enter information for records of operating parameters.

The annual average burden to industry for the three year period covered by this ICR from recordkeeping and reporting requirements has been estimated at 179,104 person hours. The respondents costs were calculated on the basis of $14.50 per hour plus 100% overhead. The total annual burden to industry is estimated at $5,453,716.

This estimate 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. No additional third party burden is associated with this ICR.

NESHAP Subparts L and Y Supplementary Information

Affected entities: Entities potentially affected by this action are coke by-product recovery plants (NESHAP Subpart L) and storage vessels that store benzene having a specific gravity within the range of specific gravities specified in ASTM D 836–84 for Industrial Grade Benzene, ASTM D 835–85 for Refined Benzene-535 and ASTM D 4734–87 for Refined Benzene–545 (NESHAP Subpart Y), which are codified as separate subparts under 40 CFR, Part 61.

Title: National Emission Standards for Hazardous Air Pollutants, Benzene Emissions from Benzene Storage Vessels, and Coke Byproduct Recovery Plants; OMB No. 2060–0185, expiration date: 6/30/96.

Abstract: The EPA is charged under Section 112 of the Clean Air Act, as amended, with establishing emission standards for hazardous air pollutants. These standards are to be set at a level which provides an ample margin of safety to protect the public health. On June 8, 1977, EPA determined that benzene presents a significant carcinogenic risk to human health and is, therefore, a hazardous air pollutant requiring regulation. In addition, Section 114(a) states that:

* * * the Administrator may require any owner or operator subject to any requirement of this act to: (1) Establish and maintain such records, (2) make such reports, (3) install, use and maintain such monitoring equipment or methods (in accordance with such methods at such locations, at such intervals, and in such manner as the Administrator shall prescribe), and (4) provide such other, information, as he may reasonably be required.

National Emission Standards for Benzene Emissions from Coke By-product Recovery Plants were proposed by EPA on June 6, 1984 (49 FR 23522). At that time, an information collection request was submitted (ICR number 1080). The proposed standards were reconsidered by EPA in light of the U.S. Court of Appeals vinyl chloride decision [*Natural Resources Defense Council, Inc.* v. *EPA*, 824 F.2d 1146, D.C. (1987)]. Other benzene-related actions including maleic anhydride, ethylbenzene/styrene, benzene storage vessels, and equipment leaks were also reviewed by EPA following the vinyl chloride court decision. The Agency proposed four different approaches to regulating these benzene source categories in a manner consistent with the vinyl chloride court decision (53 FR 28496, July 28, 1988). Regulations proposed for maleic anhydride and ethylbenzene/styrene were not promulgated and therefore have been dropped from this information collection statement. The coke by-product recovery plants rule was promulgated September 14, 1989 (54 FR 38044) and amended September 19, 1991 (56 FR 47406).

National Emission Standards for Hazardous Air Pollutants (NESHAP) for Benzene Emissions from Benzene Storage Vessels were proposed in 1980 and withdrawn by EPA on June 6, 1984 (49 FR 23558). On August 3, 1984, the Natural Resources Defense Council (NRDC) filed a petition in the U.S. Court of Appeals, seeking review of the EPA's storage withdrawal and other benzene rulemakings. (*Natural Resources Defense Council Inc.* v. *Thomas,* No. 84–1387) (referred to as Benzene). In light of the U. S. Court of Appeals Vinyl Chloride decision (*Natural Resources Defense Council. Inc.* v. *EPA*, 824 F.2d 1146, D.C. Cir., July 28, 1987), EPA requested a voluntary remand in Benzene to reconsider its June 6, 1984, rulemakings. In an order dated December 8, 1987, the court approved the EPA's voluntary remand and established a schedule under which EPA must propose its action on reconsideration within 180 days of the order. In June 1988, EPA received a 45-day extension. The benzene storage vessels rule was promulgated on September 14, 1989 (54 FR 38077) as 40 CFR Part 61 Subpart Y.

Subpart L: Coke By-Product Recovery Plants

A national emission standard for hazardous air pollutants (NESHAP) was proposed under Section 112 for coke by-product recovery plants, a benzene source category, on June 6, 1984 (49 FR 23522), reproposed on July 28, 1988 (53 FR 28496), and was promulgated on September 14, 1989.

The control requirements for coke by-product recovery plants require that organic vapors be recovered and routed via closedvent system (no detectable emissions) to a control device that achieves a 95 percent or greater destruction efficiency. The affected equipment must not exceed a specified level of equipment leaks, either through a concentration standard, or in the case of valves, a percent of total valves standard is optional. The control of emissions of benzene from recovery plants requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of benzene from recovery plants covered by this regulation are the result of leaking equipment.

The standards require initial notification reports with respect to construction, emissions tests, and startup. The standards also require reports on initial performance tests and emissions tests results.

Notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to check that pollution control devices are properly installed and operated and the standards are being met. Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standard, and note the operating conditions under which compliance was achieved. The regular reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations. The information generated by the monitoring, recordkeeping and reporting requirements described above is used by the Agency to ensure that facilities affected by the NESHAP continue to operate the control equipment used to achieve compliance. Effective enforcement of the standard is particularly necessary in light of the hazardous nature of benzene. Information is recorded in such sufficient detail to enable owners or operators to demonstrate compliance with the standards. This information is