

estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This increase is due to the omission of the burden associated with annual compliance certifications in the active ICR which was corrected in its renewal. The slabstock foam producers are complying with the annual compliance certification requirement concurrently with the semiannual reports and therefore, do have an additional burden associated with it. However, the molded/rebond foam producers only have the annual compliance certification reporting requirement and its burden must be accounted for in the ICR separately.

Dated: January 13, 2004.

Deborah Williams,

Acting Director, Collection Strategies Division.

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-2003-0085, FRL-7613-5]

Agency Information Collection Activities; Submission to OMB; Comment Request; Pesticide Product Registration Maintenance Fee

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Pesticide Product Registration Maintenance Fee; EPA ICR Number: 1214.06; OMB Control Number: 2070-0100. The ICR, which is abstracted below, describes the nature of the information collection activity and its expected burden and costs.

DATES: Additional comments may be submitted on or before February 26, 2004.

ADDRESSES: Submit your comments, referencing docket ID number OPP-2003-0085, to (1) EPA online using EDOCKET (our preferred method), by e-mail to opp-docket@epa.gov, or by mail to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Mailcode: 7502C, 1200 Pennsylvania Ave., NW., Washington, DC 20460, and (2) OMB at: Office of Information and Regulatory Affairs, Office of

Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Nancy Vogel, Field and External Affairs Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 305-6475; fax number: (703) 305-5884; e-mail address: vogel.nancy@epa.gov.

SUPPLEMENTARY INFORMATION: EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. The **Federal Register** document, required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on April 2, 2003 (68 FR 16023). EPA received no comments on this ICR during the 60-day comment period.

EPA has established a public docket for this ICR under Docket ID No. OPP-2003-0085, which is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to 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 and OMB within 30 days of this notice. Please note, 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>.

ICR Title: Pesticide Product Registration Maintenance Fee (EPA ICR 1214.06, OMB Control No. 2070-0100).

ICR Status: This is a request for extension of an existing approved collection that is currently scheduled to expire on January 31, 2004. EPA is asking OMB to approve this ICR for three years. Under 5 CFR 1320.12(b)(2), the Agency may continue to conduct or sponsor the collection of information while the submission is pending at OMB.

Abstract: This information collection activity provides the Agency with the means to collect registration maintenance fees from pesticide registrants as required by law. Respondents complete and submit EPA Form 8570-30, indicating their liability for the registration maintenance fee. No changes in the substance or in the method of collection is proposed in this ICR renewal request. Each affected firm is required to complete the filing form and submit their fee payment by January 15 of each year.

Every year, the Agency provides registrants a list of the registered products currently registered with the Agency. Registrants are provided the opportunity to review the list, determine its accuracy, and remit payment of the maintenance fee. The list of products has space identified for marking those products to be supported and those products that are to be canceled. The registrants are also instructed to identify any products on the list which they believe to be transferred to another company, and to add to the list any products which the company believes to be registered that are not on the Agency-provided list. The failure to pay the required fee for a product will result in cancellation of that product.

Burden Statement: The annual "respondent" burden for this ICR is estimated to be 1,763 hours. According to the Paperwork Reduction Act, "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. For this collection, it is the time reading the regulations, planning the necessary data collection activities, conducting tests, analyzing data, generating reports and completing other required paperwork, and storing,

filing, and maintaining the data. The 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 number for this information collection appears at the beginning and the end of this document. In addition OMB control numbers for EPA's regulations, after initial display in the final rule, are listed in 40 CFR part 9.

The following is a summary of the burden estimates taken from the ICR:

- *Respondents/affected entities:* Pesticide registrants.
- *Estimated total number of potential respondents:* 1,900.
- *Frequency of response:* Annual.
- *Estimated total/average number of responses for each respondent:* 1.
- *Estimated total annual burden hours:* 1,763 hours.
- *Estimated total annual burden costs:* \$178,690.

Changes in the ICR Since the Last Approval: The total estimated annual respondent cost for this ICR has decreased by 95 hours (from 1,858 to 1,763), due mainly to a decrease in the number of responses expected. Although the number of responses have decreased over those in the previous ICR, estimated costs have increased by about \$820 (from roughly \$177,871 to \$178,690) because of an increase in the estimated labor rates for respondents. These changes are explained more fully in the ICR.

According to the procedures prescribed in 5 CFR 1320.12, EPA has submitted this ICR to OMB for review and approval. Any comments related to the renewal of this ICR should be submitted within 30 days of this notice, as described above.

Dated: January 20, 2004.

Doreen Sterling,

Acting Director, Collection Strategies Division.

[FR Doc. E4-118 Filed 01-26-04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7614-4]

Two Proposed Administrative Settlements Under the Comprehensive Environmental Response, Compensation, and Liability Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.

SUMMARY: In accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601 *et seq.*, notice is hereby given that the United States Environmental Protection Agency is proposing to enter into an Agreement and Covenant Not to Sue (Prospective Purchaser Agreement) with Kelly Development LLC and a Settlement Agreement with responsible parties at the Frontier Hard Chrome National Priorities List Superfund Site.

The Frontier Hard Chrome Site is located at 113 Y Street in Vancouver, Washington. The Site is the location of the former Frontier Hard Chrome chrome-plating facility. Discharges of chrome-plating waste at the Site have resulted in a plume of chromium-contaminated groundwater. The Site was listed on the National Priorities List and is being remediated by EPA using Superfund money pursuant to an Amended Record of Decision issued on August 30, 2001.

The Property on which the chrome-plating facility was located is owned by Walter Neth, the Estate of Otto Neth, and the Lillian Mae Neth Family Trust (Settling PRPs). The Settling PRPs are seeking to sell the Property to Kelly Development LLC (Kelly). Kelly intends to purchase the Property, as well as the adjacent property, for development for light industrial uses, offices, and storage space.

The proposed Prospective Purchaser Agreement would resolve certain potential claims of the United States under sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), and section 7003 of RCRA, 42 U.S.C. 6973 against Kelly Development LLC that may otherwise result from Kelly acquiring Site property. It would also grant a waiver of any lien that EPA may have on the Property under section 107(r) of CERCLA, 42 U.S.C. 9607(r), as a result of response actions conducted by EPA on the Property. The proposed Settlement Agreement would resolve claims of the United States under sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a) against the Settling PRPs.

In exchange for its covenant not to sue in both agreements, EPA is receiving \$180,000 less 87.5% of Settling PRPs' closing costs to be paid to a Superfund Special Account for use at the Site. Settling PRPs are also creating a Frontier Hard Chrome Environmental Trust (Trust), into which \$30,000 will be paid. The total of \$210,000 is 87.5% of the amount Kelly is paying to purchase the Site Property from the Settling PRPs. Settling PRPs are also funding the Trust with insurance policies covering the

Site. The Trustee will pursue these policies and whatever proceeds are received will be transferred to the Superfund Special Account for the Site.

EPA is allowing thirty (30) days for public comments. For thirty calendar days following the date of publication of this notice, EPA will receive written comments relating to the proposed Prospective Purchaser Agreement and Settlement Agreement. EPA's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region 10, 1200 Sixth Ave., Seattle, WA 98101.

DATES: Comments must be submitted on or before February 26, 2004.

ADDRESSES: The proposed Prospective Purchaser Agreement, Settlement Agreement, and additional background documents relating to the settlements are available for public inspection at the Environmental Protection Agency, Region 10, 1200 Sixth Ave., Seattle, WA 98101. A copy of the proposed settlements may be obtained from Jennifer Byrne, Assistant Regional Counsel (ORC-158), Office of Regional Counsel, EPA Region 10, Seattle, WA 98101. Comments should reference "Frontier Hard Chrome Settlements" and "Docket No. CERCLA-10-2003-0009" and should be addressed to Jennifer Byrne at the above address.

FOR FURTHER INFORMATION CONTACT: Jennifer Byrne, Assistant Regional Counsel (ORC-158), Office of Regional Counsel, EPA Region 10, Seattle, WA 98101; phone: (206) 553-0050; fax: (206) 553-0163; e-mail: byrne.jennifer@epa.gov.

Dated: August 4, 2003.

L. John Iani,

Regional Administrator, Region 10.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7613-4]

Public Water Supply Supervision Program Revision for the State of New Jersey

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Tentative Approval and Solicitation of Request for a Public Hearing for Public Water System Supervision Program Revision for the State of New Jersey.

SUMMARY: Notice is hereby given that the United States Environmental Protection Agency (EPA) has