

demonstrate compliance with the emission standards by monitoring their control devices and performing annual emissions testing. This information notifies EPA when a source becomes subject to the regulations, informs the Agency if a source is in compliance when it begins operation, and informs the Agency if the source remained in compliance during any period of operation.

In the Administrator's judgment, emissions of hazardous air pollutants (HAPs) from halogenated solvent cleaners may cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, NESHAP standards were promulgated for this source category, as required under section 112 of the Clean Air Act. HAP emissions from halogenated solvent cleaners are the result of inadequate equipment design and work practices.

These standards rely on the proper design and operation of halogenated solvent cleaning machines such as working-mode covers, a freeboard ratio of 1.0, and reduced room draft to reduce solvent emissions from halogenated solvent cleaners. Certain records and reports are necessary to enable EPA to identify sources subject to the standards and to ensure that the standards are being achieved.

Owners/operators of halogenated solvent cleaners must provide EPA with an initial notification of existing or new solvent cleaning machines, initial statements of compliance, an annual control device monitoring report (owners/operators of batch vapor and in-line cleaning machines), an annual solvent emission report (owners/operators of batch vapor and in-line cleaning machines complying with the alternative standard), and exceedance of monitoring parameters or emissions. The records that the facilities maintain indicate to EPA whether they are operating and maintaining the halogenated solvent cleaners properly to control emissions. In order to ensure compliance with the standards promulgated to protect public health, adequate reporting and recordkeeping is necessary. In the absence of such information, enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act.

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 are listed in 40 CFR part 9 and 48 CFR chapter 15,

and are identified on the form and/or instrument, if applicable.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information are estimated to average 14 hours per response. 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.

**Respondents/Affected Entities:** Owners/Operators of solvent cleaning machines.

**Estimated Number of Respondents:** 1,431.

**Frequency of Response:** Initially, quarterly, semiannually, and annually.

**Estimated Total Annual Hour Burden:** 41,035 hours.

**Estimated Total Annual Costs:** \$3,852,248 which includes zero annualized capital/startup costs and \$1,015,000 annual O&M costs.

**Changes in the Estimates:** There is no change in the number of respondents identified in the active ICR, due to stagnant growth in the industry; however, there is a decrease of 4,172 hours in the estimated Burden currently identified in the OMB Inventory of Approved ICR Burdens. The reason for the decrease in burden was a correction of the active ICR estimated burden calculation for existing sources. A rule promulgated in December 1994 stated that existing sources were not required to comply with the standard recordkeeping and reporting requirements after December 1997; thus the requirement no longer exists. Therefore, the renewal of the ICR shows a reduction in burden. For the same reason, there are no capital/startup costs, only O&M costs associated with this ICR as compared to the active ICR currently identified in the OMB Inventory.

Dated: October 20, 2003.

**Doreen Sterling,**

*Acting Director, Collection Strategies Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2003-0005, FRL-7579-3]

### Agency Information Collection Activities; Submission to OMB; Comment Request; EPA ICR No. 0278.08/OMB Control No. 2070-0044; Notice of Supplemental Distribution of a Registered Pesticide Product

**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: Notice of Supplemental Distribution of a Registered Pesticide Product; EPA ICR No. 0278.08; OMB Control No. 2070-0044. 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 November 28, 2003.

**ADDRESSES:** Submit your comments, referencing docket ID number OPP-2003-0005, to (1) EPA online using EDOCKET (our preferred method), by email to [opp-docket@epa.gov](mailto:opp-docket@epa.gov), or by mail to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Mail Code: 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](mailto: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 February 26, 2003 (68 FR 8890). 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-2003-0005, 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 on 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:** Tolerance Petitions for Pesticides on Food/Feed Crops and New Inert Ingredients (EPA ICR 0278.08, OMB Control No. 2070-0044).

**ICR Status:** This is a request for extension of an existing approved

collection that is currently scheduled to expire on October 31, 2003. 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 collection activity provides the Agency with notification of supplemental registration of distributors of pesticide products. EPA is responsible for the regulation of pesticides as mandated by FIFRA. Section 3(e) of FIFRA allows pesticide registrants to distribute or sell a registered pesticide product under a different name instead of or in addition to their own. Such distribution and sale is termed "supplemental distribution" and the product is termed a "distributor product." EPA requires the pesticide registrant to submit a supplemental statement (EPA Form 8570-5, *Notice of Supplemental Distribution of a Registered Pesticide Product*) when the registrant has entered into an agreement with a second company that will distribute the registrant's product under the second company's name and product name.

**Burden Statement:** The annual "respondent" burden for this ICR is estimated to be 1,000 hours, or 15 minutes per response. 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:** As needed.

**Estimated total/average number of responses for each respondent:** 2.

**Estimated total annual burden hours:** 1,000.

**Estimated total annual burden costs:** \$96,000.

**Changes in the ICR Since the Last Approval:** The total estimated annual respondent cost for this ICR has decreased 250 hours (from 1,250 to 1,000), due mainly to a decrease in the number of responses expected. Estimated costs have decreased \$24,000 (from \$120,000 to \$96,000) for the same reason. These decreases 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: October 16, 2003.

**Doreen Sterling,**

*Acting Director, Collection Strategies Division.*

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## FEDERAL MARITIME COMMISSION

[Docket No. 03-12]

### San Diego Unified Port District v. Pacific Maritime Association; Notice of Filing of Complaint and Assignment

Notice is given that a complaint has been filed by San Diego Unified Port District ("Complainant") against Pacific Maritime Association ("Respondent"). Complaint contends that Respondent took action that reprioritized the unloading of cargo ships at the Port of San Diego ("Port"). The Complaint claims that this "action took away priority unloading of refrigerated cargo" which allegedly has put the Port at a competitive disadvantage with other Southern California ports, and has further exacerbated already existing labor problems at the Port. Complaint alleges that Respondent's actions violate sections 10(d)(1), (2) and (4) of the Shipping Act of 1984, 46 U.S.C. app.1709. Complainant seeks an order finding Respondent to have violated the sections cited above, directing Respondent to cease and desist, and awarding reparations for the unlawful conduct in an amount of \$87,814, with interest and counsel's fees.

This proceeding has been assigned to the Office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence with the time limitations prescribed in 46 CFR 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall