

Magalie R. Salas,
Secretary.

[FR Doc. E4-1792 Filed 8-11-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER04-699-000, ER03-1272-002, ER98-4410-000, ER98-4410-001, ER98-4410-002, EL02-101-000, EL02-101-001, and EL02-101-002]

Entergy Services, Inc., CLECO Power, LLC Dalton Utilities Entergy Services, Inc., Georgia Transmission Corporation, JEA, MEAG Power, Sam Rayburn G&T Electric Cooperative, Inc., Southern Company Services, Inc., City of Tallahassee, FL; Notice of Comment Period

August 6, 2004.

On July 29-30, 2004, the Federal Energy Regulatory Commission (FERC) held a technical conference to discuss issues raised by Entergy Services Inc.'s (Entergy) proposal in Docket No. ER04-699-000 to, among other things, establish an Independent Coordinator of Transmission (ICT), as well as to address additional proceedings currently pending before the Commission that raise issues of transmission access on the Entergy system. Members of the FERC, the Louisiana Public Service Commission, the Arkansas Public Service Commission, the Mississippi Public Service Commission and the Council of the City of New Orleans, as well as the staff of the Public Utilities Commission of Texas, participated in the discussions. In addition, the Commission heard from speakers representing various market participants on Entergy's system.

Any party wishing to provide additional or supplemental comments as a result of issues discussed at the conference should file such comments no later than August 31, 2004. Comments may be filed electronically via the Internet in lieu of filing by paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link. For additional information, please contact Anna Cochrane at (202) 502-6357; anna.cochrane@ferc.gov.

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ENVIRONMENTAL PROTECTION AGENCY

[OW-2004-0017, FRL-7800-6]

**Agency Information Collection
Activities: Proposed Collection;
Comment Request; Combined Sewer
Overflow Control Policy, EPA ICR
Number 1680.03, OMB Control Number
2040-0170**

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 October 31, 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 October 12, 2004.

ADDRESSES: Submit your comments, referencing docket ID number OW-2004-0017 to EPA online using EDOCKET (our preferred method), by email to OW-DOCKET@epa.gov, or by mail to: EPA Docket Center, Environmental Protection Agency, Water Docket (Mail Code 4101T), 1200 Pennsylvania Ave., NW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Timothy J. Dwyer, Environmental Protection Agency, Water Permits Division (4203M), 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 202-564-0717; fax number: 202-564-6392; e-mail address: dwyer.tim@epa.gov.

SUPPLEMENTARY INFORMATION: EPA has established a public docket for this ICR under Docket ID number OW-2004-0017, which is available for public viewing at the Water 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 Water Docket is (202) 566-2426. 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 approximately 770 municipalities with combined sewer systems, which are covered by EPA's Combined Sewer Overflow (CSO) Control Policy.

Title: Combined Sewer Overflow Control Policy (OMB Control No. 2040-0170; EPA ICR No. 1680.03) expiring on October 31, 2004.

Abstract: EPA is proposing to continue its ICR for the Combined Sewer Overflow (CSO) Control Policy. The ICR was approved in April 1994. The first renewal was approved in September 1997; the second in October 2001. This renewal ICR includes the burden associated with documenting implementation of the nine minimum controls identified in the CSO control policy, public notification of CSO events and their impacts, developing and submitting long-term CSO control plans (LTCPs), and post-construction compliance monitoring.

Combined sewer systems (CSSs) serve approximately 770 municipalities, primarily in the Northeast and Great Lakes regions. This number is smaller than that in the former ICR largely

because the Agency has better data on the number of municipalities with combined sewer systems nationwide. CSOs occur when these systems overflow and discharge to receiving waters prior to treatment in a publicly owned treatment works (POTW).

The CSO Control Policy, published on April 19, 1994 (59 FR 18688), is a national framework for controlling CSOs through the National Pollutant Discharge Elimination System (NPDES) permitting program. The Policy represents a comprehensive national strategy to ensure that municipalities with CSSs, NPDES permitting authorities, water quality standards authorities, and the public engage in a comprehensive and coordinated planning effort to achieve cost-effective CSO controls that ultimately need appropriate health and environmental objectives, including compliance with water quality standards. In December 2000, the Wet Weather Water Quality Standards Act amended the Clean Water Act by adding Section 402(q). Among other things, Section 402(q)(1) requires that permits, orders, and decrees issued after its date of enactment, shall conform to the EPA's 1994 CSO Control Policy.

Among the provisions in the CSO Policy are the "nine minimum controls" (NMC), which are technology-based actions or measures designed to reduce the magnitude, frequency, and duration of CSOs and their effects on receiving water quality. The CSO Control Policy provided for implementation of the NMC by January 1, 1997.

One of the NMC is public notification of CSO occurrences and impacts. Public notification is of particular concern at beach and recreation areas directly or indirectly affected by CSOs, where public exposure is likely to be significant. That burden continues to be included in this renewal.

The CSO Control Policy also contains a provision for the development of long-term control plans. The policy delineates that permit writers require permittees to develop a long-term plan within two years of the issuance of a NPDES permit or other enforceable mechanism containing such a requirement. The core of the plan is the development and evaluation of long-term control alternatives. One of the elements of the long-term plan is the development of a post-construction compliance monitoring program to be implemented when selected controls are completed. OMB's approval of the initial ICR for the CSO Control Policy recommended that the renewal ICRs include EPA's best estimate of the burden associated with a reasonable and

targeted compliance monitoring program.

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: Based on the information collection requirements in the existing ICR, the estimated burden reflected in this ICR is 1,754,877 hours and a cost of \$61,964,707.

Of this total, the portion for municipalities with combined sewer systems is 1,699,696 hours at a cost of \$60,016,265 including start-up costs of \$182,125 for the third party notification under the Nine Minimum Controls (NMC) in the CSO Policy. The estimated burden on each of 585 municipalities for DMR reporting and recordkeeping is 417 hours and \$14,724. The estimated burden on each of 490 municipalities for NMC reporting and long-term control plan development and submission is 3,011 hours and \$106,313 and for third-party notification, 27 hours and \$940.

The estimated burden for Federal and State governments is 4,894 hours and \$172,807 and 55,181 hours and \$1,948,441, respectively. This includes the burden associated with reviewing the DMRs, the NMC documentations, and the long-term control plans submitted by the respondents, and reissuing NPDES permits or issuing other enforceable mechanisms to municipalities with CSSs to implement the CSO Control Policy. The annual average burden for Federal and State review of DMRs, NMC documentations, and long-term control plans is 1,325

hours and \$46,774 and 15,807 hours and \$532,722, respectively. The annual average burden associated with reissuing NPDES permits or issuing other enforceable mechanisms to CSO municipalities is 307 hours and \$10,828 for the Federal government and 3,307 hours and \$116,758 for State governments.

The estimated burden on the States to report summary information to EPA for oversight of the EPA's CSO Control Policy and for GPRA purposes is 1,200 hours and \$42,351.

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: August 5, 2004.

James A. Hanlon,

Director, Office of Wastewater Management.

[FR Doc. 04-18460 Filed 8-11-04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7798-8]

Notice of Proposed Administrative 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(h) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement concerning the Imperial Refining Superfund Site, with Hogan Family, L.L.C.

The settlement requires the settling parties to pay a total of \$300,575.29