

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7590-4]

### Agency Information Collection Activities OMB Responses

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

**ACTION:** Notice.

**SUMMARY:** This document announces the Office of Management and Budget's (OMB) responses to Agency clearance requests, in compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). 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.

**FOR FURTHER INFORMATION CONTACT:** Susan Auby (202) 566-1672, or e-mail at [auby.susan@epa.gov](mailto:auby.susan@epa.gov) and please refer to the appropriate EPA Information Collection Request (ICR) Number.

#### SUPPLEMENTARY INFORMATION:

#### OMB Responses to Agency Clearance Requests

##### OMB Approvals

EPA ICR No. 1052.07; NSPS Subpart D, Standards of Performance for Fossil-Fuel-Fired Steam Generating Units; was approved 11/06/2003; in 40 CFR part 60, subpart D; OMB Number 2060-0026; expires 11/30/2006.

EPA ICR No. 1696.04; Fuels and Fuel Additives—Health—Effects Research Protocols; was approved 11/06/2003; in 40 CFR part 79, subpart F; OMB Number 2060-0297; expires 11/30/2006.

EPA ICR No. 1893.03; Federal Emission Guidelines for Existing Municipal Solid Waste Landfills (Small); was approved 11/06/2003; in 40 CFR part 62, subpart GGG; OMB Number 2060-0430; expires 11/30/2006.

EPA ICR No. 1772.03; Activities Associated with EPA's Energy Star Buildings Program in the Commercial and Industrial Sectors; was approved 11/06/2003; OMB Number 2060-0347; expires 11/30/2006.

EPA ICR No. 1088.10; NSPS for Industrial-Commercial-Institutional Steam Generating Units; was approved 11/06/2003; in 40 CFR part 60, subpart Db; OMB Number 2060-0072; expires 11/30/2006.

EPA ICR No. 1061.09; NSPS for the Phosphate Fertilizer Industry; was approved 11/05/2003; in 40 CFR part 60, subpart T, U, V, W, and X; OMB Number 2060-0037; expires 11/30/2006.

EPA ICR No. 1084.07; NSPS for Nonmetallic Mineral Processing; was approved 11/05/2003; in 40 CFR part 60, subpart OOO; OMB Number 2060-0050; expires 11/30/2006.

EPA ICR No. 1128.07; NSPS for Secondary Lead Smelters; was approved 11/05/2003; in 40 CFR part 60, subpart L; OMB Number 2060-0080; expires 11/30/2006.

EPA ICR No. 1093.07; NSPS for the Surface Coating of Plastic Parts for Business Machines (Renewal); was approved 11/05/2003; in 40 CFR part 60, subpart TTT; OMB Number 2060-0162; expires 11/30/2006.

EPA ICR No. 1060.12; NSPS for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels (Renewal); was approved 11/06/2003; in 40 CFR part 60, subparts AA and AAa, OMB Number 2060-0038; expires 11/30/2006.

EPA ICR No. 1665.06; Confidentiality Rules; was approved 11/03/2003; in 40 CFR part 2, subpart B; OMB Number 2020-0003; expires 11/30/2006.

EPA ICR No. 1415.05; NESHAP for Perchloroethylene Dry Cleaning Facilities; was approved 10/28/2003; in 40 CFR part 63, subpart M, OMB Number 2060-0234; expires 10/31/2006.

EPA ICR No. 0976.11; The 2003 Hazardous Waste Report; was approved 10/26/2003; in 40 CFR 262.41, 264.75, 265.75; OMB Number 2050-0024; expires 10/31/2005.

Dated: November 17, 2003.

**Doreen Sterling,**

*Acting Director, Collection Strategies Division.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7590-3]

### 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 to address a lawsuit filed by the Louisiana Environmental Action Network, represented by the Tulane Environmental Law Clinic: *Louisiana Environmental Action Network v. Horinko*, No. 03-1338 (M.D. La.). On or about May 12, 2003, plaintiff filed a

complaint seeking to compel the Administrator of the EPA to respond to an administrative petition to object to a state operating permit issued by the Louisiana Department of Environmental Quality ("LDEQ"). Under the terms of the proposed settlement agreement, EPA will respond to the petition by November 20, 2003. Within thirty days of EPA's response to the petition, plaintiff will file a motion for voluntary dismissal of the complaint, with prejudice to its refile. Additionally, the Louisiana Environmental Action Network will be paid the sum of \$3,200 for attorneys fees and costs.

**DATES:** Written comments on the proposed settlement agreement must be received by December 24, 2003.

**FOR FURTHER INFORMATION CONTACT:** Cecilia Kim, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Telephone: (202) 564-7606.

**ADDRESSES:** Submit your comments, identified by Docket ID number OGC-2003-0003, online at <http://www.epa.gov/edocket> (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 B102, 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 Wordperfect or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

#### SUPPLEMENTARY INFORMATION:

#### I. Additional Information About the Proposed Settlement

The Clean Air Act affords EPA a 45-day period to review and object to, as appropriate, Title V operating permits proposed by state permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of this 45-day review period to object to state operating permits if EPA has not done so. Plaintiff filed an administrative petition to object to a state operating permit issued by LDEQ to Dupont Dow Elastomers, L.L.C., for a chloroprene facility in St. John the Baptist Parish, Louisiana. The lawsuit alleges that EPA has a nondiscretionary duty to grant or deny the petition within