

there is no such delegated authority, the reports are sent directly to the EPA regional office. This information is being collected to assure compliance with 40 CFR part 60, subparts Ea and Eb, as authorized in section 112 and 114(a) of the Clean Air Act. The required information consists of emissions data and other information that have been determined to be private.

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 the EPA regulations are listed in 40 CFR part 9 and 48 CFR chapter 15, and are identified on the form and/or instrument, if applicable.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 198 hours per response. 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 which have subsequently changed; 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.

**Respondents/Affected Entities:** Municipal waste combustors.

**Estimated Number of Respondents:** 12.

**Frequency of Response:** Initially, quarterly, annually, and semiannually.

**Estimated Total Annual Hour Burden:** 20,421.

**Estimated Total Annual Cost:** \$1,916,503, which includes \$1,757,811 in labor costs, \$60,000 in capital/startup costs, and \$98,692 in operation and maintenance (O&M) costs.

**Changes in the Estimates:** There is no change in the labor hours or cost in this ICR compared to the previous ICR. This is due to two considerations: (1) The regulations have not changed over the past three years and are not anticipated to change over the next three years; and (2) the growth rate for the industry is very low, negative, or non-existent, so there is no significant change in the overall burden. There is, however, an increase in the estimated burden cost as

currently identified in the OMB Inventory of approved Burdens. The increase is not due to any program changes. The change in burden cost is due to the use of the most updated labor rates.

Since there are no changes in the regulatory requirements and there is no significant industry growth, the labor hours from the previous ICR are used in this ICR.

Dated: November 4, 2011.

**John Moses,**

*Director, Collection Strategies Division.*

[FR Doc. 2011-29186 Filed 11-9-11; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[AMS-FRL-9490-7]

### California State Motor Vehicle Pollution Control Standards; Amendments to the California Heavy-Duty Engine On-Board Diagnostic Regulation; Waiver Request; Opportunity for Public Hearing

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

**ACTION:** Notice of Opportunity for Public Hearing and Comment.

**SUMMARY:** The California Air Resources Board (CARB) has notified EPA that it has adopted amendments to its regulations related to heavy-duty engine on-board diagnostic (HD OBD) in California. By letter dated September 27, 2010, CARB requested that EPA confirm that its amendments are within-the-scope of a previous waiver of preemption issued by EPA. In the alternative, CARB requested that EPA confirm that the amendments that relax and clarify the existing HD OBD regulation are within-the-scope of a previous waiver of preemption issued by EPA and that EPA grant a new waiver of preemption for the remainder of CARB's HD OBD amendments. This notice announces that EPA has tentatively scheduled a public hearing concerning California's request and that EPA is accepting written comment on the request.

**DATES:** EPA has tentatively scheduled a public hearing concerning CARB's request on December 12, 2011 at 10 a.m. EPA will hold a hearing only if any party notifies EPA by November 25, 2011, expressing its interest in presenting oral testimony. By December 1, 2011, any person who plans to attend the hearing may call David Dickinson at (202) 343-9256 to learn if a hearing will be held or may check the following Web

site for an update: <http://www.epa.gov/otaq/cafr.htm>.

Parties wishing to present oral testimony at the public hearing should also provide written notice to David Dickinson at the address noted below. If EPA receives a request for a public hearing, that hearing will be held at 1310 L St. NW., Washington, DC 20005. If EPA does not receive a request for a public hearing, then EPA will not hold a hearing, and instead consider CARB's request based on written submissions to the docket. Any party may submit written comments by January 9, 2012.

**ADDRESSES:** EPA will make available for public inspection materials submitted by CARB, written comments received from interested parties, and any testimony given at the public hearing. Materials relevant to this proceeding are contained in the Air and Radiation Docket and Information Center, maintained in Docket No. EPA-HQ-OAR-2011-0816. The docket is located at The Air Docket, Room 3334, 1301 Constitution Avenue NW., Washington, DC 20460, and may be viewed between 8 a.m., and 5:30 p.m., Monday through Friday. The telephone is (202) 566-1742. A reasonable fee may be charged by EPA for copying docket material.

Additionally, an electronic version of the public docket is available through the Federal government's electronic public docket and comment system. You may access EPA dockets at <http://www.regulations.gov>. After opening the <http://www.regulations.gov> Web site, enter EPA-HQ-OAR-2011-0816 in "Search Documents" to view documents in the record. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

**FOR FURTHER INFORMATION CONTACT:** David Dickinson, Compliance Division (6405J), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460. **Telephone:** (202) 343-9256, **Fax:** (202) 343-2804, **email address:** [Dickinson.David@epa.gov](mailto:Dickinson.David@epa.gov).

## SUPPLEMENTARY INFORMATION:

### (A) Procedural History

CARB initially adopted the HD OBD requirements in December 2005, and EPA issued a waiver of preemption in August 2008.<sup>1</sup> CARB's HD OBD regulation, as initially adopted, required manufacturers to install a fully compliant HD OBD system on both

<sup>1</sup> The EPA decision was signed on August 13, 2008 and published at 73 FR 52042 (September 8, 2008).

diesel and gasoline powered heavy-duty engines (engines used in vehicles having a gross vehicle weight rating greater than 14,000 pounds). The requirements are phased in on a single engine family for model years 2010 through 2012 before requiring manufacturers to incorporate fully compliant HD OBD systems on all 2013 and later model year engines.

CARB adopted amendments to its HD OBD regulation along with a new HD OBD enforcement regulation on April 5, 2010.<sup>2</sup> In amending the HD OBD regulation CARB, among other provisions, relaxed the malfunction thresholds until 2013 model year for three major emission controls: PM filters, NO<sub>x</sub> catalysts, and NO<sub>x</sub> sensors. The amendments also delay certain monitoring requirements, including those that apply to catalyst-based components, until 2013. CARB further amended the regulation to expand the monitoring requirements for EGR and boost control system strategies.

By letter dated September 27, 2010, CARB requested that EPA confirm that amendments to its HD OBD regulations are within-the-scope of a previous waiver of preemption issued by EPA.<sup>3</sup> In the alternative, CARB requested that EPA confirm that the amendments that relax and clarify the existing HD OBD regulation (e.g. the major emission control monitoring requirements noted above) are within-the-scope of EPA's previous HD OBD waiver of preemption. Under this alternative request, CARB seeks a new waiver of preemption for the remainder of CARB's HD OBD amendments.

## (B) Background and Discussion

Section 209(a) of the Clean Air Act, as amended (Act), 42 U.S.C. 7543(a), provides:

No state or any political subdivision thereof shall adopt or attempt to enforce any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines subject to this part. No state shall require certification, inspection or any other approval relating to the control of emissions from any new motor vehicle or new motor vehicle engine as condition precedent to the initial retail sale, titling (if any), or registration of such motor vehicle, motor vehicle engine, or equipment.

<sup>2</sup> The California Office of Administrative Law approved the amendments and the new regulation on May 18, 2010. The HD OBD requirements, as adopted in 2005, included detailed certification requirements and production engine/vehicle evaluation testing. The amended regulations, at 13 CCR section 1971.5, includes additional in-use enforcement provisions.

<sup>3</sup> CARB's request letter can be found at EPA-HQ-OAR-2011-0816-0001. EPA's previous waiver is at 73 FR 52042 (September 8, 2008).

Section 209(b)(1) of the Act requires the Administrator, after notice and opportunity for public hearing, to waive application of the prohibitions of section 209(a) for any state that has adopted standards (other than crankcase emission standards) for the control of emissions from new motor vehicles or new motor vehicle engines prior to March 30, 1966, if the state determines that the state standards will be, in the aggregate, at least as protective of public health and welfare as applicable Federal standards. California is the only state that is qualified to seek and receive a waiver under section 209(b). The Administrator must grant a waiver unless she finds that (A) the above-described "protectiveness" determination of the state is arbitrary and capricious, (B) the state does not need the state standard to meet compelling and extraordinary conditions, or (C) the state standards and accompanying enforcement procedures are not consistent with section 202(a) of the Act. EPA has previously stated that "consistency with section 202(a)" requires that California's standards must be technologically feasible within the lead time provided, given due consideration of costs, and that California and applicable Federal test procedures be consistent.

When EPA receives new waiver requests from CARB, EPA traditionally publishes a notice of opportunity for public hearing and comment and then, after the comment period has closed, publishes a notice of its decision in the **Federal Register**. In contrast, when EPA receives within-the-scope waiver requests from CARB, EPA usually publishes a notice of its decision in the **Federal Register** and concurrently invites public comment if an interested party is opposed to EPA's decision.

Although CARB has submitted a within-the-scope waiver request for its HD OBD amendments EPA invites comment on the following issues. First, should California's HD OBD amendments be considered under the within-the-scope criteria or should they be considered under the full waiver criteria? Second, to the extent that not all of the HD OBD amendments should be considered under the within-the-scope criteria, should the amendments identified by CARB (as part of its alternative request) be considered under the within-the-scope criteria? Third, to the extent that HD OBD amendments should be considered as a within-the-scope request, do such amendments meet the criteria for EPA to grant a within-the-scope confirmation? Specifically, do those amendments: (a) Undermine California's previous

determination that its standards, in the aggregate, are at least as protective of public health and welfare as comparable Federal standards, (b) affect the consistency of California's requirements with section 202(a) of the Act, or (c) raise new issues affecting EPA's previous waiver determinations? Please also provide comments to address the full waiver analysis, in the event that EPA cannot confirm that CARB's HD OBD amendments are within-the-scope of previous waivers. The full waiver analysis, which we are requesting comment on, includes consideration of the following three criteria: Whether (a) CARB's determination that its standards, in the aggregate, are at least as protective of public health and welfare as applicable Federal standards is arbitrary and capricious, (b) California needs separate standards to meet compelling and extraordinary conditions, and (c) California's standards and accompanying enforcement procedures are consistent with section 202(a) of the Act.

*Procedures for Public Participation:* In recognition that public hearings are designed to give interested parties an opportunity to participate in this proceeding, there are no adverse parties as such. Statements by participants will not be subject to cross-examination by other participants without special approval by the presiding officer. The presiding officer is authorized to strike from the record statements that he or she deems irrelevant or repetitious and to impose reasonable time limits on the duration of the statement of any participant.

If a hearing is held, the Agency will make a verbatim record of the proceedings. Interested parties may arrange with the reporter at the hearing to obtain a copy of the transcript at their own expense. Regardless of whether a public hearing is held, EPA will keep the record open until January 9, 2012. Upon expiration of the comment period, the Administrator will render a decision of CARB's request based on the record of the public hearing, if any, relevant written submissions, and other information that she deems pertinent. All information will be available for inspection at the EPA Air Docket No. EPA-HQ-OAR-2011-0816.

Persons with comments containing proprietary information must distinguish such information from other comments to the greatest possible extent and label it as "Confidential Business Information" (CBI). If a person making comments wants EPA to base its decision in part on a submission labeled as CBI, then a non-confidential version of the document that summarizes the

key data or information should be submitted for the public docket. To ensure that proprietary information is not inadvertently placed in the docket, submissions containing such information should be sent directly to the contact person listed above and not to the public docket. Information covered by a claim of confidentiality will be disclosed by EPA only to the extent allowed and by the procedures set forth in 40 CFR part 2. If no claim of confidentiality accompanies the submission when EPA receives it, EPA will make it available to the public without further notice to the person making comments.

Dated: November 4, 2011.

**Margo Tsirigotis Oge,**

*Director, Office of Transportation and Air Quality, Office of Air and Radiation.*

[FR Doc. 2011-29168 Filed 11-9-11; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8999-9]

### Environmental Impacts Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>. Weekly receipt of Environmental Impact Statements. Filed 10/31/2011 Through 11/04/2011 Pursuant to 40 CFR 1506.9.

### Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EIS are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

*EIS No. 20110375, Final EIS, USFS, AK,* Coconino National Forest Travel Management Project, Proposes to Designate a System of Road and Motorized Travel, Implementation, Coconino and Yavapai County, AZ, *Review Period Ends:* 12/12/2011, *Contact:* Mike Dechter (928) 527-3416.

*EIS No. 20110376, Final EIS, USFS, AZ,* Pinaleno Ecosystem Restoration Project, Proposed On-the-Ground Treatments to Improve Forest Health and Improve or Protect Red Squirrel Habitat, Coronado National Forest, Graham County, AZ, *Review Period Ends:* 12/12/2011, *Contact:* Craig Wilcox (928) 348-1961.

*EIS No. 20110377, Final EIS, NOAA, 00,* Reef Fish Amendment 32, Gag—

Rebuilding Plan, Annual Catch Limits, Management Measures, Red Grouper—Annual Catch Limits, Management Measures, Grouper Accountability Measures, Gulf of Mexico, *Review Period Ends:* 12/12/2011, *Contact:* Roy E. Crabtree (727) 824-5301.

*EIS No. 20110378, Draft EIS, FHWA, LA,* Tier 1—Baton Rouge Loop Toll Facility Project, Proposed as a 90 to 105 mile long Circumferential Controlled Access Free-Flow Toll Roadway with two new Mississippi River Crossings, in Parishes of Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge, LA, *Comment Period Ends:* 01/09/2012, *Contact:* Cark N, Highsmith (225) 757-7615.

*EIS No. 20110379, Draft EIS, USN, HI,* Basing of MV-22 and H-1 Aircraft in Support of III Marine Expeditionary Force (MEF) Elements, Construction and Renovation of Facilities to Accommodate and Maintain the Squadrons, HI, *Comment Period Ends:* 12/27/2011, *Contact:* John Bigay (808) 472-1196.

*EIS No. 20110380, Second Draft Supplement, NRC, TN,* Related to the Operation of Watts Bar Nuclear Plant Units 2, New and Updated Information, Operating License, Rhea County, TN, *Comment Period Ends:* 01/24/2012, *Contact:* Justin Poole (301) 415-2048.

*EIS No. 20110381, Draft EIS, WAPA, AZ,* Quartzsite Solar Energy Project and Proposed Yuma Field Office Resource Management Plan Amendment, Implementation, Right-of-Way Application to the BLM, La Paz County, AZ, *Comment Period Ends:* 02/08/2012, *Contact:* Liana Reilly (720) 962-7253.

*EIS No. 20110382, Draft EIS, DOI, 00,* Programmatic EIS—Outer Continental Shelf Oil and Gas Leasing Program—2012–2017 in Six Planning Area, Western, Central and Eastern Gulf of Mexico, Cook Inlet, the Beaufort Sea, and the Chukchi Sea, *Comment Period Ends:* 01/09/2012, *Contact:* James F. Bennett (703) 787-1660.

### Amended Notices

*EIS No. 20110332, Draft Supplement, USFS, MT,* Montanore Project, Additional Information on Alternatives, Proposes to Construct a Copper and Silver Underground Mine and Associated Facilities, Including a New Transmission Line, Plan-of-Operation Permit, Kootenai National Forest, Sanders County, MT, *Comment Period Ends:* 12/21/2011, *Contact:* Lynn Hagarty (406) 283-7642, Revision to FR Notice Published

10/07/2011: Extending Comment Period from 11/21/2011 to 12/21/2011.

Dated: November 7, 2011.

**Cliff Rader,**

*Acting Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 2011-29188 Filed 11-9-11; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9490-2]

### Notice of Public Meeting of the Interagency Steering Committee on Radiation Standards

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Public Meeting.

**SUMMARY:** The Environmental Protection Agency (EPA) will host a meeting of the Interagency Steering Committee on Radiation Standards (ISCORS) on November 14, 2011, in Washington, DC. The purpose of ISCORS is to foster early resolution and coordination of regulatory issues associated with radiation standards. Agencies represented as members of ISCORS include the following: EPA; Nuclear Regulatory Commission; Department of Energy; Department of Defense; Department of Transportation; Department of Homeland Security; Department of Labor's Occupational Safety and Health Administration; and the Department of Health and Human Services. ISCORS meeting observer agencies include the Office of Science and Technology Policy, Office of Management and Budget, Defense Nuclear Facilities Safety Board, as well as representatives from both the States of Illinois and Pennsylvania. ISCORS maintains several objectives: Facilitate a consensus on allowable levels of radiation risk to the public and workers; promote consistent and scientifically sound risk assessment and risk management approaches in setting and implementing standards for occupational and public protection from ionizing radiation; promote completeness and coherence of Federal standards for radiation protection; and identify interagency radiation protection issues and coordinate their resolution. ISCORS meetings include presentations by the chairs of the subcommittees and discussions of current radiation protection issues. Committee meetings normally involve pre-decisional intra-governmental discussions and, as such, are normally not open for observation.