

regulatory action" within the meaning of the Executive Order. EPA has submitted this action to OMB for review. Any changes made in response to OMB suggestions or recommendations are to be documented in the public record.

EPA estimated the total cost savings of the opt-in regulations for the time period from 1994 through 2010. Cost savings are expected to accrue to both affected utilities and opt-in sources. The cost savings depend on the number of allowances sold by opt-in sources and the price of allowances. The estimates assume the use of 1985–87 baseline data, the use of the lesser of 1985 actual or allowable rate, or the current rate at the time the combustion source applies to opt in, reduced allowance allocations for reduced utilization, the transfer of allowances as a result of the replacement of thermal energy at the allowable emission rate at the replacement source, the installation and operation of continuous emissions monitoring systems, and opt-in sources are allowed to withdraw from the program. Given these assumptions, an estimated 408 combustion sources would opt in resulting in annual net cost savings of approximately \$10 million. The analysis is contained in the Economic Impact Analysis (EIA) of the Opt-in Regulations, September, 1994, EPA, Office of Atmospheric Programs.

2. Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 requires each Federal agency to perform a Regulatory Flexibility Analysis for all rules that are likely to have a "significant impact on a substantial number of small entities." Because the Opt-in Program is a voluntary cost reducing component of the Acid Rain Program, it will not affect small entities adversely. Sources that will not benefit from their participation will choose not to participate. Based on this analysis and pursuant to the provisions of 5 U.S.C. 605(b), EPA hereby certifies that this attached rule, if promulgated, will not have a significant economic impact on a substantial number of small entities.

3. Paperwork Reduction Act

The information collection requirements in this rule have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq* and have been assigned control number 2060–0258.

This collection of information has an estimated reporting burden averaging 80 hours per response and an estimated annual recordkeeping burden averaging

2 hours per respondent. These estimates include 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; EPA; 401 M St., SW. (Mail Code 2136); 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 EPA."

List of Subjects

40 CFR Part 9

Reporting and recordkeeping requirements.

40 CFR Part 72

Environmental protection, Acid rain, Administrative practice and procedure, Air pollution control, Electric utilities, Intergovernmental relations, Nitrogen oxides, Reporting and recordkeeping requirements, Sulfur oxides.

40 CFR Part 73

Environmental protection, Acid rain, Air pollution control, Electric utilities, Reporting and recordkeeping requirements, Sulfur oxides.

40 CFR Part 74

Environmental protection, Acid rain, Air pollution control, Reporting and recordkeeping requirements, Sulfur oxides.

40 CFR Part 75

Environmental protection, Acid rain, Air pollution control, Carbon dioxide, Electric utilities, Nitrogen oxides, Reporting and recordkeeping requirements, Sulfur oxides.

40 CFR Part 77

Environmental protection, Acid rain, Administrative practice and procedure, Air pollution control, Electric utilities, Nitrogen oxides, Penalties, Reporting and recordkeeping requirements, Sulfur oxides.

40 CFR Part 78

Environmental protection, Acid rain, Administrative practice and procedure, Air pollution control, Electric utilities, Nitrogen oxides, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: March 20, 1995.

Carol M. Browner,

Administrator, U.S. Environmental Protection Agency.

For the reasons set out in the preamble, chapter I of title 40 of the Code of Federal Regulations is amended as follows:

PART 9—[AMENDED]

1. In part 9:

a. The authority citation for part 9 continues to read as follows:

Authority: 7 U.S.C. 135 *et seq.*, 136–136y; 15 U.S.C. 2001, 2003, 2005, 2006, 2601–2671; 21 U.S.C. 331j, 346a, 348; 31 U.S.C. 9701; 33 U.S.C. 1251 *et seq.*, 1311, 1313d, 1314, 1321, 1326, 1330, 1344, 1345 (d) and (e), 1361; E.O. 11735, 38 FR 21243, 3 CFR, 1971–1975 Comp. p. 973; 42 U.S.C. 241, 242b, 243, 246, 300f, 300g, 300g-1, 300g-2, 300g-3, 300g-4, 300g-5, 300g-6, 300j-1, 300j-2, 300j-3, 300j-4, 300j-9, 1857 *et seq.*, 6901–6992k, 7401–7671q, 7542, 9601–9657, 11023, 11048.

b. Section 9.1 is amended by adding a new heading and entries in numerical order to the table to read as follows:

§ 9.1 OMB approvals under the Paperwork Reduction Act.

40 CFR citation	OMB control No.
* * * * *	* * * * *
Sulfur Dioxide Opt-ins:	
74.12	2060–0258
74.14	2060–0258
74.16	2060–0258
74.18	2060–0258
74.20	2060–0258
74.22	2060–0258
74.24–74.25	2060–0258
74.41	2060–0258
74.43–74.44	2060–0258
74.46–74.47	2060–0258
74.60–74.64	2060–0258
* * * * *	* * * * *

PART 72—PERMITS REGULATION

2. The authority citation for part 72 is revised to read as follows:

Authority: 42 U.S.C. 7601, 7651, *et seq.*

3. Section 72.2 is amended as follows:

- By revising the introductory text;
- By revising the term for "Acid Rain compliance option";
- By revising paragraph (1)(i) of the term "Acid Rain emissions limitation";
- By revising the terms "Acid Rain Program", "Affected unit", "Allowable SO₂ emissions rate", "Allowance deduction", "Compensating unit", "Compliance certification", "Compliance plan; Designated Representative", "Owner", "Owner or Operator", "Phase I unit", "Phase II unit; and Reduced utilization"; and