

south of the Smyrna River in Delaware. Data have been collected on types of shorelines impacted and degree(s) of oiling that will be used to define the extent and degree of impact.

(B) *Birds and Wildlife*: Aerial and ground surveys were conducted following the incident assess the species composition and abundance of birds in the spill area, as well as the extent and degree of oiling of non-recovered wildlife. By May 2005, a number of oiled birds were observed; 206 wild birds were collected dead, died at the rehabilitation center, or were unable to be released to the wild, and 337 birds were rehabilitated and released alive. Recovered wildlife that were collected dead or died at the rehabilitation center included three turtles, one squirrel, one opossum, one red fox, and one woodchuck. Two turtles were unable to be released to the wild and were placed domestically. The trustees have developed studies to determine the impact of the incident on birds and wildlife.

(C) *Aquatic resources*: Oil was observed suspended though the water column and on the river bottom. The trustees collected numerous water, sediment, and fish and shellfish tissue samples that will be used to assess the effect of the incident on aquatic resources during the damage assessment.

(D) *Lost Use*: Following the incident, hunting and boating advisories were issued in Delaware and New Jersey, closing certain areas. In Delaware, state lands were closed to hunting as far south as Cedar Swamp Wildlife Area. In New Jersey, the hunting advisory included most areas within five miles of the River from the Tacony-Palmyra Bridge to the nuclear power facility in Salem, NJ. The advisories were in effect for about two weeks.

Although response actions were pursued, the nature of the discharge and the sensitivity of the environment precluded prevention of injuries to some natural resources. The trustees believe that injured natural resources could return to baseline through natural or enhanced recovery, but interim losses have occurred and will continue to occur until a return to baseline is achieved.

Feasible compensatory restoration actions exist to address injuries from this incident. Restoration actions that could be considered may include, but are not limited to: Replanting native wetland vegetation in appropriate areas, creation, enhancement or protection of marsh or other habitat with similar service flows, protection of endangered species, removal of dams and

installation of fishways to enhance propagation of migratory fish, creation of oyster reef habitat, creation of submerged aquatic vegetation habitat, and creation of bird colony areas.

Assessment procedures are available to evaluate the injuries and define the appropriate type and scale of restoration for the injured natural resources and services. Among these procedures are bird and marsh habitat injury assessment studies to be used in conjunction with the Resource Equivalency Analysis (REA) and Habitat Equivalency Analysis (HEA), respectively, to determine compensation for injuries to birds and marsh habitats. Models, comparisons to observations of injury resulting from similar incidents, or other methodologies are available for evaluating injuries to the ecosystem.

*Public Involvement*: Pursuant to 15 CFR 990.44(c), the trustees seek public involvement in restoration planning for this incident, through public review of and comments on the documents contained in the administrative record. The record is on file at the NOAA Damage Assessment Center in Silver Spring, Maryland, and can be viewed electronically at: <http://www.darrp.noaa.gov/northeast/athos/index.html>.

NOAA, as the Lead Administrative Trustee, and on behalf of the natural resource trustees of the [the other trustees], pursuant to the determinations made above and in accordance with 15 CFR 990.44(d), hereby provides this Notice of Intent to Conduct Restoration Planning and invites its participation in conducting the restoration planning for this incident.

Dated: June 27, 2006.

**Ken Barton,**

*Acting Director, Office of Response and Restoration, National Ocean Service, National Oceanic and Atmospheric Administration.*

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## CONSUMER PRODUCT SAFETY COMMISSION

### OMB Approval Under the Paperwork Reduction Act; Standard for the Flammability (Open Flame) of Mattress Sets

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of OMB approval of collection of information.

**SUMMARY:** This document announces the Office of Management and Budget's (OMB) approval of the Commission's

collection of information requirements contained in the Standard for the Flammability (Open Flame) of Mattress Sets, 16 CFR part 1633, under OMB Control No. 3041-0133.

**FOR FURTHER INFORMATION CONTACT:**

Linda Glatz, Management and Program Analyst, at 301-504-7671, or e-mail at [lglatz@cpsc.gov](mailto:lglatz@cpsc.gov).

**SUPPLEMENTARY INFORMATION:** On March 15, 2006, the Consumer Product Safety Commission published in the **Federal Register**, 71 FR 13472, a standard for the flammability (open flame) of mattresses pursuant to section 4 of Flammable Fabrics Act, 15 U.S.C. 1193. The standard requires manufacturers (including importers) of mattress sets to perform testing and maintain records of their testing and quality assurance programs, effective July 1, 2007. The Commission submitted the proposed collection of information requirements to OMB for review as required under the Paperwork Reduction Act, 44 U.S.C. 3501-3520. On June 8, 2006, OMB approved the collection of information and issued Control Number 3041-0133, with an expiration date of June 30, 2009. 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 control number. We are providing this Notice to inform the public that the Commission has received OMB approval under Control Number 3041-0133.

Dated: June 27, 2006.

**Todd A. Stevenson,**

*Secretary, Consumer Product Safety Commission.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

[No. DoD-2006-HA-0015]

### Submission for OMB Review; Comment Request

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

**DATES:** Consideration will be given to all comments received by August 2, 2006.

*Title, Form and OMB Number:* TRICARE DoD/CHAMPUS Medical Claim Patient's Request for Medical Payment; DD Form 2642; OMB Control Number 0720-0006.