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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]

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## 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