

#### *D. What Information is EPA Particularly Interested in?*

Pursuant to section 3506(c)(2)(A) of PRA, EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collections of information are necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.
2. Evaluate the accuracy of the Agency's estimates of the burdens of the proposed collections of information.
3. Enhance the quality, utility, and clarity of the information to be collected.
4. Minimize the burden of the collections of information on those who are to respond, including through the use of appropriate automated or electronic collection technologies or other forms of information technology, e.g., permitting electronic submission of responses.

#### **IV. What Information Collection Activity or ICR Does this Action Apply to?**

EPA is seeking comments on the following ICR:

*Title:* TSCA Section 8(a) Preliminary Assessment Information Rule.

*ICR numbers:* EPA ICR No. 0586.09, OMB No. 2070-0054.

*ICR status:* This ICR is currently scheduled to expire on December 31, 2000. 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 information collections appear on the collection instruments or instructions, in the **Federal Register** notices for related rulemakings and ICR notices and, if the collection is contained in a regulation, in a table of OMB approval numbers in 40 CFR part 9.

*Abstract:* TSCA section 8(a) authorizes EPA to promulgate rules under which manufacturers, importers and processors of chemical substances and mixtures must maintain records and submit reports to EPA. EPA has promulgated the Preliminary Assessment Information Rule (PAIR) under TSCA section 8(a). EPA uses PAIR to collect information to identify, assess, and manage human health and environmental risks from chemical substances, mixtures, or categories. PAIR requires chemical manufacturers and importers to complete a standardized reporting form to help evaluate the potential for adverse

human health and environmental effects caused by the manufacture or importation of identified chemical substances, mixtures, or categories. Chemicals identified by EPA or any other Federal agency, for which a justifiable information need for production, use or exposure-related data can be satisfied by the use of the PAIR are proper subjects for TSCA section 8(a) PAIR rulemaking. In most instances the information that EPA receives from a PAIR report is sufficient to satisfy the information need in question.

Responses to the collection of information are mandatory (see 40 CFR part 712). 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.

#### **V. What are EPA's Burden and Cost Estimates for this ICR?**

Under the PRA, "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. For this collection it 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.

The ICR provides a detailed explanation of this estimate, which is only briefly summarized in this notice. The annual public burden for this collection of information is estimated to average 28.45 hours per response. The following is a summary of the estimates taken from the ICR:

*Respondents/affected entities:* Manufacturers and importers of chemical substances, mixtures, or categories.

*Estimated total number of potential respondents:* 48.

*Frequency of response:* On occasion.

*Estimated average number of responses for each respondent:* 2.4.

*Estimated total annual burden hours:* 3,355.

*Estimated total annual burden costs:* \$250,000.

#### **VI. Are There Changes in the Estimates from the Last Approval?**

There is a net decrease of 134 hours (from 3,489 hours to 3,355 hours) in the total estimated respondent burden compared with that identified in the information collection request most recently approved by OMB. This decrease is attributable to carrying through in the burden hour totals the adjustment made to the unit burden of the CBI substantiation requirement, which is that only 75% of sites or reports are expected to make CBI claims. This adjustment was made in the unit burden calculations in the previous ICR but was not carried through in the industry totals. In addition, a few minor mathematical corrections were made to the estimates in the previous ICR.

#### **VII. What is the Next Step in the Process for this ICR?**

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 pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

#### **List of Subjects**

Environmental protection, Hazardous substances, Reporting and recordkeeping requirements.

Dated: November 30, 2000.

**Susan H. Wayland,**

*Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances.*

[FR Doc. 00-31335 Filed 12-7-00; 8:45 am]

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#### **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6913-7]

#### **Proposed Settlement Agreement, Clean Air Act Citizen Suit**

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

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement

agreement, which was filed with the United States Court of Appeals for the District of Columbia Circuit by the United States Environmental Protection Agency ("EPA") on November 21, 2000, to address a lawsuit filed by the Sierra Club and the New York Public Interest Research Group (collectively referred to as "Sierra Club"). Sierra Club filed a petition for review pursuant to section 307(b) of the Act, 42 U.S.C. 7607(b) challenging EPA's extension of the interim approval of title V permitting programs for approximately 80 permitting authorities. *Sierra Club v. EPA*, No. 00-1262 (D.C. Cir.).

**DATES:** Written comments on the proposed settlement agreement must be received by January 8, 2001.

**ADDRESSES:** Written comments should be sent to Jan M. Tierney, Air and Radiation Law Office (2344), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Copies of the proposed settlement agreement are available from Phyllis J. Cochran, (202) 564-5566. A copy of the proposed settlement agreement was filed with the Clerk of the United States Court of Appeals for the District of Columbia Circuit on November 21, 1999.

**SUPPLEMENTARY INFORMATION:** Sierra Club alleges that EPA acted contrary to law by extending the interim approval of title V permitting programs for more than 80 permitting authorities. Under title V of the CAA, EPA promulgated regulations specifying the requirements for State operating permit programs. States, or local permitting authorities to which the States delegated authority, submitted programs to EPA for approval in the early to mid 1990's. Pursuant to section 502(g) of the Act, 42 U.S.C. 7661a(g), EPA granted interim approval of a number title V permitting programs. Subsequently, EPA extended the interim approval of programs through a series of notices in the **Federal Register**. Most recently, on May 22, 2000, EPA took final action extending the interim approval for approximately 80 title V permitting programs and Sierra Club challenged that final action.

The settlement agreement provides that Sierra Club's challenge to EPA's final action will be stayed pending several actions by the Agency. Pursuant to the key provisions of the settlement agreement, Sierra Club may request the court to lift the stay of the litigation if EPA fails to: (A) Propose by December 15, 2000, amendments to 40 CFR 70.4(d)(2) to eliminate language that could be construed to grant EPA authority to extend further interim

approval of a title V permitting program; (B) take final action by June 1, 2000, promulgating such amendments; (C) notify by December 1, 2000, each permitting authority by letter that a federal program will apply if EPA has not fully approved a revised title V permit program for the area by December 1, 2001; and (D) issue by December 1, 2000, a notice informing the public that they may submit comment identifying deficiencies with approved or interim approved title V permit programs and that EPA will respond to such comments by specified dates.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, following the comment period, that consent is inappropriate, the settlement agreement will be final.

Dated: December 1, 2000.

**Anna Wolgast,**

*Acting General Counsel.*

[FR Doc. 00-31334 Filed 12-7-00; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6913-6]

### Notice of Settlement Extension: National Ambient Air Quality Standard; Sulfur Oxides Remand

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

**ACTION:** Notice of settlement extension.

**SUMMARY:** In 1998, the United States Court of Appeals for the D.C. Circuit remanded EPA's decision to not revise the National Ambient Air Quality Standard for sulfur oxides for further explanation by EPA. *American Lung Association v. Browner*, 134 F. 3d 388 (D.C. Cir. 1998). Subsequently, the American Lung Association (ALA) and EPA agreed that EPA would propose a response to the court's remand by summer, 1999 and that EPA would finalize its response to the remand by the end of the year 2000. In exchange,

ALA agreed to not file a petition for rehearing en banc with the court and to not pursue any mandatory duty or unreasonable delay claims regarding the remand prior to January, 2001.

In September 1999, EPA and ALA met to discuss the status of the remand and agreed to extend the summer, 1999 deadline until January 15, 2000.

Since that time EPA and ALA have continued discussions and EPA has continued to work on the remand. As a result, EPA and ALA have agreed that by the end of 2000, EPA will publish a notice in the **Federal Register** describing the status of the remand and related activities and soliciting appropriate comment. For its part, ALA has agreed not to pursue any mandatory duty or unreasonable delay claims regarding the remand prior to January, 2001.

Dated: December 1, 2000.

**Anna Wolgast,**

*Acting General Counsel.*

[FR Doc. 00-31333 Filed 12-7-00; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6613-4]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 or [www.epa.gov/oeca/ofa](http://www.epa.gov/oeca/ofa).

Weekly receipt of Environmental Impact Statements Filed November 27, 2000 Through December 1, 2000 Pursuant to 40 CFR 1506.9.

*EIS No. 000416, DRAFT EIS, SFW, CA, Metro Air Park Habitat Conservation Plan, Issuance of an Incidental Take Permit, To Protect, Conserve and Enhance Fish, Wildlife and Plants and their Habitat, Natomas Basin, Sacramento County, CA, Due: February 6, 2001, Contact: Vickie Campbell (916) 414-6600.*

*EIS No. 000417, DRAFT EIS, NPS, GA, Cumberland Island National Seashore General Management Plan, Wilderness Management Plan, Commercial Services Plan, Interpretation Plan, Resource Cultural and Natural Management Plan, Implementation, St. Marys County, GA, Due: April 9, 2001, Contact: Arthur Frederick (912) 882-4336.*

*EIS No. 000418, FINAL EIS, AFS, MN, Little East Creek Fuel Reduction Project, Plan to Grant Access Across Federal Land to Non-Federal Landowners, Implementation, LaCroix Ranger District, Superior*