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Title: NSPS for the Surface Coating of Plastic Parts for Business Machines (40 CFR part 60, subpart TTT) (Renewal) (OMB Control Number 2060-0162, EPA ICR Number 1093.07). This is a request to renew an existing, approved collection that is scheduled to expire on July 31, 2003. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB.

Abstract: Industrial surface coating operations emit volatile organic compounds (VOCs) in quantities that the Administrator believes cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Consequently, New Source Performance Standards for the surface coating of plastic parts for business machines were promulgated. VOC emissions from these facilities are the result of operation of the spray booths that apply prime coats, color coats, texture coats or touch-up coats. The standards ensure that owners or operators of these facilities use coatings that contain a low proportion of VOCs, and coating application equipment that provides a high transfer efficiency. In addition, or as an alternative, sources may use control equipment to meet the emission limits. In order to ensure compliance with these standards, adequate recordkeeping is necessary. In the absence of such information, enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act. Responses to the collection of information are mandatory. The required information has been determined not to be confidential. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, chapter 1, part 2, subpart B—Confidentiality of Business Information.

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 35 (rounded) 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 that apply coatings to plastic parts for business machines.

Estimated Number of Respondents: 10.

Frequency of Response: Quarterly and semiannually.

Estimated Total Annual Hour Burden: 978 hours.

Estimated Total Capital and Operations & Maintenance (O&M) Annual Costs: \$0.

Changes in the Estimates: There is a decrease of 2,661 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This decrease is due to a reduction in the number of sources.

Dated: June 5, 2003.

Doreen Sterling,

Acting Director, Collection Strategies Division.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7511-3]

Proposed Settlement Agreement

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement agreement; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended,

42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement in the following cases filed in the U.S. Court of Appeals for the District of Columbia Circuit: *Engine Manufacturers Ass'n v. EPA*, No. 00-1066; *Engine Manufacturers Ass'n, et al. v. EPA*, Nos. 01-1129 and 02-1080; *International Truck and Engine Corp., et al. v. EPA*, Nos. 00-1510 and 00-1512; *International Truck and Engine Corp. v. EPA*, No. 01-1137; and *Engine Manufacturers Ass'n v. EPA*, No. 03-1007. These cases concern the U.S. Environmental Protection Agency's (EPA) promulgation of regulations requiring manufacturers of heavy-duty diesel motor vehicle engines and nonroad marine diesel engines to control emissions by meeting not-to-exceed (NTE) emission standards and test procedures, and EPA's issuance of guidance concerning certification of heavy-duty diesel motor vehicle engines.

DATES: Written comments on the proposed settlement agreement must be received by July 14, 2003.

ADDRESSES: Copies of the proposed settlement are available from Phyllis Cochran, Air and Radiation Division (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 564-7606. Written comments should be sent to Michael Horowitz at the above address.

FOR FURTHER INFORMATION CONTACT: Michael Horowitz at 202-564-5583.

SUPPLEMENTARY INFORMATION: EPA has promulgated regulations in several separate rules requiring manufacturers of heavy-duty diesel motor vehicle engines and nonroad marine engines to control emissions by meeting not-to-exceed (NTE) emission standards and test procedures. 64 FR 73300 (Dec. 29, 1999), 65 FR 59896 (Oct. 6, 2000), 66 FR 5002 (Jan. 18, 2001), and 67 FR 68242 (Nov. 8, 2002). EPA also issued guidance concerning certification of heavy-duty diesel motor vehicle engines, on January 19, 2001. EMA and certain member companies (Manufacturer Parties) filed petitions challenging these rules and guidance. EPA and Manufacturer Parties entered into negotiations and have reached a proposed settlement of this litigation.

The proposed settlement agreement outlines a rulemaking proposal to establish a manufacturer-run in-use testing program for heavy-duty diesel motor vehicles. The proposed settlement also calls for issuance by EPA of guidance regarding implementation of the NTE regulations for heavy-duty diesel motor vehicle