

to appear, when: (1) The Agency, or any component thereof; (2) Any employee of the Agency in his or her official capacity; (3) Any employee of the Agency in his or her individual capacity where the Department of Justice or the Agency have agreed to represent the employee; or (4) The United States, if the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or the Agency is deemed by the Agency to be relevant and necessary to the litigation provided, however, that in each case it has been determined that the disclosure is compatible with the purpose for which the records were collected.

G. Disclosure to the National Archives—Information may be disclosed to the National Archives and Records Administration in records management inspections.

H. Disclosure to Contractors, Grantees, and Others—Information may be disclosed to contractors, grantees, consultants, or volunteers performing or working on a contract, service, grant, cooperative agreement, job, or other activity for the Agency and who have a need to have access to the information in the performance of their duties or activities for the Agency. When appropriate, recipients will be required to comply with the requirements of the Privacy Act of 1974 as provided in 5 U.S.C. 552a(m).

I. Disclosures for Administrative Claims, Complaints, and Appeals—Information from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other person properly engaged in investigation or settlement of an administrative grievance, complaint, claim, or appeal filed by an employee, but only to the extent that the information is relevant and necessary to the proceeding. Agencies that may obtain information under this routine use include, but are not limited to, the Office of Personnel Management, Office of Special Counsel, Merit Systems Protection Board, Federal Labor Relations Authority, Equal Employment Opportunity Commission, and Office of Government Ethics.

J. Disclosure to the Office of Personnel Management—Information from this system of records may be disclosed to the Office of Personnel Management pursuant to that agency's responsibility for evaluation and oversight of Federal personnel management.

K. Disclosure in Connection with Litigation—Information from this system of records may be disclosed in connection with litigation or settlement discussions regarding claims by or against the Agency, including public filing with a court, to the extent that disclosure of the information is relevant and necessary to the litigation or discussions and except where court orders are otherwise required under section (b)(11) of the Privacy Act of 1974, 5 U.S.C. 552a(b)(11).

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

These records are maintained in hard copy formats and computer processable storage media such as computer tapes and disks. The computer storage devices are located in the National Computer Center, Research Triangle Park, North Carolina. Backup tapes will be maintained at a disaster recovery site.

**RETRIEVABILITY:**

These records are retrieved by the employee identification number or name.

**SAFEGUARDS:**

Computer records are maintained in a secure password protected environment. Access to computer records is limited to those who have a need to know. Permission level assignments will allow users access only to those functions for which they are authorized. Paper records are maintained in locked metal file cabinets. All records are maintained in secure, access-controlled areas or buildings.

**RETENTION AND DISPOSAL:**

The retention of data in the system will in accordance with the U.S. EPA Records Schedule, as been approved by the National Archives and Records Administration. Employee records are retained on magnetic tapes for an indefinite period. Hard copy records are maintained for varying periods of time, at which time they are disposed of by shredding.

**SYSTEM MANAGER(S) AND ADDRESS:**

David Bloom, Acting Director, Financial Services Division, Office of the Comptroller, Office of Chief Financial Officer, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., (MC 2734R), Washington, DC 20460, 202-564-3013.

**NOTIFICATION PROCEDURES:**

Individuals who want to know whether this system of records contains information about them, who want to

access to their records, or who want to contest the contents of a record, should make a written request to the System Manager. Individuals must furnish the following information for their records to be located and identified:

- A. Full name.
- B. Date of birth.
- C. Social security number.
- D. Last employing organization (include duty station location) and, for former EPA employees, approximate date(s) of employment.
- E. Signature.

**RECORD ACCESS PROCEDURE:**

Individuals wishing to request access to their records should follow the Notification Procedures. Individuals requesting access will also be required to provide adequate identification, such as a driver's license, employee identification card, or other identifying document. Additional identification procedures may be required in some instances.

**CONTESTING RECORD PROCEDURE:**

Individuals requesting correction or amendment of their records should follow the Notification Procedures and also identify the record or information to be changed. Complete EPA Privacy Act procedures are set out in 40 CFR part 16.

**RECORD SOURCE CATEGORIES:**

Information in this system of records is provided by

- A. The individual on whom the record is maintained.
- B. Agency officials such as managers and supervisors.
- C. Consumer reporting agencies, debt collection agencies, Department of Treasury, and other Federal agencies.

**SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

None.

[FR Doc. 03-25807 Filed 10-9-03; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7571-6]

**Notice of Proposed Administrative Cost Recovery Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive

Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), notice is hereby given of a proposed administrative cost recovery settlement under Section 122(h)(1) of CERCLA concerning the Windham Alloys site in Windham, Ohio which was signed by the EPA Superfund Division Director, Region 5, on September 30, 2003. The settlement resolves EPA's claim for past costs under Section 107(a) of CERCLA against the estate of Tony D. Rubino, the Tony D. Revocable Trust, the Irene Rubino Revocable Trust and the trustee and executor of the trusts and estate, Jack Alpern (Settling Parties).

EPA has determined that the Settling parties are financially able to pay a portion of EPA's past costs if Settling Parties sell certain real property. The settlement requires the Settling Parties to use their best efforts to sell real property held in the estate and trusts and to pay to the Hazardous Substances Superfund a percentage of the proceeds from the sale of the real estate minus reasonable closing costs. The payments are due within 30 days of the transfers. If both properties sell for approximately their fair market value, the Settling Parties' payments to the Hazardous Substances Superfund will be approximately \$520,000.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the Superfund Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois.

**DATES:** Comments must be submitted on or before November 10, 2003.

**ADDRESSES:** The proposed settlement and additional background information relating to the settlement are available for public inspection at the Superfund Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois. A copy of the proposed settlement may be obtained from the Superfund Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois. Comments should reference the Windham Alloys site and EPA Docket No. V-W-03-760 and should be addressed to Randa Bishlawi, Associate Regional Counsel, 77 West Jackson

Boulevard (C-14)), Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Randa Bishlawi, (312) 886-0510, Associate Regional Counsel, 77 West Jackson Boulevard (C-14J), Chicago, Illinois 60604.

Dated: September 30, 2003.

**William E. Muno,**

*Director, Superfund Division, Region 5.*

[FR Doc. 03-25806 Filed 10-9-03; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Public Information Collection Approved by Office of Management and Budget

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Federal Communications Commission (FCC) received approval from the Office of Management and Budget (OMB) on September 26, 2003 for the information collection requirements contained in Report and Order and Memorandum Opinion and Order on Reconsideration, *In the Matter of Remedial Steps for Failure to Comply with Digital Television Construction Schedule* ("DTV Policy Statement"), MM Docket No. 02-113, FCC 03-77, at 68 FR 43329, July 22, 2003.

**DATES:** The information collection requirements published at 68 FR 43329, July 22, 2003, were approved on September 26, 2003.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Shaun Maher, Media Bureau, (202) 418-2324.

**SUPPLEMENTARY INFORMATION:** The DTV Policy Statement published at 68 FR 43329, July 22, 2003, established procedures to be followed when the staff denies a request to extend a television station's digital television (DTV) construction deadline. The information collection(s) were approved by OMB on September 26, 2003. OMB Control No. 3060-1041. If you have any comments on these burden estimates, or how we can improve the collection(s) and reduce the burden(s) they cause you, please write to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554. Please include the OMB Control Number, 3060-1041, in your correspondence. We will also

accept your comments regarding the Paperwork Reduction Act aspects of the collection(s) via the Internet, if you send them to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov) or call (202) 418-0217.

### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received approval from OMB on September 26, 2003 for the information collection requirements contained in the Commission's Report and Order and Memorandum Opinion and Order on Reconsideration, *In the Matter of Remedial Steps for Failure to Comply with Digital Television Construction Schedule*, MM Docket No. 02-113, FCC 03-77, at 68 FR 43329, July 22, 2003. The OMB Control Number is 3060-1041. The annual reporting burden for the collection(s) of information, including the time for gathering and maintaining the collection of information, is estimated to be: 400 respondents, an average of 1.2 hours per response per annum, for a total annual hour burden of 460, and \$304,000 in total annual costs.

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current valid OMB Control Number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid OMB Control Number. The OMB Control Number is 3060-1041.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, 44 U.S.C. 3507.

Federal Communications Commission.

**Marlene H. Dortch,**  
*Secretary.*

[FR Doc. 03-25739 Filed 10-9-03; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2633]

### Petition for Reconsideration of Action in Rulemaking Proceeding

October 3, 2003.

Petition for Reconsideration has been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of this document is available for viewing and copying in Room CY-A257, 445 12th Street, SW., Washington, DC or may be purchased