notice of final action.

**SUMMARY:** Pursuant to Clean Air Act (CAA) Section 505(b)(2) and 40 CFR 70.8(d), the EPA Administrator signed an Order, dated January 23, 2015, denying in part three petitions asking the EPA to object to operating permits issued by the Texas Commission on Environmental Quality (TCEQ) to Luminant Generating Company, LLC (Luminant) relating to three coal fired steam electric generating stations (SES) located in East and Northeast Texas. Title V operating permit number O53 was issued by the TCEQ to Luminant for the Martin Lake SES located in Rusk County, Texas. Title V operating permit number O64 was issued to Luminant for the Monticello SES located in Titus County, Texas, while title V operating permit number O65 was issued to Luminant for the Big Brown SES located in Freestone County, Texas. The EPA's January 23, 2015 Order responds to the three petitions submitted by the Environmental Integrity Project (EIP) representing themselves and on behalf of Sierra Club (collectively, the Petitioners): the petition addressing the Martin Lake permit was received on February 26, 2014, while the petitions addressing the Monticello permit and Big Brown permit were both received on March 4, 2014. Sections 307(b) and 505(b)(2) of the Act provide that a petitioner may ask for judicial review of those portions of the Orders that deny objections raised in the petitions by the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the

**Federal Register**, pursuant to section 307(b) of the Act.

**ADDRESSES:** You may review copies of the final Orders, the petitions, and other supporting information at EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733.

**For Information:** Please contact Brad Touns at (214) 665-7258, email address: [touns.brad@epa.gov](mailto:touns.brad@epa.gov) or the above EPA, Region 6 address, to view copies of the final Orders, petitions, and other supporting information. You may view the hard copies Monday through Friday, from 9:00 a.m. to 3:00 p.m., excluding Federal holidays. If you wish to examine these documents, you should make an appointment at least 24 hours before the visiting day. Additionally, the final January 23, 2015 Order is available electronically at: [http://www.epa.gov/region07/air/title5/petitiondb/petitions/luminant\\_response2014.pdf](http://www.epa.gov/region07/air/title5/petitiondb/petitions/luminant_response2014.pdf).

**SUPPLEMENTARY INFORMATION:** The CAA affords the EPA a 45-day period to review, and object, as appropriate, to a title V operating permit proposed by a state permitting authority. Section 505(b)(2) of the CAA authorizes any person to petition the EPA Administrator, within 60 days after the expiration of this review period, to object to a title V operating permit if the EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or unless the grounds for the issue arose after this period.

The EPA received three petitions from the Petitioners, one dated February 26, 2014 for the Martin Lake permit, and one each dated March 3, 2014 for the Monticello and Big Brown permits, to object to operating permits issued to Luminant Generating Company, LLC relating respectively to facilities located in Rusk, Titus, and Freestone counties, Texas.

The Order issued on January 23, 2015 responds to claim V.A of the Martin Lake Petition (pp. 5-9), the Monticello Petition (pp. 5-11) and the Big Brown Petition (pp. 7-14) raised by EIP, the Sierra Club having withdrawn all of their objections prior to the issuance of the order. The EIP requested that the Administrator object to the proposed operating permits issued by the TCEQ to Luminant on several bases. The three petitions did not raise identical claims; however, three common claims are addressed in the issued order. The remaining issues are to be withdrawn by

the petitioner in accordance with a settlement agreement reached on January 22, 2015 between the Petitioner and the EPA.

The claims are described in detail in Section IV of the Order. In summary, the issues raised are that: (1) the Compliance Assurance Monitoring (CAM) provisions in the Martin Lake, Monticello and Big Brown permits do not assure compliance with the applicable particulate matter (PM) emission limit during periods of startup, shutdown, maintenance and malfunction; (2) the record supporting the CAM opacity indicator ranges for PM for Monticello Units 1, 2 and 3 is deficient and not based on reliable data; and (3) the Big Brown permit must be revised to ensure that any credible evidence may be used to demonstrate noncompliance with applicable requirements.

Due to significant overlap in the issues raised in the Petitions and the similarity of the relevant permit conditions in each of the three permits, the EPA is responding to the identified portion of all three Petitions in this Order on January 23, 2015. The EPA's rationale for denying the addressed claims is described in the Order.

Dated: February 9, 2015.

**Ron Curry,**

*Regional Administrator, Region 6.*

[FR Doc. 2015-03583 Filed 2-20-15; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9923-31-Region 2]

### Clean Water Act Section 303(d): Availability of List Decisions

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

**ACTION:** Notice and request for comments.

**SUMMARY:** This notice announces EPA's decision to identify certain water quality limited waters and the associated pollutant to be listed pursuant to the Clean Water Act Section 303(d)(2) on New York's list of impaired waters, and requests public comment. Section 303(d)(2) requires that States submit, and EPA approve or disapprove, lists of waters for which existing technology-based pollution controls are not stringent enough to attain or maintain State water quality standards and for which total maximum daily loads (TMDLs) must be prepared.

On January 13, 2015, EPA disapproved New York's decision to