

All existing sources must be in compliance with the requirements of the CAR and/or its referencing subparts within three years of the effective date (*i.e.*, promulgation date) of the appropriate standard for the affected source. All new sources must be in compliance with the requirements of the CAR and/or its referencing subparts upon startup or the promulgation date of standards for an affected source, whichever is later. Compliance is assumed through initial performance testing or design analysis, as appropriate, and ongoing compliance is demonstrated through parametric monitoring. Types of parameters monitored are incinerator temperature, scrubber flow rate, carbon adsorber regeneration frequency as well as others. The appropriate parameter to monitor depends on the type of control device with which the owner or operator chooses to comply.

The recordkeeping and reporting requirements in the standards ensure compliance with the applicable regulations which were promulgated in accordance with the Clean Air Act (CAA). The collected information is also used for targeting inspections and as evidence in legal proceedings.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standards. In addition, continuous emission monitors are used to ensure that the respondent complies with the standards at all times. During the performance test, a record of the operating parameters under which compliance was achieved may be recorded and used to determine compliance in place of a continuous emission monitor.

The notifications required in the standards are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to ensure that the pollution control devices are properly installed and operated, that leaks are detected and repaired, and that the standards are met. The performance test may also be observed.

The required reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/maintenance procedures, and for compliance determinations.

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,

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 180 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:** Facilities in the Synthetic Organic Chemical Manufacturing Industry.

**Estimated Number of Respondents:** 3,913.

**Frequency of Response:** Initially, annually, semiannually and on occasion.

**Estimated Total Annual Hour Burden:** 2,057,270.

**Estimated Total Annual Costs:** \$226,718,704, which includes \$3,404,000 in annualized Capital/startup costs, \$91,956,000 annual O&M costs, and \$131,358,704 in Respondent Labor Costs.

**Changes in the Estimates:** There is a decrease in burden of 108,330 hours from the most recently approved ICR. Some 35,758 hours of the changes are a program change for NSPS subparts Kb, VV, DDD, III, NNN and RRR, which no longer require Notifications of Anticipated Startup. The balance of the changes (72,572 hours) are adjustments due primarily to correction of errors and the addition of clerical and managerial hours to the burden calculation. There is a corresponding decrease in the average hours per response of 29 hours; from 209 hours per response to 180 hours per response. There was a decrease of \$4,561,000 in the Total Capital/Startup and Operation and Maintenance Costs due to an error in the previous ICR regarding the costs for monitoring equipment when determining Total Capital/Startup and Operation and Maintenance Costs for subpart Kb and subpart G of the Hazardous Organic National Emission Standards for Hazardous Air Pollutants (HON). The cost for certain control

devices was inadvertently included in the previous ICR.

Dated: August 26, 2005.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 05-17436 Filed 8-31-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7964-5]

### Meeting of the Mobile Sources Technical Review Subcommittee

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

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Mobile Sources Technical Review Subcommittee (MSTRS) will meet in September 2005. This is an open meeting. The meeting will include updates on workgroup activities, a discussion of the recommendations made by the National Academy of Sciences regarding mobile source air pollution control, and presentations about activities being conducted by EPA's Office of Transportation and Air Quality. The preliminary agenda for the meeting, as well as the minutes from the previous (March 2005) meeting will be posted on the Subcommittee's Web site: [http://www.epa.gov/air/caaac/mobile\\_sources.html](http://www.epa.gov/air/caaac/mobile_sources.html). MSTRS listserver subscribers will receive notification when the agenda is available on the Subcommittee Web site. To subscribe to the MSTRS listserver, go to <https://lists.epa.gov/cgi-bin/lyris.pl?enter=mstrs>. The site contains instructions and prompts for subscribing to the listserver service.

**DATES:** Tuesday, September 13, 2005 from 9 a.m. to 5 p.m. Registration begins at 8:30 a.m.

**ADDRESSES:** The meeting will be held at the Holiday Inn and Suites, 625 First Street, Alexandria, VA 22314, (703) 548-6300. Shuttle buses are available between Washington Reagan National Airport and the Reagan National Airport Metro Station and the hotel.

**FOR FURTHER INFORMATION CONTACT:** For technical information: Dr. L. Joseph Bachman, Designated Federal Officer, Transportation and Regional Programs Division, Mailcode 6406J, U.S. EPA, 1200 Pennsylvania Ave. NW., Washington, DC 20460; Ph: (202) 343-9373; e-mail, [bachman.joseph@epa.gov](mailto:bachman.joseph@epa.gov).

For logistical and administrative information: Ms. Cassandra Wallace,

FACA Management Officer, U.S. EPA, Transportation and Regional Programs Division, Mailcode 6406J, U.S. EPA, 1200 Pennsylvania Ave. NW., Washington, DC 20460; (202) 343-9403.

Background on the work of the Subcommittee is available at <http://transaq.ce.gatech.edu/epatac/>, and more current information is found at: [http://www.epa.gov/air/caaac/mobile\\_sources.html](http://www.epa.gov/air/caaac/mobile_sources.html).

Individuals or organizations wishing to provide comments to the Subcommittee should submit them to Dr. Bachman at the address above by September 6, 2005. The Subcommittee expects that public statements presented at its meetings will not be repetitive of previously submitted oral or written statements.

**SUPPLEMENTARY INFORMATION:** During the meeting, the Subcommittee may also hear progress reports from some of its workgroups as well as updates and announcements on activities of general interest to attendees.

Dated: August 26, 2005.

**Karl J. Simon,**

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

[FR Doc. 05-17433 Filed 8-31-05; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7964-4]

### Notice of Final Decision To Grant Vickery Environmental, Incorporated a Modification of an Exemption From the Land Disposal Restrictions of the Hazardous and Solid Waste Amendments of 1984 Regarding Injection of Hazardous Wastes

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

**ACTION:** Notice of final decision on a request to modify an exemption from the Hazardous and Solid Waste Amendments of the Resource Conservation and Recovery Act.

**SUMMARY:** Notice is hereby given by the Environmental Protection Agency (EPA or Agency) that a modification of an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste Amendments to the Resource Conservation and Recovery Act (RCRA) has been granted to Vickery Environmental, Inc. (VEI) of Vickery, Ohio. This modification allows VEI to continue to inject RCRA-regulated hazardous wastes designated as K181 wastes which will be banned from land disposal on August 23, 2005, as a result

of regulations promulgated in the **Federal Register** (FR) on February 24, 2005 (70 FR 9138 *et seq.*) into four Class I injection wells at the Vickery, Ohio, facility. As required by 40 CFR part 148, VEI has demonstrated, to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the injection zone utilized by VEI's waste disposal facility located near Vickery, Ohio, for as long as the newly-exempted waste remains hazardous. This decision constitutes a final Agency action for which there is no administrative appeal.

**DATES:** This action is effective as of August 23, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Harlan Gerrish, Lead Petition Reviewer, USEPA, Region 5, telephone (312) 886-2939. Copies of the petition and all related pertinent information are on file and are part of the Administrative Record. It is recommended that you contact the lead reviewer prior to reviewing the Administrative record.

**SUPPLEMENTARY INFORMATION:**

#### I. Background

Chemical Waste Management (CWM), the predecessor of VEI, submitted a petition for an exemption from the restrictions on land disposal of hazardous wastes on January 19, 1988. Revised documents were received on December 4, 1989, and several supplemental submittals were subsequently made. The exemption was granted on August 7, 1990. On September 12, 1994, CWM submitted a petition to modify the exemption to include wastes bearing 23 additional RCRA wastes codes. Region 5 reviewed documents supporting the request and granted the modification of the exemption on May 16, 1995. A notice of the modification appeared on June 5, 1995, at 60 FR 29592 *et seq.* On April 9, 1996, CWM submitted a petition to again modify the exemption to allow 91 additional RCRA waste codes. Region 5 reviewed documents supporting the request and granted the modification on the exemption on June 24, 1996. A notice of the modification appeared on July 15, 1996, at 61 FR 36880 *et seq.* Again on May 13, 1997, CWM submitted a request to add 11 waste codes to the list. Region 5 reviewed the evidence submitted by CWM and granted the request. Notice of the approval appeared on August 12, 1997 (63 FR 43109). On October 13, 1997, CWM notified the EPA that the name of the operator of the Vickery facility would become Waste Management of Ohio (WMO). This change was acknowledged by EPA through a letter added to the

Administrative Record on November 10, 1997. On August 28, 1998, WMO requested that two additional wastes codes be approved for injection. Notice of the approval appeared on December 10, 1998 (63 FR 68284). In the same year, on November 5, 1998, WMO submitted a petition to exempt four additional waste codes. Approval of this petition appeared on February 10, 1999 (64 FR 6650). On January 24, 2000, Waste Management of Ohio informed EPA of a corporate reorganization and subsequent name change from Waste Management of Ohio to Vickery Environmental, Inc. This change was acknowledged by EPA through a letter added to the Administrative Record on March 9, 2000. On March 20, 2001, VEI requested that two wastes, designated as K174 and K175, be added to the list of wastes exempted for injection at VEI. This request was approved on May 23, 2001, and notice of the request appeared in the **Federal Register** on April 25, 2001 (66 FR 28464-28466). On January 31, 2002, WMO requested that four additional wastes codes be approved for injection. Notice of the approval appeared on April 29, 2004 (67 FR 20971).

The rule promulgated on February 24, 2005, bans K181 from injection after August 23, 2005, unless VEI's exemption is modified to allow injection of this waste. As a K-coded waste, the code represents a number of chemicals. Some of these have already been approved for injection at Vickery under other waste codes. VEI estimated diffusion rates for constituents not previously approved for injection using a method which Region 5 has previously accepted. The diffusion rates are lower than that of the chloride ion, the diffusion rate of which was used to define the edge of the waste plume at VEI. After review of the material submitted and verification of the calculations of diffusion rate, the EPA has determined, as required by 40 CFR 148.20(f), that there is a reasonable degree of certainty that the hazardous constituents contained in the waste bearing the code to be banned will behave hydraulically and chemically like wastes for which VEI was granted its original exemption and will not migrate from the injection zone in hazardous concentrations within 10,000 years. The injection zone is the Mt. Simon Sandstone and the Rome, Conasauga, Kerbel, and Knox Formations. The confining zone is comprised of the Wells Creek and Black River Formations.