

aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before April 17, 2000.

**ADDRESSES:** Public comments shall be submitted to: Brian Rourke (Mail Code 4607), Office of Ground Water and Drinking Water, U.S. Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. Public comments may also be sent electronically to:

[rourke.brian@epamail.epa.gov](mailto:rourke.brian@epamail.epa.gov).

Interested persons may obtain a copy of the draft ICR without charge by contacting the individual named below.

**FOR FURTHER INFORMATION CONTACT:**

Brian Rourke, Telephone (202) 260-7785, Facsimile Number (202) 260-3762, E-mail:

[rourke.brian@epamail.epa.gov](mailto:rourke.brian@epamail.epa.gov).

**SUPPLEMENTARY INFORMATION:**

**Affected entities:** Entities potentially affected by this action are Community Water Systems. A Community Water System is one which supplies drinking water to 25 or more year-round residents or has at least 15 service connections.

**Title:** Community Water System Survey (EPA ICR No. 1946.01).

**Abstract:** Last conducted in 1995, the Community Water System Survey is usually conducted every five years to gather information on the operating and financial characteristics of a nationally representative sample of community water systems. The Agency conducts the survey to get a clear picture of current conditions in these water systems in order to calculate the impact of any proposed regulations with which these systems would be expected to comply. Specifically, the Agency uses the data provided by this survey to meet its Regulatory Impact Analysis (RIA) obligations under Executive Order 12866 and its obligation to assess and mitigate regulatory impacts on small entities under the Regulatory Flexibility Act and the Small Business Regulatory Enforcement Fairness Act. As effective analyses must begin with an assessment of the baseline situation, it is essential that the Agency have access to the current financial and operating conditions at water systems. Cost impacts of proposed regulations can only be estimated when something is known about the baseline costs of those bearing the burden.

But financial data is only part of the picture. The Agency must also gather information on the operating characteristics of the treatment systems, storage facilities and distribution systems. This data is critical in estimating the need for new facilities as

a consequence of any new Agency regulations. For example, water systems that have already installed treatment processes to treat one sort of contaminant might well not have to install any additional treatment to comply with regulations effecting a similar type of contaminant or one susceptible to the same type of treatment. Thus, all of the Agency's estimates of regulatory impacts can be no more accurate than the baseline information gathered through this survey. Because of the magnitude of potential cost impacts of the regulations, even small changes in water system characteristics can produce significant differences in impacts. Hence, it is critical that the Agency use the most up-to-date information available.

Also, under section 1412(b) of the 1996 Safe Drinking Water Act, the Agency must consider the affordability of the treatment technologies that will meet the proposed regulatory requirements. To determine affordability, the Agency must consider both the new, incremental costs that would result from any proposed regulation together with the costs already borne by the water system. Clearly, this means that the Agency must have an accurate picture of current costs.

This is a one-time collection effort, and responses to this ICR are voluntary. 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.

The EPA would like to solicit comments 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.

**Burden Statement:** It is estimated that the burden on small water systems (those serving under 3,300 people) will be one half-hour per water system, or 279 hours for the 557 small system representatives expected to respond to the survey questionnaire. At an hourly rate of \$14.50, the total cost to small systems is expected to be \$4,038.25. It is also estimated that the survey will sample 609 medium to large size systems serving between 3,301 and 500,000 people, requiring one hour per water system, or 609 hours for all systems in this size category. At an hourly rate of \$28.00, the total cost to these systems is expected to be \$17,052. The total costs to questionnaire respondents is expected to be \$21,090.25. The total cost to the government, including the cost of government contractors administering the questionnaire, is estimated to be \$2,170,246.

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.

Dated: February 9, 2000.

**Cynthia Dougherty,**

*Director, Office of Ground Water and Drinking Water.*

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BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6536-7]

**Agency Information Collection Activities: Submission for OMB Review; Comment Request; Trade Secret Claims for Community Right-to-Know and Emergency Planning (EPCRA Section 322)**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Trade Secret Claims for Community Right-to-Know and Emergency Planning (EPCRA section 322), OMB Control Number 2050-0078, expiring May 31, 2000. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before March 16, 2000.

**FOR FURTHER INFORMATION CONTACT:** For a copy of the ICR contact Sandy Farmer at EPA by phone at (202) 260-2740, by email at [farmer.sandy@epamail.epa.gov](mailto:farmer.sandy@epamail.epa.gov), or download off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 1428.05. For technical questions about the ICR contact Sicy Jacob at (202) 260-7249.

**SUPPLEMENTARY INFORMATION:**

**Title:** Trade Secret Claims for Community Right-to-Know and Emergency Planning (EPCRA Section 322), EPA ICR Number 1428.05, expiring May 31, 2000. This is a request for extension of a currently approved collection.

**Abstract:** This information collection request pertains to trade secrecy claims submitted under Section 322 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA). EPCRA contains provisions requiring facilities to report to State and local authorities, and EPA, the presence and release of extremely hazardous substances (described in sections 302 and 304), inventory of hazardous chemicals (described in sections 311 and 312) and manufacture, process and use of toxic chemicals (described in section 313). Section 322 of EPCRA allows a facility to withhold the specific chemical identity from these EPCRA reports if the facility asserts a claim of trade secrecy for that chemical identity. The provision establishes the requirements and procedures that facilities must follow to request trade secrecy treatment of chemical identities, as well as the procedures for submitting public petitions to the Agency for review of the "sufficiency" of trade secret claims.

Trade secrecy protection is provided for specific chemical identities contained in reports submitted under each of the following EPCRA sections: (1) 303(d)(2)—Facility notification of changes that have or are about to occur,

(2) 303(d)(3)—Local Emergency Planning Committee (LEPC) requests for facility information, develop or implement emergency plans, (3) 311—Material Safety Data Sheets (MSDSs) submitted by facilities, or lists of those chemicals submitted in place of the MSDSs, (4) 312—Tier II emergency and hazardous chemical inventory forms, and (5) 313—Toxic chemical release inventory forms.

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. The **Federal Register** document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on September 16, 1999 (64 FR 50280); no comments were received.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 9.9 hours per claim. The total annual burden for the respondents is 3,121 hours at a cost of \$190,280. 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.

**Respondents/Affected Entities:** Chemical Manufacturers.

**Estimated Number of Respondents:** 320 annually.

**Frequency of Response:** Annually.

**Estimated Total Annual Hour Burden:** 3,121 hours.

**Estimated Total Annualized Capital, Operating/Maintenance Cost Burden:** \$0.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 1428.05 and

OMB Control No. 2050-0078 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Office of Environmental Information, Collection Strategies Division (2822), 1200 Pennsylvania Avenue NW, Washington, DC 20460; and Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

Dated: February 8, 2000.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 00-3485 Filed 2-14-00; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6537-8]

### Regulatory Reinvention (XL) Pilot Projects

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

**ACTION:** Notice of availability of the Project XL Proposed Final Project Agreement: International Paper Predictive Emissions Monitoring Project.

**SUMMARY:** EPA is requesting comments on a proposed Project XL Final Project Agreement (FPA) for International Paper, U.S.A. (hereafter "International Paper"). The FPA is a voluntary agreement developed collaboratively by International Paper, the State of Maine Division of Environmental Protection, the Town of Jay Maine and EPA. Project XL, announced in the **Federal Register** on May 23, 1995 (60 FR 27282), gives regulated entities the flexibility to develop alternative strategies that will replace or modify specific regulatory or procedural requirements on the condition that they produce greater environmental benefits. EPA has set a goal of implementing fifty XL projects undertaken in full partnership with the states.

In the draft FPA, International Paper proposes to develop, test, and implement a computer model that can estimate pollutant emissions on a continuous basis. Currently, International Paper is required to measure some of these pollutants only once every year. If successfully developed and implemented, this computer model would provide the surrounding community with information on emissions that is continuous, non-biased, credible, and