

**ENVIRONMENTAL PROTECTION AGENCY**

[OAR-2004-0089; FRL-7789-7]

**Agency Information Collection Activities: Proposed Collection; Comment Request; Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses, EPA ICR Number 1702.04, OMB Control Number 2060-0302****AGENCY:** Environmental Protection Agency.**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request to renew an existing approved collection. This ICR is scheduled to expire on November 30, 2004. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before September 20, 2004.

**ADDRESSES:** Submit your comments, referencing docket ID number OAR-2004-0089, to EPA online using EDOCKET (our preferred method), by e-mail to *a-and-r-docket@epamail.epa.gov*, or by mail to: EPA Docket Center, Environmental Protection Agency, Air and Radiation Docket and Information Center, Mail Code 6102T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Ms. Nydia Y. Reyes-Morales, Mail Code 6403J, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 343-9264; fax number: (202) 343-2804; e-mail address: *reyes-morales.nydia@epa.gov*.

**SUPPLEMENTARY INFORMATION:** EPA has established a public docket for this ICR under Docket ID number OAR-2004-0089, which is available for public viewing at the Air and Radiation Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Air and Radiation Docket is (202) 566-1742. An electronic version of the

public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified above.

Any comments related to this ICR should be submitted to EPA within 60 days of this notice. EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

**Affected entities:** Entities potentially affected by this action are manufacturers of retrofit equipment and urban bus fleet operators.

**Title:** Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses.

**Abstract:** Section 219(d) of the Clean Air Act, as amended in 1990, required that the EPA promulgate regulations for urban buses that: (a) Operate in Metropolitan Statistical Areas (MSA) or consolidated MSA's with a 1980 population of 750,000 or more (the program could be expanded in the future to MSA's of less than 750,000, under section 219(c) of the CAA); (b) are not subject to the 1994 or later urban bus standards; and (c) have their engines replaced or rebuilt after January 1, 1995. The CAA Amendments require the subject urban buses be retrofitted to comply with an emission standard that reflects the best retrofit technology and maintenance practices reasonably achievable. Under these provisions, EPA has set requirements for pre-1994 model

year urban buses that are effective after January 1, 1995, when urban bus engines are rebuilt or replaced. The program requires that the particulate emissions level of the urban bus engines be reduced to a level below the engines' original particulate level through the use of retrofit/rebuild equipment that is certified by EPA. The program will phase itself out as pre-1994 urban buses are retired from fleets. Responses to the collection of information are mandatory. All the information required by this collection is needed for the implementation and the activities of various EPA programs. The information is collected by the Engine Programs Group, Certification and Compliance Division, Office of Transportation and Air Quality, Office of Air and Radiation. Specific certification information submitted by manufacturers is held as confidential. Confidentiality of proprietary information is granted in accordance with the Freedom of Information Act, EPA regulations at 40 CFR 2, and class determinations issued by EPA's Office of General Counsel.

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 in 40 CFR are listed in 40 CFR part 9.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

**Burden Statement:** The annual public reporting and record keeping burden for this collection of information is estimated to average 20 hours per response for 159 respondents. Respondents will incur in estimated total operation and maintenance costs of \$105,700. No capital start-up costs or purchase of service costs are associated with this information collection. Burden

means 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.

Dated: July 13, 2004.

**Robert Brenner,**

*Acting Assistant Administrator, Office of Air and Radiation.*

[FR Doc. 04-16450 Filed 7-19-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[UT-001-0058; FRL-7789-8]

### Adequacy Status of the Provo, Utah Carbon Monoxide Redesignation and Maintenance Plan Emission Budgets for Transportation Conformity Purposes

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

**ACTION:** Notice of adequacy.

**SUMMARY:** In this document, EPA is notifying the public that we have found that the motor vehicle emissions budgets in the Provo, Utah Carbon Monoxide Redesignation and Maintenance Plan, that was submitted by the Utah Governor on April 1, 2004, are adequate for conformity purposes. On March 2, 1999, the D.C. Circuit Court ruled that budgets in submitted State Implementation Plans (SIPs) cannot be used for conformity determinations until EPA has affirmatively found them adequate. As a result of our finding, the Mountainland Association of Governments, the Utah Department of Transportation and the U.S. Department of Transportation are required to use the motor vehicle emissions budgets from this submitted maintenance plan for future transportation conformity determinations.

**DATES:** This finding is effective August 4, 2004.

### FOR FURTHER INFORMATION CONTACT:

Jeffrey Kimes, Air & Radiation Program (8P-AR), United States Environmental Protection Agency, Region 8, 999 18th Street, Suite 300, Denver, Colorado 80202-2466, (303) 312-6445. The letter documenting our finding is available at EPA's conformity Web site: <http://www.epa.gov/otaq/transp/conform/adequacy.htm>.

### SUPPLEMENTARY INFORMATION:

Throughout this document wherever "we", "us", or "our" are used we mean EPA.

This action is simply an announcement of a finding that we have already made. We sent a letter to the Utah Division of Air Quality on June 30, 2004, stating that the motor vehicle emissions budgets in the submitted Provo, Utah Carbon Monoxide Redesignation and Maintenance Plan are adequate. This finding has also been announced on our conformity Web site at <http://www.epa.gov/otaq/transp/conform/adequacy.htm>.

Transportation conformity is required by section 176(c) of the Clean Air Act. Our conformity rule requires that transportation plans, programs, and projects conform to SIPs and establishes the criteria and procedures for determining whether or not they demonstrate conformity. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from our completeness review, and it also should not be used to prejudge our ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved, and vice versa.

We have described our process for determining the adequacy of submitted SIP budgets in a memo entitled, "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision," dated May 14, 1999. We followed this guidance in making our adequacy determination.

For the reader's ease, we have excerpted the motor vehicle emission budgets from the Provo, Utah Carbon Monoxide Redesignation and Maintenance Plan and they are as follows: Motor vehicle emissions budget for the year 2014 is 70.44 tons per day of CO. The final year budget, for the

year 2015 and beyond, is 72.10 tons per day of CO.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: July 9, 2004.

**Robert E. Roberts,**

*Regional Administrator, Region VIII.*

[FR Doc. 04-16451 Filed 7-19-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7790-2]

### Notice of Availability of the "Draft Model Application/Information Request for CERCLA Service Station Dealer Exemption" Under Section 114(c) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is announcing the availability for review and comment of the draft document entitled "Draft Model Application/Information Request for CERCLA Service Station Dealer Exemption."

**DATES:** Comments on the "Draft Model Application/Information Request for CERCLA Service Station Dealer Exemption" must be received by August 13, 2004.

**ADDRESSES:** Comments may be sent by e-mail to [boushell.susan@epa.gov](mailto:boushell.susan@epa.gov), mailed to Susan Boushell, Office of Site Remediation Enforcement (Mail Code 2273A), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20006, or delivered to Susan Boushell, Ariel Rios South Building, 1200 Pennsylvania Avenue, NW., Room 6233Q, Washington, DC 20006, (202) 564-2173.

**FOR FURTHER INFORMATION CONTACT:** Susan Boushell, EPA's Office of Site Remediation Enforcement, (202) 564-2173 or [boushell.susan@epa.gov](mailto:boushell.susan@epa.gov).

**SUPPLEMENTARY INFORMATION:** On February 3, 2004 (29 FR 5147), EPA published a notice of availability for public comment on the "Draft Model CERCLA Application/Information Request for Service Station Dealers." In response to comments received, EPA revised the draft model and is making the revised draft model available for public comment. The revised draft model, entitled "Draft Model Application/Information Request for CERCLA Service Station Dealer Exemption," will be available on the