

### G. Operational Considerations

1. *Comment.* The commenter stated that they “support Southwestern’s analysis and recommendations concerning the operational considerations in Section 8.”

*Response:* Concur.

2. *Comment.* “In Section 8.2 Water Temperature Control states minimum flows should be considered meeting a portion of the 3-day, 6,000 cfs-day generation releases designed to maintain suitable water temperatures in the downstream trout fishery and SWPA’s generation requirements should be reduced accordingly, or additional compensation provided. We agree releases are needed to maintain suitable water temperatures and commend SWPA for providing these releases. However, we do not agree these volumes should be reduced since (1) seasonal pools have been provided to mitigate SWPA for these generations, (2) neither the timing nor volume of these releases are optimal for addressing temperature needs of the downstream trout fishery.”

*Response:* Southwestern does not concur. The 3-day requirement is for a specific amount of water to be released over each 3-day period. The modeling and computation performed by both the Corps and Southwestern of the hydropower impacts and associated compensation were based upon the assumption that the minimum flow releases would be used to help meet those downstream requirements. If it is decided that such an operation is not desirable, then the assumption would need to be changed, the impact to hydropower would need to be recomputed, and the compensation increased accordingly.

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-RCRA-2008-0548; FRL-8765-4]

### Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Criteria for Classification of Solid Waste Disposal Facilities and Practices (Renewal), EPA ICR Number 1745.06, OMB Control Number 2050-0154

**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 February 23, 2009.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-RCRA-2008-0548, to (1) EPA, either online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), or by e-mail to [rcra-docket@epa.gov](mailto:rcra-docket@epa.gov), or by mail to: RCRA Docket (28221T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, 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:** Craig Dufficy, Office of Solid Waste, (5306P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 703-308-9037; fax number: 703-308-8686; e-mail address: [Dufficy.Craig@epa.gov](mailto:Dufficy.Craig@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 September 05, 2008 (73 FR 51807), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments during the comment period. 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-RCRA-2008-0548, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the Resource Conservation and Recovery Act (RCRA) 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 RCRA Docket is (202) 566-0270.

Use EPA’s electronic docket and comment system at

[www.regulations.gov](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 [www.regulations.gov](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 [www.regulations.gov](http://www.regulations.gov).

**Title:** Criteria for Classification of Solid Waste Disposal Facilities and Practices (Renewal)

**ICR numbers:** EPA ICR No. 1745.06, OMB Control No. 2050-0154.

**ICR Status:** This ICR is scheduled to expire on January 31, 2009. 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 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA), as amended, mandated that the U.S. Environmental Protection Agency (EPA) revise the Criteria for Solid Waste Disposal Facilities that may receive household hazardous wastes and conditionally exempt small quantity generator (CESQG) wastes. In order to effectively implement and enforce these regulations (found at 40 CFR part 257, subpart B) on a State level, owners/operators of construction and demolition waste landfills that receive CESQG hazardous wastes have to comply with reporting and recordkeeping requirements. This ICR documents the ongoing recordkeeping and reporting burdens associated with the location and ground-water

monitoring provisions contained in 40 CFR part 257, subpart B.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 74 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 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.

**Estimated Number of Respondents:** 152.

**Frequency of Response:** On occasion.

**Estimated Total Annual Hour Burden:** 11,219.

**Estimated Total Annual Cost (in thousands of dollars):** \$2,014,382, which includes \$1,577,659 annualized capital or O&M costs.

**Changes in the Estimates:** There is a decrease of 2,362 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This decrease is due to the reduction in the total number of Construction & Demolition landfills.

Dated: January 14, 2009.

**John Moses,**

*Acting Director, Collection Strategies Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-RCRA-2008-0914, FRL-8765-7]

### Agency Information Collection Activities; Proposed Collection; Comment Request; Reporting Requirements Under EPA's National Partnership for Environmental Priorities, EPA ICR Number 2076.02, OMB Control Number 2050-0190

**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 EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on May 31, 2009. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before March 24, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-RCRA-2008-0914, by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.
- E-mail: *rcra-docket@epa.gov*.
- Fax: 202-566-9744.
- Mail: RCRA Docket (2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.
- Hand Delivery: 1301 Constitution Ave., NW., Room 3334, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-RCRA-2008-0914. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or e-mail. The *www.regulations.gov* Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through *www.regulations.gov* your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties

and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

**FOR FURTHER INFORMATION CONTACT:** Newman Smith, Office of Solid Waste (5302W), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 703-308-8757; fax number: 703-308-8433; e-mail address: *smith.newman@epa.gov*.

### SUPPLEMENTARY INFORMATION:

#### How Can I Access the Docket and/or Submit Comments?

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-RCRA-2008-0914, which is available for online viewing at *www.regulations.gov*, or in person viewing at the RCRA 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 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 RCRA Docket is (202) 566-0270.

Use *www.regulations.gov* to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified in this document.

#### What Information is EPA Particularly Interested in?

*Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits comments and information to enable it 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