

or not applied at all. Only one shipyard, which uses large quantities of water-based preconstruction primer, maintained that a humid weather thinning allowance should be adopted. However, the shipyard did not explain how hydrocarbon-based thinners would relate to its water-based operation.

Hot and humid weather conditions appear to inhibit coating operations work less frequently than does cold weather. The different responses can best be understood as they relate to the specifications for thinning under different climatic conditions, which are dependent on paint type and manufacturer. Some coating formulations lose at high temperature more organic solvent than others which could lead to thickening (increase in viscosity) of the paint. This occurs where the rate of application is low and paint containers remain uncovered. Nevertheless, beginning in September 1994, shipyards performing work for the Navy in humid climates such as Louisiana, Florida, and Virginia are required by the Navy to use paints with VOHAP contents levels that are in compliance with the limits in the NESHAP, without provision for additional thinning. There is no reason that VOHAP limits that are achievable for paints used by the Navy cannot also be achieved for paints used by commercial shipyards located in humid climates and that, therefore, a thinning allowance for hot/humid weather conditions is not necessary. If conditions necessitate application of small amount of noncompliant coatings, the regulation provides a low usage exemption of 1,000 liters of coating per year.

#### D. Minor Changes

This section contains a list of several of the minor changes to the final rule. A discussion of these changes can be found in the promulgation BID. (See **ADDRESSES** section of this preamble.)

(1) Revisions to definitions and phrasing have been made to clarify the regulation.

(2) Based on comments received and on changes to the notification and recordkeeping and reporting requirements, those sections of the standard have been reorganized and overlapping requirements clarified or eliminated.

(3) Table 2, which contains the VOHAP limits for the various coating categories, has been simplified to contain only one set of units (metric). The conversion factor for English units is included as a footnote to the table.

#### V. Control Techniques Guidelines (CTG)

Section 183(b)(4) of the CAA requires the Administrator to issue a CTG document for limiting VOC and particulate matter emissions from coatings (paints) and solvents used in the shipbuilding and ship repair industry. Since VOHAP emissions from this industry are generally a subset of VOC emissions, the control techniques evaluated for the MACT standard are also applicable to VOC emissions. Therefore, the EPA has developed the CTG concurrently with the NESHAP and will be issuing final guidance under a separate notice. As explained in the proposal notice (AD-FR- ), no CTG is being issued for particulate matter emissions.

#### VI. Administrative Requirements

##### A. Docket

The Docket is an organized and complete file of all the information considered by the EPA in the development of this rulemaking. The Docket is a dynamic file, since material is added throughout the rulemaking development. The docketing system is intended to allow members of the public and industries involved to readily identify and locate documents so that they can effectively participate in the rulemaking process. Along with the statement of basis and purpose of the proposed and promulgated standards and the EPA responses to significant comments, the contents of the Docket will serve as the record in case of judicial review [see 42 U.S.C. 7607(d)(7)(A)].

##### B. Paperwork Reduction Act

The Office of Management and Budget (OMB) is currently reviewing the information collection request (ICR) requirements contained in this rule under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* and has assigned OMB control number 2060-0330 and EPA ICR number 1712.2.

The information required to be collected by this rule is needed as part of the overall compliance and enforcement program. It is necessary to identify the regulated entities who are subject to the rule and to ensure their compliance with the rule. The recordkeeping and reporting requirements are mandatory and are being established under authority of Section 114 of the Act. All information submitted to the EPA for which a claim of confidentiality is made will be safeguarded according to the EPA policies set forth in Title 40, Chapter 1, Part 2, Subpart B—Confidentiality of

Information (see 40 CFR part 2; 41 FR 36902, September 1, 1976; amended by 43 FR 39999, September 8, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

The total annual reporting and recordkeeping burden for this collection averaged over the first 3 years is estimated to be \$26,218 per year. The average burden, per respondent, is 772 hours per year. 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. 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. The rule requires an initial one-time notification from each respondent and subsequent notification every 6 months to indicate their compliance status. At the time of the initial notification each respondent would also be required to submit an implementation plan that describes compliance procedures. A respondent would also be required to keep necessary records of data to determine compliance with the standards in the regulation. The data would be recorded monthly. A report would need to be submitted semi-annually by each respondent. There would be an estimated 35 respondents to the proposed collection requirements.

Send comments on the EPA's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, OPPE