

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: April 23, 2004.

**Cynthia C. Dougherty,**

*Director, Office of Ground Water and Drinking Water.*

[FR Doc. 04-9869 Filed 4-29-04; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[OECA-2004-0023; FRL-7655-3]

### Agency Information Collection Activities: Proposed Collection; Comment Request; Environmental Council of the States (ECOS) Survey of State Performance Measures, EPA ICR Number 2143.01

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

**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 proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request for a new collection. 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 June 29, 2004.

**ADDRESSES:** Submit your comments, referencing docket ID number OECA-2004-0023, to EPA online using EDOCKET (our preferred method), by email to [intranet.epa.gov/edocket](mailto:intranet.epa.gov/edocket), or by mail to: EPA Docket Center, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Lynn Vendinello, Office of Compliance, Mail Code 2222a, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-7066; fax number: (202) 564-0031; email address: [vendinello.lynn@epa.gov](mailto:vendinello.lynn@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has established a public docket for this ICR

under Docket ID number OECA-2004-0023, which is available for public viewing at the OECA 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 OECA Docket is (202) 566-1514. 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 [www.epa.gov/edocket](http://www.epa.gov/edocket).

**Affected entities:** Entities potentially affected by this action are the state environmental commissioners.

**Title:** ECOS Survey of State Performance Measures.

**Abstract:** The survey in question asks state environmental commissioners to report on their contribution to enforcement and compliance assistance for 2000-2003. They are asked to refer to their own records and account for the number of inspections, reviews, complaints etc. that have taken shape during this time. They are also asked to

give the number and type of mechanisms and fines applied and collected. It also questions if and how the states feel they have been effective using these methods. There is a section of the survey asking the states to rate how important and useful they feel the statistics and reports required by the EPA are in conveying the current conditions within their borders. Importantly, the survey also aims to capture information about state activity in outcome measurement. In particular, it asks states about their experiences with compliance rate measurement and with calculating the environmental benefits of enforcement actions and compliance assistance. The survey is designed to capture compliance rates and activities directly from state records. This will provide a means in which the states' efforts to promote the EPA's philosophy on enforcement and compliance can be more readily monitored. The responses to this collection of information are voluntary. The information obtained by this survey is completely confidential unless a state wants their information to be publicized. 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. This survey will provide information that will assist in the creation of a report. This will show if there is a discrepancy in the data found in the states databases and EPA's database. In addition to providing the EPA with the information it needs to more successfully function in the way it was designed to, this survey is also keeping the states burden at a minimum. This is being done by the use of electronic responses.

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:** The survey will be distributed to one representative from each state. An estimated 49 voluntary responses will be retrieved. EPA estimates that participating entities may need to spend between one to two hours completing this survey. A total of 98 hours may be spent to provide EPA and ECOS with this data. This burden hour estimate translates to a cost of \$75/39per entity that voluntarily completes the survey resulting in the total of \$3,694.21 (based on labor rates obtained from the United States of Commerce, Bureau of Labor Statistics, December 2003, State and local government, by occupational and industry group). There should be no additional capital or other non-labor costs.

**Affected Entities:** 50.

**Estimated Number of Respondents:** 49.

**Frequency of Response:** one time.

**Estimated Total Hour Burden:** 98 hours.

**Estimated Total Capital and Other Non-labor Costs:** \$0.

**Estimated Total Labor Costs:** \$3,694.21.

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: March 31, 2004.

**Michael M. Stahl,**

Office Director, Office of Compliance, Office of Enforcement and Compliance Assurance.  
[FR Doc. 04-9871 Filed 4-29-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[SFUND-2004-0002, FRL-7655-5]

### National Oil and Hazardous Substance Pollution Contingency Plan (NCP) Information Collection Request Renewal, EPA ICR Number 1463.05, OMB Control Number 2050-0096

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

**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: ICR 1463.05. 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. ICR 1463.05 addresses the portion of the NCP that details the requirements for remedial activities at sites on the National Priority List (Superfund Sites). The NCP is the rule that stipulates requirements for fulfilling the legislative mandates of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended (CERCLA or Superfund). The information collected via these activities is critical to characterizing contamination at sites, determining appropriate remedies and goals for cleanup, and involving the community in the process. All of these steps help ensure that some of the nation's worst hazardous waste sites are cleaned up in a manner that is protective of human health and the environment, and, where practical, returned to productive use.

**DATES:** Comments must be received on or before June 29, 2004.

**ADDRESSES:** Submit your comments, identified by Docket ID No. SFUND-2004-0002, by one of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- Agency Website: <http://www.epa.gov/edocket>. EDOCKET, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.
- E-mail: [superfund.docket@epa.gov](mailto:superfund.docket@epa.gov).
- Mail: EPA Docket Center, Environmental Protection Agency,

Superfund Docket, Mail Code 5202T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

• Hand Delivery: Superfund Docket, EPA West B107, 1301 Constitution Ave., NW., Washington, DC 20460 (phone #: 202-566-0276). Such deliveries are only accepted during the Docket's normal hours of operation (M-F, 8:30 a.m.-4:30 p.m.), and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. SFUND-2004-0002. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.epa.gov/edocket>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through EDOCKET, [www.regulations.gov](http://www.regulations.gov), or e-mail. The EPA EDOCKET and the federal [www.regulations.gov](http://www.regulations.gov) websites are "anonymous access" systems, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through EDOCKET or [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit EDOCKET on-line or see the **Federal Register** of May 31, 2002 (67 FR 38102).

**Docket:** All documents in the docket are listed in the EDOCKET index at <http://www.epa.gov/edocket>. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either