

**SUMMARY:** EPA has authorized contractor, Eastern Research Group (ERG) of Lexington, MA, to access information which has been submitted to EPA under all sections of the Toxic Substances Control Act (TSCA). Some of the information may be claimed or determined to be Confidential Business Information (CBI).

**DATES:** Access to the confidential data will occur no sooner than March 3, 2010.

**FOR FURTHER INFORMATION CONTACT:** *For general information contact:* Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

*For technical information contact:* Scott Sherlock, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-8257; fax number: (202) 564-8251; e-mail address: [sherlock.scott@epa.gov](mailto:sherlock.scott@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

###### **A. Does this Notice Apply to Me?**

This action is directed to the public in general. This action may, however, be of interest to all who manufacture, process, or distribute industrial chemicals. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

###### **B. How Can I Get Copies of This Document and Other Related Information?**

EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPPT-2003-0004. All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically at

<http://www.regulations.gov>, or, if only available in hard copy, at the OPPT Docket. The OPPT Docket is located in the EPA Docket Center (EPA/DC), Rm. 3334, EPA West Bldg., 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Docket visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitors' bags are processed through an X-ray machine and subject to search. Visitors will be provided an EPA/DC badge that must be visible at all times in the building and returned upon departure.

##### **II. What Action is the Agency Taking?**

Under Contract Number EP-W-09-033, contractor ERG of 14555 Avion Parkway, Suite 200, Chantilly, VA, will assist the Office of Pollution Prevention and Toxics (OPPT) in conducting site-specific inspections and engineering/cost analysis to support EPA's investigation of facilities for compliance with TSCA regulations. These activities may include, but are not limited to, conducting investigations and facilities inspections; reviewing and/or collecting information; and database development and maintenance for enforcement support systems.

In accordance with 40 CFR 2.306(j), EPA has determined that under Contract Number EP-W-09-033, ERG will require access to CBI submitted to EPA under all sections of TSCA to perform successfully the duties specified under the contract. ERG personnel will be given access to information submitted to EPA under all sections of TSCA.

EPA is issuing this notice to inform all submitters of information under all sections of TSCA that EPA may provide ERG access to these CBI materials on a need-to-know basis only. All access to TSCA CBI under this contract will take place at EPA Headquarters and ERG's site located at 14555 Avion Parkway, Suite 200, Chantilly, VA, in accordance with EPA's TSCA CBI Protection Manual.

Access to TSCA data, including CBI, will continue until September 30, 2014. If the contract is extended, this access will also continue for the duration of the extended contract without further notice.

ERG personnel will be required to sign nondisclosure agreements and will be briefed on appropriate security

procedures before they are permitted access to TSCA CBI.

##### **List of Subjects**

Environmental protection,  
Confidential Business Information.

Dated: February 17, 2010.

**Matthew Leopard,**

*Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.*

[FR Doc. 2010-3671 Filed 2-23-10; 8:45 am]

**BILLING CODE 6560-50-S**

#### **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-R05-OAR-2009-0928, EPA-R05-OAR-2010-0046; FRL-9116-6]**

##### **Adequacy Status of the Cincinnati, Ohio/Indiana Submitted 8-Hour Ozone Redesignation and Maintenance Plans for Transportation Conformity Purposes**

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

**ACTION:** Notice of adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that we have found that the motor vehicle emissions budgets (MVEBs) for volatile organic compounds (VOCs) and oxides of nitrogen (NOx) as precursors to ozone in the Ohio and Indiana portions of the Cincinnati-Hamilton, OH/KY/IN ozone nonattainment area are adequate for use in transportation conformity determinations. Ohio submitted a redesignation request and maintenance plan for Cincinnati, Ohio on December 14, 2009. The MVEBs in the submittal include emissions for the Ohio portion and also the Indiana portion of the Cincinnati area. Indiana submitted a redesignation request and maintenance plan for Lawrenceburg Township in Dearborn County, Indiana, which is part of the Cincinnati 8-hour ozone nonattainment area, on January 21, 2010. Indiana and Ohio submitted identical MVEBs for the combined Ohio and Indiana portions of the Cincinnati area.

As a result of our finding, the Cincinnati, Ohio area must use the MVEBs from the submitted ozone maintenance plan for future transportation conformity determinations.

**DATES:** This finding is effective March 11, 2010.

**FOR FURTHER INFORMATION CONTACT:** Patricia Morris, Environmental Scientist, Criteria Pollutant Section

(AR-18)], Air Programs Branch, Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8656, [morris.patricia@epa.gov](mailto:morris.patricia@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document, whenever “we”, “us” or “our” is used, we mean EPA.

#### Background

Today’s notice is simply an announcement of a finding that we have already made. On January 14, 2010, EPA Region 5 sent a letter to the Ohio Environmental Protection Agency and also to the Indiana Department of Environmental Management stating that the 2015 and 2020 MVEBs for the both the Ohio portion and the Indiana portion of the Cincinnati, Ohio 8-hour ozone area are adequate. The letters note that Kentucky will submit separate budgets for the Kentucky portion of the Cincinnati area. Receipt of these MVEBs was announced on EPA’s transportation conformity website, and no comments were submitted. The finding is available at EPA’s conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm>.

The adequate 2015 and 2020 MVEBs, in tons per day (tpd), for VOCs and NOx for the Ohio and Indiana portions of the Cincinnati, Ohio area are as follows:

#### OHIO AND INDIANA PORTIONS OF CINCINNATI, OHIO

	VOCs (tpd)	NOx (tpd)
2015 .....	31.73	49.00
2020 .....	28.82	34.39

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA’s conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do conform. Conformity to a State Implementation Plan (SIP) means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP’s MVEBs are adequate for transportation conformity purposes are outlined in 40 CFR 93.118(e)(4). We have described our process for determining the adequacy of submitted SIP budgets in our July 1, 2004, preamble starting at 69 FR 40038, and we used the information in these

resources while making our adequacy determination. Please note that an adequacy review is separate from EPA’s completeness review, and it also should not be used to prejudge EPA’s ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

The finding and the response to comments are available at EPA’s transportation conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm>.

**Authority:** 42 U.S.C. 7401-7671 q.

Dated: February 3, 2010.

**Walter W. Kovalick, Jr.,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 2010-3678 Filed 2-23-10; 8:45 am]

**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

**[EPA-HQ-OEI-2009-0678; FRL-9117-5; EPA ICR No. 1665.09, OMB Control No. 2020-0003]**

#### Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Confidentiality Rules (Renewal)

**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 an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. The ICR, which is abstracted below, describes the nature of the information collection and its estimated burden and cost.

**DATES:** Additional comments may be submitted on or before March 26, 2010.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-OEI-2009-0678 to (1) EPA online using <http://www.regulations.gov> (our preferred method), by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460 and (2) OMB by mail to: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

#### FOR FURTHER INFORMATION CONTACT:

Larry F. Gottesman, National FOIA Officer, Collection Strategies Division, Office of Information Collection, Mail Code 2822T, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: 202-566-2162; fax number: 202-566-2147; e-mail address: [gottesman.larry@epa.gov](mailto:gottesman.larry@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On September 1, 2009, (74 FR 45199), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments. Any additional comments on 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-OEI-2009-0678, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Office of Environmental Information Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC. The EPA/DC Public Reading Room is open from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744.

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:** Confidentiality Rules (Renewal).  
**ICR numbers:** EPA ICR No. 1665.09, OMB Control No. 2020-0003.

**ICR Status:** This ICR is scheduled to expire on 02/28/2010. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. An Agency may not conduct or sponsor, and a person is not