

*ICR numbers:* EPA ICR No. 2147.02, OMB Control No. 2070-0167.

*ICR status:* This ICR is a renewal of an existing ICR that is currently approved by OMB and is due to expire on September 30, 2004.

*Abstract:* OMB approved the information collection activities described in this ICR under OMB Control No. 2070-0167 on March 16, 2004 in response to EPA's emergency processing request. EPA requested emergency processing under section 3507(j) of the PRA (44 U.S.C. 3501 *et seq.*), as implemented in OMB regulations at 5 CFR 1320.13, of the collection of information necessary for waiving pesticide registration fees as prescribed in the newly enacted Pesticide Registration Improvement Act of 2003 (PRIA). A copy of the emergency request submitted to OMB (EPA ICR No. 2147.01) and the related OMB action notice approving that request has been placed in the docket identified under Docket ID Number OPP-2004-0092.

EPA sought emergency processing of the existing approval because the collection of information necessary for processing the fee waiver requests was needed prior to the expiration of the time periods established under the PRA. The collection of this information at the time the waiver is requested is necessary for the Agency to be able to waive the fees, and proceed with making a decision on the related application. The statute was enacted on January 23, 2004, with a statutory effective date of March 23, 2004, at which time the fee waiver requests can be submitted to the Agency. The statutory implementation time frame does not allow the Agency to follow the regular process for ICRs under the PRA, which includes two comment periods with 60 day and 30 day time frames. EPA asked OMB to take action on the emergency request within 2 work days of receipt, and asked that OMB approve the collection for the full 180 days permitted by the regulations.

The collection activities covered by this ICR will allow the Agency to process requests for waivers of fees under the PRIA by ensuring that those requesting the waivers provide EPA with appropriate documentation demonstrating that they meet the waiver criteria established in the PRIA. The ICR covers the collection activities associated with requesting a fee waiver and involves requesters submitting a waiver request, information to demonstrate eligibility for the waiver, and certification of eligibility. Waivers are available for small businesses, for minor uses, and for actions solely associated with the Inter-Regional

Research Project Number 4 (IR-4). State and Federal Agencies are exempt from the payment of fees.

#### V. What are EPA's Burden and Cost Estimates for This ICR?

Under the PRA, "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 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.

The ICR provides a detailed explanation of this estimate, which is only briefly summarized in this notice. The annual public burden for this ICR is estimated to be 21,600 hours for the first year of implementation, and 18,720 hours in subsequent years. The following is a summary of the estimates taken from the ICR:

*Respondents/affected entities:* Applicants for pesticide registration actions.

*Estimated total number of potential respondents:* 360 annually.

*Frequency of response:* On occasion.

*Estimated total/average number of responses for each respondent:* 1.

*Estimated total annual burden hours:* 21,600 hours.

*Estimated total annual burden costs:* \$1,879,200.

#### VI. Does the Proposed Renewal ICR Include Any Changes Over the Emergency Approval?

The burden and costs estimates are the same, but the detailed description is new.

#### VII. What Is the Next Step in the Process for This ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any

questions about this ICR or the approval process, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### List of Subjects

Environmental protection, Reporting and recordkeeping requirements.

Dated: March 18, 2004.

**Susan B. Hazen,**

*Acting Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances.*  
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**BILLING CODE 6560-50-S**

### ENVIRONMENTAL PROTECTION AGENCY

[CA116-NOA; FRL-7639-8]

#### Adequacy Status of the South Coast and Coachella Valley, CA; Attainment and Maintenance Plans for Transportation Conformity Purposes

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

**ACTION:** Notice of adequacy determination.

**SUMMARY:** In this notice, EPA is notifying the public that we have found that the motor vehicle emissions budgets contained in California plans for attainment of the 1-hour ozone, PM10, and carbon monoxide (CO) National Ambient Air Quality Standards (NAAQS) and maintenance of the nitrogen dioxide (NO2) NAAQS in the South Coast, and attainment of the PM10 NAAQS in the Coachella Valley, are adequate for transportation conformity purposes. As a result of our finding, the Southern California Association of Governments, the Federal Highway Administration, and the Federal Transit Authority must use the motor vehicle emissions budgets from the submitted plan for future conformity determinations.

**DATES:** This determination is effective April 9, 2004.

**FOR FURTHER INFORMATION CONTACT:** The finding is available at EPA's conformity Web site: <http://www.epa.gov/otaq/transp/conform/reg9sips.htm>. You may also contact Dave Jesson, U.S. EPA, Region IX, Air Division, AIR-2, 75 Hawthorne Street, San Francisco, CA 94105-3901; (415) 972-3957 or [jesson.david@epa.gov](mailto:jesson.david@epa.gov).

**SUPPLEMENTARY INFORMATION:** This notice announces our finding that the following emissions budgets contained in the 2003 South Coast Air Quality Management Plan and the 2003 Coachella Valley PM10 State

*Implementation Plan*, submitted by the California Air Resources Board (CARB) on January 9, 2004, are adequate for transportation conformity purposes: 1-hour ozone budgets for volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>) for the years 2005, 2008, and 2010, as part of the 1-hour ozone attainment plan for the South Coast Air Basin; PM10 budgets for VOC, NO<sub>x</sub>, and PM10 for the years 2003 and 2006, as part of the PM10 attainment plan for the South Coast; CO budget for CO for the year 2002, as part of the CO attainment plan for the South Coast; NO<sub>2</sub> budget for NO<sub>x</sub> for the year 2003, as part of the NO<sub>2</sub> maintenance plan for the South Coast Air Basin; and PM10 budgets for PM10 for the years 2003 and 2006, as part of the PM10 attainment plan for the Coachella Valley. EPA Region IX made these findings in letters to CARB on March 11, 2004. We are also announcing these findings on our conformity Web site: <http://www.epa.gov/otaq/transp/conform/reg9sips.htm>.

The methodology for estimating paved road dust emissions in the South Coast and Coachella Valley PM10 plans and budgets is consistent with EPA's AP-42 emissions factors, with one exception: California did not use correction factor C in the current version of AP-42, which subtracts out MOBILE6.2 1980's fleet exhaust emissions, brake wear, and tire wear. California-specific roadway silt loading inputs to the emission factor equation were derived from measurements by Midwest Research Institute. The unpaved road dust emissions factor was based on measurements performed by the University of California, Davis, and the Desert Research Institute. We are specifically approving the State's reentrained dust methodologies for paved and unpaved roads for use in future conformity analyses.

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 state air quality implementation plans (SIPs) and establishes the criteria and procedures for determining whether or not they conform. 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 emissions budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). One of these criteria is that the plan provide for attainment or maintenance (as appropriate) of the

relevant ambient air quality standard. We have preliminarily determined that the South Coast SIP submittal provides for progress and attainment of the 1-hour ozone, PM10, and CO NAAQS, and maintenance of the nitrogen dioxide (NO<sub>2</sub>) NAAQS, and that the budgets associated with the plans are consistent with the plan and, therefore, can be found adequate. Similarly, we have preliminarily determined that the Coachella Valley SIP submittal provides for progress and attainment of the PM10 NAAQS, and that the budgets associated with the plan are consistent with the plan and, therefore, can be found adequate.

We have described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memo titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision"). We followed this guidance in making our adequacy determination on the budgets in the South Coast and Coachella Valley SIP submittals.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: March 12, 2004.

**Laura Yoshii,**

*Acting Regional Administrator, Region IX.*

[FR Doc. 04-6696 Filed 3-24-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7640-2]

### Notice of Availability of and Opportunity To Provide Comment on Issues in the Staff Paper: An Examination of EPA Risk Assessment Principles and Practices

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

**ACTION:** Notice of availability and opportunity to comment.

**SUMMARY:** Today, the EPA is announcing the availability of and an opportunity to comment on issues in an EPA staff paper titled "An Examination of EPA Risk Assessment Principles and Practices."

The paper is a product of an EPA staff review of how risk assessment is conducted at EPA. It also presents staff recommendations for EPA and interested parties to consider how EPA can strengthen and, where appropriate, improve its risk assessment practices. The EPA Science Advisor and other senior EPA officials requested this review to further the discussion and examination of some broad questions about risk assessment. The staff paper

also discusses public comments relevant to EPA that were submitted to the Office of Management and Budget (OMB) in response to OMB's request for public comment on risk assessment procedures in the Federal government (68 FR 5492-5527, February 3, 2003). EPA assembled a group of risk assessment professionals from across EPA to examine EPA's risk assessment principles and practices, and to prepare this paper. This paper does not represent official EPA policy.

The staff paper will not be revised further. EPA is releasing the staff paper as the first step in a multi-step process by which EPA intends to engage interested parties in a dialogue about risk assessment principles and practices to improve the practice of risk assessment. Accordingly, EPA is requesting public comment on the risk assessment principles and practices described in the paper with the objective of identifying particular issues for future dialogue. Future dialogue on particular issues may come, for example, in discussions under the auspices of EPA's Science Advisory Board, other consultative groups, and professional societies with a focus on risk assessment and with states, non-governmental organizations, and tribal groups. EPA is interested in suggestions for other avenues for dialogue as well.

**DATES:** Comments must be received by June 23, 2004.

**ADDRESSES:**

#### Document Availability

The staff paper, "An Examination of EPA Risk Assessment Principles and Practices," is available via the Internet from <http://www.epa.gov/osa>.

#### Submitting Comments

Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit II.A. of the **SUPPLEMENTARY INFORMATION** section.

#### Viewing Public Comments

Comments may be viewed electronically. Follow the detailed instructions as provided in Unit II.B. of the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** For information only, contact Dr. Kerry Dearfield, Office of the Science Advisor (8105R), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460, telephone 202-564-4499, or send electronic mail inquiries to [science.advisor@epa.gov](mailto:science.advisor@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### I. Background Information

The staff paper, "An Examination of EPA Risk Assessment Principles and