

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

(\$292,000.00 to finance response actions plus \$8,575.29 in interest) as payment of response costs to the Hazardous Substances Superfund. The settlement includes a covenant not to sue pursuant to section 107 of CERCLA, 42 U.S.C. 9607.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to this notice and will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at 1445 Ross Avenue, Dallas, Texas 75202-2733.

DATES: Comments must be submitted on or before September 13, 2004.

ADDRESSES: The proposed settlement and additional background information relating to the settlement are available for public inspection at 1445 Ross Avenue, Dallas, Texas 75202-2733. A copy of the proposed settlement may be obtained from Lydia Johnson, 1445 Ross Avenue, Dallas, Texas 75202-2733 or by calling (214) 665-8419. Comments should reference the Imperial Refining Superfund Site, Carter County, Oklahoma, and EPA Docket Number 06-06-2003, and should be addressed to Lydia Johnson at the address listed above.

FOR FURTHER INFORMATION CONTACT: I-Jung Chiang, 1445 Ross Avenue, Dallas, Texas 75202-2733 or call (214) 665-2160.

Dated: July 21, 2004.

Lynda F. Carroll,

Acting Regional Administrator (6RA).

[FR Doc. 04-18461 Filed 8-11-04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7800-8]

Notice of Proposed Administrative Consent Agreement and Final Order Pursuant to Section 309(g)(4) of the Clean Water Act: In the Matter of Deer Lodge Park L.L.C.

AGENCY: Environmental Protection Agency.

ACTION: Notice; request for public comment.

SUMMARY: In accordance with section 309(g)(4)(A) of the Clean Water Act,

("CWA"), 33 U.S.C. 1319(g)(4)(A), notice is hereby given of a proposed Consent Agreement and Final Order ("CA/FO"), which resolves penalties for alleged violations of sections 301(a) of the CWA, 33 U.S.C. 1311(a). The respondent to the CA/FO is Deer Lodge Park L.L.C., a Nevada corporation ("Respondent"). Through the proposed CA/FO, Respondent will pay \$3,000 as a penalty for alleged violations involving its failure to obtain coverage under either a CWA National Pollutant Discharge Elimination System (NPDES) individual permit, or the NPDES General Permit #NVR10000I for Storm Water Discharges From Construction Activities for Indian Country within the State of Nevada (the "NPDES Construction General Permit"), prior to engaging in construction activity associated with development of the Deer Lodge Park residential subdivision located on individual Indian allotment land in Douglas County, Nevada.

DATES: For 30 days following the date of publication of this notice, the Agency will receive written comments relating to the proposed CA/FO.

ADDRESSES: Requests for copies of the proposed CA/FO should be addressed to: Richard Campbell, Attorney Advisor, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, Mailcode: ORC-2, San Francisco, CA 94105.

Comments regarding the proposed CA/FO should be addressed to: Danielle Carr, Regional Hearing Clerk, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Comments should reference the following information:

Case Name: In the Matter of Deer Lodge Park L.L.C.

Docket Number: CWA-9-2004-0002.

FOR FURTHER INFORMATION CONTACT: Richard Campbell at the above address or by telephone at (415) 972-3870, or by e-mail at campbell.rich@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Respondent Deer Lodge Park L.L.C. is an "operator", as that term is defined at 40 CFR Part 122, in control of site specifications for the Deer Lodge Park residential subdivision. Construction activities associated with development of the Deer Lodge Park residential subdivision were unpermitted under either an individual NPDES permit or a NPDES Construction General Permit for six months in 2003. During this period, construction activity at the Deer Lodge Park site involved grading of roads, installation of a water tank, and

installation of a well site. Storm water from the Deer Lodge Park construction site drains to a tributary of the East Fork Carson River. Pursuant to the proposed CA/FO, Respondent has consented to the assessment of a \$3,000 penalty in this matter, and has certified that it will obtain coverage under a NPDES permit for construction activities at Deer Lodge Park.

II. General Procedural Information

Any person who comments on the proposed CA/FO shall be given notice of any hearing held and a reasonable opportunity to be heard and to present evidence. If no hearing is held regarding comments received, any person commenting on this proposed CA/FO may, within 30 days after the issuance of the final order, petition the Agency to set aside the CA/FO, as provided by section 309(g)(4)(C) of the CWA, 33 U.S.C. 1319(g)(4)(C). Procedures by which the public may submit written comments or participate in the proceedings are described in the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits, 40 CFR Part 22.

Dated: July 28, 2004.

Alexis Strauss,

Director, Water Division, Region IX.

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FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-04-58-C (Auction No. 58); DA 04-2451]

Revised Inventory for Broadband PCS Spectrum Auction Comment Sought on Reserve Prices or Minimum Opening Bids and Other Auction Procedures

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document revises the Auction No. 58 inventory to include eight additional licenses, and seeks comment on procedural issues related to the auction of these additional licenses.

DATES: Comments are due on or before August 17, 2004, and reply comments are due on or before August 20, 2004. Auction No. 58 is scheduled to begin January 12, 2005.

ADDRESSES: Comments and reply comments must be sent by electronic