

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 listed in 40 CFR part 9.

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: For the early years of the Tier 2 gasoline sulfur program (to December 31, 2003), EPA estimated a total of 192,063 responses, a total annual burden of 12,532 hours, and a total annual cost of \$325,702 to industry. This estimate includes the initial burden associated with learning and adapting to the new requirements. Most of the burdens associated with the early years of the program relate to applications for various hardship provisions and the generation of early credits, which will not be applicable after 2004.

The standards for gasoline sulfur become effective beginning January 1, 2004. Compliance with these standards requires some additional testing and reporting beyond that required under the RFG/CG programs. The most significant increase in the testing and reporting burden is due to the requirement that refiners and importers test and report every batch of gasoline for compliance with the sulfur standards. Currently, all refiners and importers of RFG are required to test and report every batch of RFG; however, refiners and importers of conventional gasoline currently are allowed to composite samples for purposes of demonstrating compliance with the CG anti-dumping regulations. EPA estimates that the annual burden on refiners associated with this every batch testing/reporting requirement will be about one hour per response per refiner,

and 400 responses per year per refiner. There are about 75 refiners that will be affected by this requirement. For importers, the burden will be one hour per response per importer, and 27 responses per year per importer. About 30 importers will be affected by this requirement. The cost associated with this burden for refiners will depend on whether the refiner uses its own testing equipment or uses an independent laboratory. Most importers will use an independent laboratory. The estimated annual cost is \$24,800 for refiners that use their own equipment and \$29,600 for refiners that use an independent laboratory. The estimated annual cost for importers is \$1,998. There are some additional modest burdens and costs for refiners and importers associated with this rule. Some of these burdens are related to additional information regarding sulfur content required on annual reports currently being submitted to EPA under the RFG/CG programs. Several of the additional burdens are related to various hardship or other flexibility provisions provided in the rule. There are also some modest burdens on terminals and pipelines associated with this rule due to additional Q/A testing requirements. Beginning in 2004, EPA estimates there will be a total of about 2,536 annual responses, a total annual average burden of 38,742 hours, and a total annual cost of \$2,405,355 to industry. There are no capital and start-up costs or operation and maintenance costs associated with this rule. 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: October 14, 2003.

David J. Kortum,

Acting Director, Transportation and Regional Programs Division.

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ENVIRONMENTAL PROTECTION AGENCY

[RCRA-2003-0023; FRL-7576-1]

Hazardous Waste Management System: Petroleum Refining Process Wastes; Identification of Characteristically Hazardous Self-Heating Solids; Land Disposal Restrictions: Treatment Standards for Spent Hydrorefining Catalyst (K172) Hazardous Waste

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of data availability.

SUMMARY: This notice of data availability (NODA) makes available to the public certain analytical data pertaining to the polycyclic aromatic hydrocarbon (PAH) content of spent hydrorefining catalyst from petroleum refining operations (K172). These analytical data are contained in a petition for rulemaking (petition) submitted to EPA by the Vanadium Producers and Reclaimers Association (VPRA), formerly known as the Ferroalloys Association (TFA). The data were submitted by the petitioner to support its request that EPA amend the land disposal restriction (LDR) treatment standards for the K172 listed waste. The VPRA petition also asserted that K171 and K172 wastes are often being landfilled without being decharacterized for their ignitability/reactivity potential. Therefore, this notice provides information supporting the petitioner's assertions and requests comment and submittal of any additional relevant documentation. At this time, EPA is requesting comment only on the analytical data for K172 and information supporting VPRA's concerns about characteristically hazardous solids. The Agency is not proposing any rule changes in today's notice, and any future action the Agency takes in response to the VPRA petition will be noticed in a subsequent **Federal Register**.

DATES: Submit comments on or before December 4, 2003. Comments postmarked after this date will be marked "late" and may not be considered.

ADDRESSES: You may view the supporting materials for this NODA in the EPA Docket Center (EPA/DC), Room B102, EPA West, 1301 Constitution Avenue, NW., Washington, DC. The docket number is RCRA-2003-0023. The EPA/DC is open from 8:30 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. Copies cost \$0.15 per page. For information on