

Ozone and PM<sub>2.5</sub> National Ambient Air Quality Standards and Miscellaneous Revisions for Existing Areas; Transportation Conformity Rule Amendments: Response to Court Decision and Additional Rule Changes” (69 FR 40004).

Within 24 months from the effective date of this notice, the transportation partners will need to demonstrate conformity to the new NO<sub>x</sub> MVEBs if the demonstration has not already been made, pursuant to 40 CFR 93.104(e). See 73 FR 4419 (January 24, 2008).

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: April 18, 2011.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 2011-10570 Filed 4-29-11; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2006-0971; FRL-9200-7]

### Agency Information Collection Activities; Proposed Collection; Comment Request; National Volatile Organic Compound Emission Standards for Aerosol Coatings

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on September 30, 2011. 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 may be submitted on or before July 1, 2011.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2006-0971 by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

- *E-mail:* [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov).

- *Fax:* (202) 566-9744.

- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center (EPA/DC), Air and Radiation Docket Information Center, 1200 Pennsylvania Avenue, NW.; *Mail Code:* 28221T, Washington, DC 20460.

- *Hand Delivery:* To send comments or documents through a courier service, the address to use is: EPA Docket Center, Public Reading Room, EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC 20004. Such deliveries are accepted only during the Docket's normal hours of operation—8:30 am to 4:30 pm, Monday through Friday. Special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-OAR-2006-0971. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov> including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise to be protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an “anonymous access” system, which means we will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to us without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters or any form of encryption and be free of any defects or viruses. For additional information about EPA public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

#### FOR FURTHER INFORMATION CONTACT:

J. Kaye Whitfield, Office of Air and Radiation, Office of Air Quality Planning and Standards, Mail Code E143-03, Research Triangle Park, North Carolina 27711; *telephone number:* (919) 541-2509; *fax number:* (919) 541-3470; *e-mail address:* [whitfield.kaye@epa.gov](mailto:whitfield.kaye@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### How can I access the docket and/or submit comments?

The EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OAR-2006-0971 which is available either electronically at <http://www.regulations.gov>, or in-person viewing at the Air Docket in the EPA Docket Center (EPA/DC), Public Reading Room, EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC 20004. 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 for the Reading Room is 202-566-1744, and the telephone for the Air Docket is 202-566-1742.

Use <http://www.regulations.gov> to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select “search,” then key in the docket ID number identified in this document.

#### What information particularly interests EPA?

Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits 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. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

**What should I consider when I prepare my comments for EPA?**

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible and provide specific examples.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Offer alternative ways to improve the collection activity.
6. Make sure to submit your comments by the deadline identified under **DATES**.
7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

**To what information collection activity or ICR does this apply?**

*Affected Entities:* Entities potentially affected by this action are manufacturers, distributors, and importers of aerosol coatings. These affected entities fall within the North American Industry Classification System (NAICS) Code 32551, "Paint and Coating Manufacturing" and NAICS Code 325998 "All Other Miscellaneous Chemical Production and Preparation Manufacturing".

*Title:* National Volatile Organic Compound (VOC) Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E).

*ICR number:* EPA ICR Number 2289.02, OMB Control Number 2060-0617.

*ICR status:* This ICR is currently scheduled to expire on September 30, 2011. 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:**

The EPA is required, under section 183(e) of the CAA, to regulate volatile

organic compounds emissions from the use of consumer and commercial products. Pursuant to section 183(e)(3), EPA published a list of consumer and commercial products and a schedule for their regulation (60 FR 15264). Aerosol coatings were included on the list, and the standards for such coatings are codified at 40 CFR part 59, subpart E. The reports required under the standards enable EPA to identify coating formulations manufactured, imported or distributed in the United States, and to determine the product-weighted reactivity. The ICR addresses the burden for activities conducted in three years increments after promulgation of the national volatile organic compound (VOC) emission standards for aerosol coatings. The regulated entities read instructions to determine how they were affected by the rule. New and existing regulated entities submit an initial notification. Regulated entities are required to submit notifications of changes in the products or company information and to maintain records. In addition, regulated entities are required to submit triennial reports of formulation data and VOC usage.

**Burden Statement:**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 199 hours per respondent over the course of the 3 year triennial reporting period. 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.

The bottom line respondent burden hours and cost are calculated by summing all costs for the reporting activities and the total costs for the recordkeeping activities over the course of the three year triennial reporting period. The annual average burden and costs for the first 3 years are 12,100 hours and \$857,331. The annual average burden equals the sum of the burden hours in Years 1 (12,189), 2(8359), and 3 (15,818), divided by 3. The average costs equals the sum of the average costs

in Years 1 (862,764), 2(578,545), and 3 (1,130,685), divided by 3.

The average burden hours per respondent equals the total average burden (12,100) divided by the average number of respondents (61), or about 199 hours per respondent. The total average cost per respondent equals the total average cost (\$857,331) divided by the total respondents (61), or about \$14,000.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

*Estimated total number of potential respondents:* 61.

*Frequency of response:* Annual.

*Estimated total average number of responses for each respondent:* One or less per year.

*Estimated total annual burden hours:* 199 hours, averaged over 3 years. This estimate includes triennial reporting requirements.

*Estimated total annual costs:* \$860,000. This includes the estimated average annual cost including triennial reporting, an estimated burden cost of \$ 0, and an estimated cost of \$ 0 for capital investment or maintenance and operational costs.

**Are there changes in the estimates from the last approval?**

There are no changes being made to the estimates in this ICR from what EPA estimated in the currently approved ICR.

**What is the next step in the process for this icr?**

The 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. At that time, 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**.

Dated: April 20, 2011.

**Steve Fruh,**

*Acting Director, Sector Policies and Programs Division.*

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