

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OW-2002-0059; FRL-9115-4; EPA ICR No. 1803.06, OMB Control No. 2040-0185]

**Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Drinking Water State Revolving Fund Program (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 25, 2010.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-OW-2002-0059 to (1) EPA online using <http://www.regulations.gov> (our preferred method), by e-mail to [OW-Docket@epa.gov](mailto:OW-Docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Water Docket, Environmental Protection Agency, Mailcode: 28221T, 1200 Pennsylvania Ave., 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:** Howard E. Rubin, Mail Code 4606M, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-2051; fax number: (202) 564-3757; e-mail address: [Rubin.HowardE@epa.gov](mailto:Rubin.HowardE@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 Monday, October 26, 2009 (74 FR 54996), 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-OW-2002-0059, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Water Docket is 202-566-2426.

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:** Drinking Water State Revolving Fund Program (Renewal).

**ICR numbers:** EPA ICR No. 1803.06, OMB Control No. 2040-0185.

**ICR Status:** This ICR is currently scheduled to expire on February 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 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 in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

**Abstract:** The Safe Drinking Water Act (SDWA) Amendments of 1996 (Public Law 104-182) authorized the creation of the Drinking Water State Revolving Fund (DWSRF; the Fund) program in each State and Puerto Rico to assist public water systems to finance the

costs of infrastructure needed to achieve or maintain compliance with SDWA requirements and to protect public health. Section 1452 authorizes the Administrator of the EPA to award capitalization grants to the States and Puerto Rico which, in turn, provide low-cost loans and other types of assistance to eligible drinking water systems. States can also reserve a portion of their grants to conduct various set-aside activities. The information collection activities will occur primarily at the program level through the (1) Capitalization Grant Application and Agreement/State Intended Use Plan; (2) Biennial Report; (3) Annual Audit; and (4) Assistance Application Review. Information collected is needed for input into the DWSRF National Information Management System and the Project & Benefits Reporting System.

(1) *Capitalization Grant Application and Agreement/State Intended Use Plan:* The State must prepare a Capitalization Grant Application that includes an Intended Use Plan (IUP) outlining in detail how it will use all the funds covered by the capitalization grant. The State may, as an alternative, develop the IUP in a two part process with one part identifying the distribution and uses of the funds among the various set-asides in the DWSRF program and the other part dealing with project assistance from the Fund.

(2) *Biennial Report:* The State must agree to complete and submit a Biennial Report on the uses of the capitalization grant. The scope of the report must cover assistance provided by the Fund and all other set-aside activities included under the Capital Grant Agreement. States which jointly administer DWSRF and Clean Water State Revolving Fund (CWSRF) programs, in accordance with section 1452(g)(1), may submit reports (according to the schedule specified for each program) that cover both programs.

(3) *Annual Audit:* A State must comply with the provisions of the Single Audit Act Amendments of 1996. Best management practices suggest and EPA recommends that a State conduct an annual independent audit of its DWSRF program. The scope of the report must cover the DWSRF Fund and all other set-aside activities included in the Capitalization Grant Agreement. States which jointly administer DWSRF and CWSRF programs, in accordance with section 1452(g)(1), may submit audits that cover both programs but which report financial information for each program separately.

(4) *Assistance Application Review:* Local applicants seeking financial

assistance must prepare and submit DWSRF loan applications. States then review completed loan applications and verify that proposed projects will comply with applicable Federal and State requirements.

As a result of the American Recovery and Reinvestment Act signed by the President on February 17, 2009, the Drinking Water State Revolving Fund received an additional \$2 billion in funding for assistance agreements for projects to be under contract or construction by February 17, 2010. EPA expects an estimated two-fold increase of respondents (in some years) due to this additional funding.

**Burden Statement:** The public reporting and recordkeeping burden for this collection of information is estimated to average 2,410 hours per State and 80 hours per local respondent (including Indian Tribes and Alaska Native Villages) annually. 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.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

*Estimated total number of potential respondents:* 1,887 per year.

*Frequency of response:* Annual (for Capitalization Grants and Audits), On Occasion (for Biennial reports and Loan Applications).

*Estimated total average number of responses for each respondent:* One.

*Estimated total annual burden hours per response:* 134.

*Estimated total annual burden hours:* 269,797.

*Estimated total annual costs:* \$10,639,932, which includes \$0 capital/operation & maintenance cost.

**Changes in the Estimates:** There is an increase of 72,927 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This reflects EPA's calculation of the burden hours resulting from a

possible two-fold increase in local respondents and ongoing programmatic implementation needs due to additional funds from the American Reinvestment and Recovery Act of 2009.

Dated: February 16, 2010.

**John Moses,**

*Director, Collection Strategies Division.*

[FR Doc. 2010-3519 Filed 2-22-10; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9114-1]

### California State Nonroad Engine Pollution Control Standards; California New Nonroad Compression Ignition Engines; Notice of Decision

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

**ACTION:** Notice of Decision Granting Authorization of California's New Nonroad Compression Ignition Engine Emission Standards

**SUMMARY:** The Environmental Protection Agency (EPA) today, pursuant to section 209(e) of the Clean Air Act (Act), 42 U.S.C. 7543(e), is granting California its request for an authorization of its emission standards and accompanying test procedures for new nonroad compression ignition (CI) engines. EPA is also confirming that one sub-set of California's amended regulations does fall within-the-scope of an authorization that EPA previously granted.

**ADDRESSES:** Materials relevant to this decision are contained in Docket No. EPA-HQ-OAR-2008-0670. 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-2008-0670 in "Search Documents" to view documents in the record of CARB's nonroad compression ignition authorization request. 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:

Kristien G. Knapp, Compliance and Innovative Strategies Division, United States Environmental Protection Agency, 1200 Pennsylvania Avenue (6405J), NW., Washington, DC 20460. Telephone: (202) 343-9949. E-mail Address: [knapp.kristien@epa.gov](mailto:knapp.kristien@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. Introduction

By this decision, issued pursuant to section 209(e) of the Clean Air Act (the "Act"), 42 U.S.C. 7543(e), the Environmental Protection Agency ("EPA") has determined that the California Air Resources Board's ("CARB's") regulations and amendments regarding new nonroad compression ignition ("CI") engine emission standards and testing procedures, that were adopted in 2000 and 2004-05, warrant EPA's authorization. CARB's regulations and amendments meet the criteria for such an authorization as outlined in section 209(e)(2) of the Act. CARB has requested that EPA find that its nonroad CI regulations and amendments fall within-the-scope of previously granted authorizations or, in the alternative, that EPA adopt and apply a new "harmonization construct" when California's emission standards harmonize with federal emission standards. CARB's regulations and amendments affect three power categories of nonroad CI engines as expressed in kilowatts (kW): those less than 19 kW, those greater than 19 kW but less than 130 kW, and those greater than 130 kW. EPA has previously granted authorizations for California's Small Off-Road Engine less than 19 kW ("SORE") regulations.<sup>1</sup> Subsequently, EPA confirmed that CARB's SORE amendments were within-the-scope of that prior authorization.<sup>2</sup> EPA also previously granted an authorization for California's new heavy-duty off-road diesel-cycle engines greater than 130 kW.<sup>3</sup> EPA subsequently confirmed that a later CARB amendment to those standards was within-the-scope of that prior authorization.<sup>4</sup> To summarize, the smallest and largest categories of engines at issue here are the subjects of prior EPA authorizations and within-the-scope determinations, while the middle category of engines presents an entirely new size category for EPA to consider.

<sup>1</sup> 60 FR 37440 (July 20, 1995).

<sup>2</sup> 68 FR 69763 (November 20, 2000).

<sup>3</sup> 60 FR 48981 (September 21, 1995).

<sup>4</sup> 69 FR 38958 (June 29, 2004).