

*Frequency of Response:* Occasionally, one time per delegation request.

*Estimated Total Annual Hour Burden:* 37,107 hours.

*Estimated Total Annual Cost:* About \$1,355,100. This includes an estimated labor burden cost of \$1,352,000 and an estimated cost of \$3,100 for operation and maintenance costs resulting from photocopying and postage expenses.

*Changes in the Estimates:* There is a decrease of 25,737 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens.

The change in burden results from: (1) A decrease in the number of S/L/Ts taking delegation, (2) an increase in the number of occurrences related to the number of National Emission Standards for Hazardous Air Pollutants (NESHAP) delegated, and (3) a change in the distribution of S/L/Ts using each option when delegating Maximum Achievable Control Technologies (MACTs). These changes are discussed below.

The total number of occurrences increased from 399 to 5,119 for MACT standards partially due to the number of MACT standards being delegated increasing from 24 to 40. However, the number of delegations decreased from 124 to 119. The significant increase was largely due to a calculation error in determining the number of straight delegations in the previous ICR. The previous ICR estimated 12 occurrences of straight delegations during the clearance period while we calculated 4,719 occurrences for the upcoming 3-year period. The total number of occurrences decreased for area source standards from 4,177 to 920 due to the number of area source standards decreasing from 40 to 11 and number of delegations dropping from 99 to 79.

Second, based on the experience the EPA's Regional Air Toxics Coordinators have had with the subpart E program, S/L/Ts' use of the various delegation options has changed for MACTs. Straight Delegation is still the primary delegation mechanism and has significantly increased in frequency since the previous ICR. However, we found that S/L/Ts are using the Rule Adjustment Option and the Rule Substitution Option with greater frequency than previously assumed. Generally, sources do not use the State Program Approval Option.

Overall, the respondent hour burden has decreased. While there is an overall increase in the amount of occurrences, the overall burden decreases by 41 percent due to the significant increase in use of the straight delegation option which requires less hours than the other options.

While mailing costs have increased, we are requesting a decrease in the reporting and recordkeeping cost burden due to an error in the postal costs reported in the previous ICR. Some of the EPA mailing costs were incorrectly included in the sums for respondent costs, thus decreasing the overall costs.

Dated: January 12, 2011.

**John Moses,**

*Director, Collection Strategies Division.*

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**BILLING CODE 6560-50-P**

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## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### Agency Information Collection Activities: Existing Collection; Emergency Extension

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Notice of Information Collection—Emergency Extension Without Change: Elementary-Secondary Staff Information Report (EEO-5).

**SUMMARY:** In accordance with the Paperwork Reduction Act, the Equal Employment Opportunity Commission (EEOC or Commission) announces that it submitted to the Office of Management and Budget (OMB) a request for a three-year extension of the Elementary-Secondary Staff Information Report (EEO-5) to be effective after the current January 31, 2011 expiration date.

**FOR FURTHER INFORMATION CONTACT:** Ronald Edwards, Director, Program Research and Surveys Division, 131 M Street, NE., Room 4SW30F, Washington, DC 20507; (202) 663-4958 (voice) or (202) 663-7063 (TTY).

**SUPPLEMENTARY INFORMATION:** Elementary and secondary public school systems and districts have been required to submit EEO-5 reports to EEOC since 1974 (biennially in even-numbered years since 1982). Since 1996, each public school district or system has submitted all of the district data on a single form, EEOC Form 168A. The individual school form, EEOC Form 168B, was eliminated in 1996, reducing the respondent burden and cost.

### Overview of Information Collection

*Collection Title:* Elementary-Secondary Staff Information Report (EEO-5).

*OMB-Number:* 3046-0003.

*Frequency of Report:* Biennial.

*Type of Respondent:* Certain public elementary and secondary school districts.

*Description of Affected Public:* Certain public elementary and secondary school districts.

*Number of Responses:* 7,155.

*Reporting Hours:* 10,000.

*Cost to the Respondents:* \$266,000.

*Federal Cost:* \$160,000.

*Number of Forms:* 1.

*Form Number:* EEOC Form 168A.

*Abstract:* Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-8(c), requires employers to make and keep records relevant to a determination of whether unlawful employment practices have been or are being committed, to preserve such records, and to produce reports as the Commission prescribes by regulation or order. Accordingly, the EEOC issued regulations prescribing the reporting requirements for elementary and secondary public school districts. The EEOC uses EEO-5 data to investigate charges of employment discrimination against elementary and secondary public school districts. The data also are used for research. The data are shared with the Department of Education (Office for Civil Rights) and the Department of Justice. Pursuant to Section 709(d) of Title VII of the Civil Rights Act of 1964, as amended, EEO-5 data also are shared with state and local Fair Employment Practices Agencies (FEPAs).

*Burden Statement:* The estimated number of respondents included in the biennial EEO-5 survey is 7,155 public elementary and secondary school districts. The form is estimated to impose 10,000 burden hours biennially.

Dated: December 22, 2010.

For the Commission.

**Jacqueline A. Berrien,**  
*Chair.*

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**BILLING CODE 6750-01-P**

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## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### Agency Information Collection Activities: Existing Collection; Emergency Extension

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Notice of Information Collection—Emergency Extension Without Change: Local Union Report (EEO-3).

**SUMMARY:** In accordance with the Paperwork Reduction Act, the Equal Employment Opportunity Commission