submitted to or otherwise considered in the development of the proposed standards and guidelines. The principal purposes of the docket are: (1) to allow interested parties to identify and locate documents so that they can effectively participate in the rulemaking process, and (2) to serve as the record in case of judicial review (except for interagency review material [section 307(d)(7)(A)]). The docket number for this rulemaking is A-91-61.

C. Clean Air Act Procedural Requirements

1. Administrator Listing—Section 111; Section 129 of the Act

Section 129 of the Act calls for the Administrator to promulgate standards for new MWI's and guidelines for existing MWI's pursuant to section 111 and 129

2. Periodic Review—Section 111 and Section 129 of the Act

Section 111 and section 129 of the Act require that the standards and guidelines be reviewed not later than 5 years following the initial promulgation. At that time and at 5-year intervals thereafter, the Administrator is to review the standards and guidelines and make revisions if necessary. This review will include an assessment of such factors as the need for integration with other programs, the existence of alternative methods, enforceability, improvements in emission control technology, and reporting requirements.

3. External Participation—Section 117 of the Act

In accordance with section 117 of the Act, publication of this proposal was preceded by consultation with appropriate advisory committees, independent experts, and Federal departments and agencies. The Administrator welcomes comments on all aspects of the proposal, including economic and technological issues.

4. Economic Impact Assessment— Section 317 of the Act

Section 317 of the Act requires the EPA to prepare an economic impact assessment for any emission standards and guidelines promulgated under section 111 of the Act. An economic impact assessment was prepared for the proposed standards and guidelines. In the manner described above under the discussions of the impacts of, and rationale for, the proposed standards and guidelines, the EPA considered all aspects of the assessment in proposing the standards and guidelines. The economic impact assessment is included in the docket listed at the

beginning of today's notice under **SUPPLEMENTARY INFORMATION.**

D. Office of Management and Budget Reviews

1. Paperwork Reduction Act (PRA)

The information collection requirements in this proposed rule have been submitted for approval to the Office of Management and Budget (OMB) under the *Paperwork Reduction Act*, 44 U.S.C. 3501 *et seq.* An Information Collection Request (ICR) document has been prepared by the EPA (ICR No. 1730.01) and a copy may be obtained from Sandy Farmer, Information Policy Branch (2136); U. S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 or by calling (202) 260–2740.

This collection of information is estimated to have an average annual reporting burden of 0.01 person years per pathological MWI and an average of about 2.4 person years for MWI's burning general medical waste. This includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Information Policy Branch (2136), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for the EPA." The final rule will respond to any OMB or public comments on the information collection requirements contained in this proposal.

2. Executive Order 12866 Review

Under Executive Order (E.O.) 12866, the EPA must determine whether the proposed regulatory action is "significant" and therefore, subject to the Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Order defines "significant" regulatory action as one that is likely to lead to a rule that may:

- (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety in State, local, or tribal governments or communities;
- (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, it has been determined that the proposed standards and guidelines are "significant" because the annual effect on the economy will exceed \$100 million. As such, this action was submitted to OMB for review. Changes made in response to OMB suggestions or recommendations are documented in the public record.

3. Executive Order 12875

Under Executive Order 12875, the EPA is required to consult with representatives of affected State, local, and tribal governments, and keep these affected parties informed about the content and effect of the proposed standards and guidelines. The following discussion provides a brief summary of the content, need for, and cost of the proposed standards and guidelines, as well as the actions that the EPA has taken to communicate and consult with the affected parties.

a. Summary of the Proposed Standards and Guidelines

The proposed standards and guidelines would establish emission limitations for new and existing MWI's. The proposed standards and guidelines do not specify which type of air pollution control equipment must be used at MWI's to meet the proposed emission limitations. However, the EPA expects that, to meet the proposed emission limitations, most MWI's would use dry scrubbing systems (DI/FF) with activated carbon injection for dioxins/ furans, metals, and acid gas control. Refer to section II of this preamble for a more detailed discussion of the proposed standards and guidelines.

b. Need for the Proposed Standards and Guidelines

Under the Act Amendments of 1990, section 129 includes a schedule that requires the EPA to develop standards and guidelines for MWI's by November 1992. The EPA did not comply with that schedule and is now under court order to propose the standards and guidelines by February 1, 1995 and promulgate the standards and guidelines by April 15, 1996. As required by section 129, the proposed standards and guidelines would establish emission limitations for PM, opacity, CO, CDD/CDF, HCl, SO₂, NO_x, Pb, Cd, and Hg. See section I of