

forwarded to the Office of Management and Budget (OMB) for review and approval: NSPS for Municipal Solid Waste Landfills, 40 CFR part 60, subpart WWW, OMB Control No. 2060-0220, expiration date September 30, 2002. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before November 4, 2002.

**ADDRESSES:** Send comments, referencing EPA ICR No. 1557.05 and OMB Control No. 2060-0220, to the following addresses: Susan Auby, U.S. Environmental Protection Agency, Collection Strategies Division (Mail Code 2822T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460-0001; and to Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

**FOR FURTHER INFORMATION:** For a copy of the ICR, contact Susan Auby at EPA by phone at (202) 566-1672, by email at [auby.susan@epamail.epa.gov](mailto:auby.susan@epamail.epa.gov), or download off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR Number 1557.05. For technical questions about the ICR contact, Sharie Centilla, (202) 564-0697.

**SUPPLEMENTARY INFORMATION:**

*Title:* NSPS for Municipal Solid Waste Landfills, 40 CFR part 60, subpart WWW. (OMB Control No. 2060-0220; EPA ICR Number 1557.05) expiring September 30, 2002. This is a request for extension of a currently approved collection.

*Abstract:* The Standards of Performance for Municipal Solid Waste Landfills; 40 CFR part 60, subpart WWW, were promulgated on March 12, 1996. These standards apply to municipal solid waste landfills for which construction, modification or reconstruction commences on or after May 30, 1991. The rule requires the installation of properly designed emission control equipment, and the proper operation and maintenance of this equipment. These standards rely on the capture and reduction of methane, carbon dioxide, and nonmethane organic gas compound emissions by combustion devices (boilers, internal combustion engines, or flares).

Owners and operators of the affected facilities described must make initial reports when a source becomes subject, conduct and report on performance tests, report of annual or periodic

emission rates, report on design plans, report on equipment removal and closure, as well as maintain records of the reports, system design and performance tests, monitoring and exceedances, plot map, and well locations.

Any owner or operator subject to the provisions of this part must maintain a file of the applicable reporting and recordkeeping requirements for at least five years following the collection of such measurements, maintenance reports, and records. All reports are sent to the delegated state or local authority.

An agency 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 are listed in 40 CFR part 9 and 48 CFR Chapter 15. The **Federal Register** document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on January 30, 2002 at 67 FR 4421. No comments were received on the notice.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 11 hours per response. Burden means the total time, effort, or financial resources expended by persons to: generate, maintain, retain, 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.

*Respondents/Affected Entities:* Owners and/or operators of municipal solid waste landfills.

*Estimated Number of Respondents:* 175.

*Frequency of Response:* On occasion, Quarterly, and Annually.

*Estimated Total Annual Hour Burden:* 3390 hours.

*Estimated Total Annualized Capital, O&M Cost Burden:* \$107,000.

Send comments on the Agency'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 previous addresses. Please refer to EPA ICR No.1557.05 and OMB Control No. 2060-0220 in any correspondence.

Dated: September 25, 2002.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 02-25156 Filed 10-2-02; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-7389-9; CWA-HQ-2001-6013; CAA-HQ-2001-6013; RCRA-HQ-2001-6013]**

**Clean Water Act Class II: Proposed Administrative Settlement, Penalty Assessment and Opportunity To Comment Regarding IPSCO Steel, Inc.**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has entered into a consent agreement with IPSCO Steel, Inc. ("IPSCO" or "Respondent") to resolve violations of the Clean Water Act ("CWA"), Clean Air Act ("CAA"), and Resource Conservation and Recovery Act ("RCRA") and their implementing regulations.

The Administrator is hereby providing public notice of this consent agreement and proposed final order, and providing an opportunity for interested persons to comment on the CWA portions of this consent agreement, in accordance with CWA section 311(b)(6)(C), 33 U.S.C. 1321(b)(6)(C).

Respondent's Spill Prevention Control and Countermeasure ("SPCC") plan was inadequate. Although required controls were in place, the plan did not include all of the guidelines codified at 40 CFR 112.7. EPA, as authorized by CWA section 311(b)(6), 33 U.S.C. 1321(b)(6), has assessed a civil penalty for these violations.

Respondent failed to meet the CAA New Source Performance Standard ("NSPS") requirements for Electric Arc Furnaces ("EAFs") pursuant to 40 CFR part 60, subpart AAa in violation of CAA section 111, 42 U.S.C. 4411. Additionally, Respondent failed to meet certain conditions listed in two of its Prevention of Significant Deterioration ("PSD") Permits in violation of CAA section 110, 42 U.S.C. 7410, and Iowa's state implementation plan ("SIP"). EPA, as authorized by CAA section 113(d)(1), 42 U.S.C. 7413(d)(1), has assessed a civil penalty for these violations.

Respondent failed to properly label and date hazardous waste containers in accordance with 40 CFR 262.34(a)(2)

and (a)(3). The facility's RCRA contingency plan was inadequate when it failed to describe the precise location of emergency equipment in accordance with 40 CFR 265.52(e), referenced in 40 CFR 262.34(a). Respondent's training records were deficient, pursuant to 40 CFR 265.16, as referenced in 40 CFR 262.34(a). Respondent failed to have universal waste training as required by 40 CFR 273.16. Respondent failed to label drums with the words "used oil" in accordance with 40 CFR 279.22. EPA, as authorized by RCRA section 9008a, 42 U.S.C. 6928a, has assessed a civil penalty for these violations.

**DATES:** Comments are due on or before November 4, 2002.

**ADDRESSES:** Mail written comments to the Docket Office, Enforcement & Compliance Docket and Information Center (2201T), Docket Number EC-2002-022, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, EPA West Building, 1200 Pennsylvania Avenue, NW., Room B133, Washington, DC 20460. (Comments may be submitted on disk in WordPerfect 9.0 or earlier versions.) Written comments may be delivered in person to: Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, EPA West Building, Room B133, 1301 Constitution Avenue, NW., Washington, DC. Submit comments electronically to [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov). Electronic comments may be filed online at many Federal Depository Libraries.

The consent agreement, the proposed final order, and public comments, if any, may be reviewed at the Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. B133, EPA West Bldg., 1301 Constitution Avenue, NW., Washington, DC. Persons interested in reviewing these materials must make arrangements in advance by calling the docket clerk at (202) 566-1512 or (202) 566-1513. A reasonable fee may be charged by EPA for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:** Philip Milton, Multimedia Enforcement Division (2248-A), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone (202) 564-5029; fax: (202) 564-0010; e-mail: [milton.philip@epa.gov](mailto:milton.philip@epa.gov).

**SUPPLEMENTARY INFORMATION:** *Electronic Copies:* Electronic copies of this document are available from the EPA Home Page under the link "Laws and Regulations" at the **Federal Register—Environmental Documents** entry (<http://www.epa.gov/fedrgrstr>).

### I. Background

IPSCO Steel, Inc., a steel manufacturer located in Muscatine, Iowa and incorporated in the State of Delaware, disclosed, pursuant to the EPA "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" ("Audit Policy"), 65 FR 19618 (April 11, 2000), that its SPCC plan failed to include a reference to each of the guidelines found in 40 CFR 112.7, in violation of the CWA section 311(b)(3). Respondent disclosed that it had failed to record furnace pressure, fan amps, and damper positions on a "once-per-shift" basis. The NSPS for EAFs, 40 CFR part 60, subpart AAa, requires that furnace pressure, fan amps, and damper positions be checked and recorded on a "once-per-shift" basis. The failure to record these readings during separate shifts is a violation of 40 CFR 60.274a(b) and CAA section 111, 42 U.S.C. 7411. Respondent disclosed that it failed to maintain a logbook resulting in violations of requirements in its PSD permit no. 94-A-561-S1 to (1) maintain records of startup, shutdown, and malfunction of its two coiling rehear furnaces; (2) monitor the inlet combustion air temperature and furnace combustion chamber temperature and record any times that the temperature exceeds 2100°F; and (3) monitor percent of excess air supplied to the burners and record times when excess air exceeds 10 percent. Respondent disclosed that it failed to use "emulsion" for dust suppression on the slag-haul road in violation of its PSD permit no. 94-A-555-S1. IPSCO's outside contractor, Heckett Multiserve, used water rather than emulsion. Respondent disclosed that three rolloff boxes containing hazardous waste K061 and a 55-gallon drum of spent ethyl acetate were not properly labeled. IPSCO did not properly label rolloff boxes and drum with the words "Hazardous Wastes" and the date accumulation commenced, as required by 40 CFR 262.34(a). IPSCO disclosed that its RCRA contingency plan did not identify specifically the location of emergency response and communication equipment in the areas surrounding the emission control bargehouse and other areas where hazardous materials are managed, as required by 40 CFR 262.34(a), which incorporates by reference 40 CFR 265.52(e). Respondent disclosed that its RCRA training records were deficient. The records did not include a written job title and description for each position that involves hazardous wastes and the names of those filling each position. Although this information is

available at the plant, 40 CFR 262.34, which incorporates by reference 40 CFR 265.16, requires that this information be maintained in one location. Respondent disclosed that its universal waste training program was deficient. IPSCO did not incorporate universal waste training into its RCRA training, which it provides to all employees, as required by 40 CFR 273.16. Finally, Respondent disclosed that three drums of used oil were not properly labeled. IPSCO did not have "used oil" labels on three drums containing used oil as required by 40 CFR 279.22.

EPA determined that Respondent met the criteria set out in the Audit Policy for a 100% waiver of the gravity component of the penalty for the CWA violation and certain CAA and RCRA violations. However, Respondent failed to satisfy some of the conditions set forth in the Audit Policy for certain CAA and RCRA violations and was assessed an appropriate and fair civil penalty (\$16,790) to settle those violations. As a result, for those violations meeting the audit policy, EPA waived the gravity based penalty (\$186,989) and proposed a settlement penalty amount of two thousand, nine hundred and fifty-three dollars (\$2,953). Of this amount, \$2,809 is attributable to the CAA violations; \$77 is attributable to the RCRA violations; and \$67 is attributable to the CWA violation. This is the amount of the economic benefit gained by Respondent, attributable to its delayed compliance with the CWA, RCRA, and CAA regulations. The total civil penalty assessed for settlement purposes is nineteen thousand seven hundred and forty-three dollars (\$19,743). Respondent has agreed to pay this amount. EPA and Respondent negotiated and reached an administrative consent agreement, following the Consolidated Rules of Practice, 40 CFR 22.13(b), on September 26, 2002 (*In Re: IPSCO Steel, Inc.* Docket Nos. CWA-HQ-2001-6013, CAA-HQ-2001-6013, RCRA-HQ-2001-6013). This consent agreement is subject to public notice and comment under CWA section 311(b)(6), 33 U.S.C. 1321(b)(6).

Under CWA section 311(b)(6)(A), 33 U.S.C. 1321(b)(6)(A), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility from which oil is discharged in violation of the CWA section 311(b)(3), 33 U.S.C. 1321(b)(3), or who fails or refuses to comply with any regulations that have been issued under CWA section 311(j), 33 U.S.C. 1321(j), may be assessed a Class II civil penalty of up to \$137,500 by EPA. Class II proceedings under CWA section 311(b)(6) are conducted in accordance with 40 CFR part 22.

The procedures by which the public may comment on a proposed Class II penalty order, or participate in a Clean Water Act Class II penalty proceeding, are set forth in 40 CFR 22.45. The deadline for submitting public comment on this proposed final order is November 4, 2002. All comments will be transferred to the Environmental Appeals Board ("EAB") of EPA for consideration. The powers and duties of the EAB are outlined in 40 CFR 22.4(a).

Pursuant to CWA section 311(b)(6)(C), EPA will not issue an order in this proceeding prior to the close of the public comment period.

Dated: September 26, 2002.

**Rosemarie A. Kelley,**

*Acting Director, Multimedia Enforcement Division, Office of Enforcement and Compliance Assurance.*

[FR Doc. 02-25157 Filed 10-2-02; 8:45 am]

**BILLING CODE 6560-50-P**

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## FEDERAL DEPOSIT INSURANCE CORPORATION

### Sunshine Act Meeting; Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 7:32 a.m. on Monday, September 30, 2002, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters relating to the Corporation's corporate and supervisory activities.

In calling the meeting, the Board determined, on motion of Director James E. Gilleran (Director, Office of Thrift Supervision), seconded by Director John D. Hawke, Jr. (Comptroller of the Currency), concurred in by Director John M. Reich (Appointive), and Chairman Donald E. Powell, that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10)).

The meeting was held in the Board Room of the FDIC Building located at 550-17th Street, NW., Washington, DC.

Dated: September 30, 2002.

**Valerie J. Best,**

*Assistant Executive Secretary.*

[FR Doc. 02-25281 Filed 10-1-02; 2:05 pm]

**BILLING CODE 6714-01-M**

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## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than October 17, 2002.

**A. Federal Reserve Bank of Chicago** (Phillip Jackson, Applications Officer) 230 South LaSalle Street, Chicago, Illinois 60690-1414:

1. *Lawrence Gohlke*, Neshkoro, Wisconsin; Richard Gohlke, Neshkoro, Wisconsin, and Geoffrey Sawtelle, Neshkoro, Wisconsin; to acquire voting shares of Golden Sands Bankshares, Inc., Neshkoro, Wisconsin, and thereby indirectly acquire voting shares of Farmers Exchange Bank of Neshkoro, Neshkoro, Wisconsin.

Board of Governors of the Federal Reserve System, September 27, 2002.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 02-25093 Filed 10-2-02; 8:45 am]

**BILLING CODE 6210-01-S**

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## FEDERAL RESERVE SYSTEM

### Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the

companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 17, 2002.

**A. Federal Reserve Bank of Chicago** (Phillip Jackson, Applications Officer) 230 South LaSalle Street, Chicago, Illinois 60690-1414:

1. *Private Bancorp, Inc.*, Chicago, Illinois; to acquire Lodestar Investment Counsel, LLC, Chicago, Illinois, and thereby engage in financial and advisory activities, pursuant to §§ 225.28(b)(6) of Regulation Y.

**B. Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. *First Banks, Inc.*, Saint Louis, Missouri; to indirectly acquire Investment Counselors Incorporated, St. Louis, Missouri; and thereby engage in investment advisory activities, pursuant to § 225.28(b)(6) of Regulation Y.

Board of Governors of the Federal Reserve System, September 27, 2002.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 02-25094 Filed 10-2-02; 8:45 am]

**BILLING CODE 6210-01-S**

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## FEDERAL RESERVE SYSTEM

### Federal Open Market Committee; Domestic Policy Directive of August 13, 2002

In accordance with § 271.25 of its rules regarding availability of information (12 CFR part 271), there is set forth below the domestic policy directive issued by the Federal Open