

operators of hazardous waste treatment, storage, and disposal facilities.

Title: Land Disposal Restrictions No-Migration Variances, EPA ICR Number 1353, OMB Control Number 2050-0062, current expiration date May 31, 2000.

Abstract: To receive a variance from the hazardous waste land disposal prohibitions, owner/operators of hazardous waste storage or disposal facilities may petition the Environmental Protection Agency to allow land disposal of a specific restricted waste at a specific site. The EPA Regional Offices will review the petitions and determine if they successfully demonstrate "no migration." The applicant must demonstrate that hazardous wastes can be managed safely in a particular land disposal unit, so that "no migration" of any hazardous constituents occurs from the unit for as long as the waste remains hazardous. (See 40 CFR 268.6.) If EPA grants the variance, the waste is no longer prohibited from land disposal in that particular unit. If the owner/operator fails to make this demonstration, or chooses not to petition for the variance, best demonstrated available technology (BDAT) requirements of 40 CFR 268.40 *et seq* must be met before the hazardous wastes are placed in a land disposal unit.

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: The Agency is estimating that no more than one

respondent will prepare and submit a No-Migration variance petition during the three year period of this ICR. EPA estimates that the total annual respondent burden for all information collection activities will be approximately 3,137 hours, at an annual cost of \$187,136. The annual cost includes annual capital start up and operation and maintenance costs of approximately \$180. 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 14, 2000.

Elizabeth A. Cotsworth,

Director, Office of Solid Waste.

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BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6541-3]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Recordkeeping and Reporting Requirements Under EPA's Energy Star Homes Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Recordkeeping and Reporting Requirements Under EPA's Energy Star Homes Program, EPA ICR No. 1879.01. 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 23, 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, or download off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 1879.01. For technical questions about the ICR contact Glenn Chinery at (202) 564-9784.

SUPPLEMENTARY INFORMATION:

Title: Recordkeeping and Reporting Requirements Under EPA's Energy Star Homes Program; EPA ICR No. 1879.01.) This is a new collection.

Abstract: This ICR covers recordkeeping and reporting activities for both participation in the Energy Star Homes Program as well as participation in a three-year impact evaluation of the Energy Star Homes Program. The Energy Star Homes Program Impact Evaluation is designed to evaluate the effectiveness of the program in meeting the program's stated objectives. The evaluation will cover Energy Star Homes built during 1997-98 (the "first year"), 1999 (the "second year"), and 2000 (the "third year"). The evaluation consists of surveying Energy Star homebuyers, non-Energy Star homebuyers (hereafter referred to as "Control" homebuyers), Energy Star builder partners, energy suppliers, and Home Energy Rating System (HERS) providers. By collecting information from these different constituents, EPA will be able to determine whether Energy Star homebuyers are satisfied with their purchase; builder partners are meeting their business objectives; and Energy Star homes are delivering the pollution prevention promised. 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 10/05/98 (63 FR 53415), no comments were received.

Burden Statement: The annual public reporting and recordkeeping burden for participation on the Energy Star Homes Program is estimated to be 3.7 hours per participant. The burden for the respondents participating in the Impact Evaluation is estimated to average 0.22 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; 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: Home Energy Rating System (HERS) providers, Energy Star Home builders, Energy Star Home and control home buyers, energy suppliers (utility companies) of home buyers.

Estimated Number of Respondents:

1. Memorandum of Understanding: 533 each year for 3 years.

2. HERS providers (information from form already filled out by HERS provider in course of his/her business): 1st year—1,000; 2nd year—5,500; 3rd year—14,000.

3. Energy Star Home Builders: 1st year—600; 2nd year—200, 3rd year—200.

4. Energy Star Home and control home buyers (two groups): 686 from each group each year for 3 years.

5. Energy suppliers (utility companies) of these home buyers—see previous item: 686 from each group each year for 3 years.

Frequency of Response: Once for each respondent.

Estimated Total Annual Hour Burden: 3,198 hours.

Estimated Total non-labor 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 1879.01 in any correspondence.

Ms. Sandy Farmer, Collection Strategies Division, Office of Environmental Information (OEI), U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave. 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 15, 2000.

Oscar Morales,

Director, Collection Strategies Division.

[FR Doc. 00-4140 Filed 2-18-00; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6541-4]

Adequacy Status of Motor Vehicle Emissions Budgets in Submitted State Implementation Plans for Transportation Conformity Purposes; Maryland; Phase II Plan for the Baltimore Ozone Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of adequacy status.

SUMMARY: EPA is announcing that the revised motor vehicle emissions budgets (hereafter referred to as "budgets") contained in the revised Phase II Plan for the Baltimore Ozone Nonattainment Area submitted by the State of Maryland as a State Implementation Plan (SIP) revision are adequate for transportation conformity purposes. The State submitted the revised Phase II plan to EPA for parallel processing on December 3, 1999, and then formally submitted it on December 21, 1999. The Phase II SIP consists of the attainment demonstration and the two Post 99 Rate-of-Progress (ROP) plans (2002 and 2005) for the Baltimore nonattainment area. EPA has found the attainment budgets and the ROP budgets of the submitted revised Phase II SIP for the Baltimore area adequate for transportation conformity purposes.

DATES: The findings that the attainment and ROP budgets are adequate, made in a letter dated February 15, 2000 to the Maryland Department of the Environment, are effective on March 8, 2000.

FOR FURTHER INFORMATION CONTACT: Paul T. Wentworth, P.E., U.S. EPA, Region III, 1650 Arch Street, Philadelphia, PA. 19103 at (215) 814-2184 or by e-mail at: Wentworth.Paul@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document the terms "we," "us," or "our" refer to EPA. The word "budgets" refers to the motor vehicle emission budgets for volatile organic compounds (VOCs) and nitrogen oxides (NO_x). The word "SIP" in this document refers to the revised Phase II Plan for the Baltimore nonattainment area submitted to EPA by the Maryland Department of the Environment (MDE) for parallel processing on December 3, 1999 and

formally submitted on December 21, 1999. The Phase II Plan includes the attainment demonstration for the one-hour National Ambient Air Quality Standard (NAAQS) for ozone and the two Post 99 ROP plans (2002 and 2005) for the Baltimore nonattainment area.

On March 2, 1999, the D.C. Circuit Court ruled that the budgets contained in submitted SIPs cannot be used for transportation conformity determinations until EPA has affirmatively found them adequate. As a result of our findings, the attainment budgets and the ROP budgets contained in the submitted revised Phase II SIP for the Baltimore ozone nonattainment area may be used for future conformity determinations.

On April 29, 1998, MDE submitted its Phase II SIP for the Baltimore area. That Phase II SIP contained mobile source vehicle emissions budgets both for ROP and for attainment. On August 2, 1999, the availability of the Phase II SIP and the motor vehicle emission budgets was posted on EPA's conformity WEB site for the purpose of soliciting public comment. The comment period closed on August 31, 1999, and no comments were received. On October 26, 1999 EPA we sent a letter to MDE which constituted final Agency actions on the adequacy of the budgets contained in the Phase II SIP submitted on April 29, 1999. Those actions were EPA's findings that the budgets were not adequate.

On December 3, 1999, a revised Phase II plan with new attainment and ROP budgets was submitted as a SIP revision by MDE for parallel processing. The revised Phase II plan was formally submitted on December 21, 1999. On December 21, 1999, we posted the availability of the SIP and the motor vehicle emission budgets on our conformity website for the purpose of soliciting public comment on the adequacy of the mobile budgets. The comment period closed on January 20, 2000. EPA received comments from the University of Maryland School of Law on behalf of its client, an organization called the 1000 Friends of Maryland.

On February 15, 2000, we sent a letter to MDE which constituted final Agency actions on the adequacy of the budgets contained in the revised Phase II SIP. Those actions were EPA's findings that the attainment budgets and the ROP budgets are adequate for transportation conformity purposes. This is an announcement of adequacy findings that we already made on February 15, 2000. The effective date of these findings is March 8, 2000. These findings will also be announced on EPA's website: <http://www.epa.gov/oms/traq>, (once there, click on the