

EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On June 1, 2004, EPA sought comments on this renewal ICR (69 FR 30904). EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments during the comment period.

EPA has established a public docket for this ICR under Docket ID No. OPPT-2004-0081, which is available for public viewing at the OPPT 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 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 Pollution Prevention and Toxics Docket is 202-566-0280. 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. 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>.

**Title:** TSCA Section 402 and Section 404 Training and Certification, Accreditation and Standards for Lead-Based Paint Activities.

**Abstract:** This information collection applies to reporting and recordkeeping requirements found in sections 402 and 404 of the Toxic Substances Control Act (TSCA) and applicable regulations at 40 CFR 745. The purposes of the requirements under TSCA section 402 are to ensure that individuals conducting activities that prevent, detect and eliminate hazards associated with lead-based paint in residential facilities, particularly those occupied or used by children, are properly trained and certified, that training programs providing instruction in such activities are accredited, and that these activities are conducted according to reliable, effective and safe work practice standards. The TSCA section 404 regulations include reporting and recordkeeping requirements that apply to states and Indian Tribes that seek Federal authorization to administer and enforce state and tribal programs that regulate lead-based paint activities based on the section 402 regulations. The overall goals of the section 402 and section 404 regulations and the reporting and recordkeeping requirements found therein are to ensure the availability of a trained and qualified workforce to identify and address lead-based paint hazards in residences, and to protect the general public from exposure to lead hazards.

Responses to the collection of information are mandatory (see 40 CFR part 745). Respondents may claim all or part of a notice as CBI. EPA will disclose information that is covered by a CBI claim only to the extent permitted by, and in accordance with, the procedures in 40 CFR part 2.

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 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 is estimated to range between 0.4 hours and 79.6 hours per response, depending on the type of respondent. 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:**

Companies or firms that provide training in lead-based paint activities; companies or firms that are engaged in lead-based paint activities; state agencies that administer lead-based paint activities.

**Frequency of Collection:** Annually.

**Estimated No. of Respondents:**

23,433.

**Estimated Total Annual Burden on Respondents:** 440,813 hours.

**Estimated Total Annual Burden Costs:** \$15,648,532.

**Changes in Burden Estimates:** There is an increase of 49,639 hours (from 391,174 hours to 440,813 hours) in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This increase results from revisions in the number of respondents and/or the number of activities or events for which respondents must provide information, based on EPA's experience since the approval of the most recent ICR. This increase represents an adjustment.

Dated: November 8, 2004.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 04-25620 Filed 11-17-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OECA-2004-0021; FRL-7838-6]

**Agency Information Collection Activities; Submission for OMB Review and Approval; Comment Request; NSPS for Asphalt Processing and Roofing Manufacture (Renewal), ICR Number 0661.08, OMB Number 2060-0002**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act, this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. This ICR is scheduled to

expire on November 30, 2004. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. This ICR describes the nature of the information collection and its estimated burden and cost.

**DATES:** Additional comments may be submitted on or before December 20, 2004.

**ADDRESSES:** Submit your comments, referencing docket ID number OECA-2004-0013, to (1) EPA online using EDOCKET (our preferred method), by email to [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Enforcement and Compliance Docket and Information Center, Mail Code 2201T, 1200 Pennsylvania Avenue, 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:** Gregory Fried, Compliance Assessment and Media Programs Division, Office of Compliance, Mail Code 2223A, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (202) 564-7016; fax number: (202) 564-0050; E-mail address: [fried.gregory@epa.gov](mailto:fried.gregory@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. On May 25, 2004, (69 FR 29718), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments.

EPA has established a public docket for this ICR under Docket ID No. OECA-2004-0013, which is available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Avenue, 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 Enforcement and Compliance Docket and Information Center Docket is: (202) 566-1752. 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. When 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. 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, Confidential Business Information (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>.

**Title:** NSPS for Asphalt Processing and Roofing Manufacture (40 CFR Part 60, Subpart UU) (Renewal).

**Abstract:** Particulate matter emissions from asphalt processing and roofing manufacture cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, New Source Performance Standards (NSPS) were promulgated for this source category.

The control of emissions of particulate matter from asphalt processing and roofing manufacture requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of particulate matter from asphalt processing and roofing manufacture are the result of materials handling, fuel combustion, and storage. These standards rely on the capture of particulate matter emissions by pollution control devices such as electrostatic precipitators, high velocity air filters, or afterburners.

In order to ensure compliance with these standards, 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.

All reports are sent to the delegated state or local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA regional office. Notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated. Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standard and note the operating conditions under which compliance was achieved.

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 is estimated to average 58.6 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:** Asphalt Processing and Roofing Manufacture.

**Estimated Number of Respondents:** 169.

**Frequency of Response:** Initially.

**Estimated Total Annual Hour Burden:** 30,419 hours.

**Estimated Total Annual Costs:** \$7,985,874, which includes \$200,000 annualized capital/startup costs, \$5,845,000 annual O&M costs, and \$1,940,874 annual labor costs.

**Changes in the Estimates:** There is an increase of 15,330 hours in the total estimated burden currently identified in

the OMB Inventory of Approved ICR Burdens. This increase is due to a correction in the estimated number of existing affected sources.

Dated: November 8, 2004.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 04-25621 Filed 11-17-04; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7837-8]

### Announcement of the Delegation of the Title V Permitting Program, Consistent With Federal Operating Permit Programs to the Navajo Nation Environmental Protection Agency and the Suspension of Federal Operating Permit Program Fee Collection by EPA for Sources Covered by the Delegation of Authority Agreement

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

**ACTION:** Informational notice.

**SUMMARY:** The purpose of this notice is to announce that on October 15, 2004, EPA granted the Navajo Nation Environmental Protection Agency's (NNEPA) request for full delegation of authority to administer the Clean Air Act's (the Act) federal operating permits program. Under this delegation, NNEPA will issue and implement Title V operating permits for certain air pollution sources located within the formal boundaries of the Navajo Nation reservation and certain off-reservation Tribal Trust lands and will otherwise administer the program. The terms and conditions of the full delegation are specified in a Delegation of Authority Agreement ("Agreement") between EPA Region IX and NNEPA, signed and dated on October 15, 2004. Region IX is also simultaneously suspending its collection of Part 71 fees, pursuant to 40 CFR 71.9(c)(2)(ii), for sources identified in this notice or otherwise covered by the Agreement.

**EFFECTIVE DATES:** The effective date for the Agreement between EPA and NNEPA, and EPA's suspension of its Part 71 fee collection for sources identified in this notice or otherwise covered by the Agreement, is October 15, 2004.

**ADDRESSES:** Copies of the letter requesting delegation of authority to administer the federal operating permits program and the Agreement between EPA and NNEPA are available for public inspection at EPA's Region IX Office, 75 Hawthorne Street, San Francisco, CA

94105 and at the Navajo Nation Environmental Protection Agency Air Quality Control Program Office, Rt. 12 North/Bldg #F004-051, Fort Defiance, AZ 86504. Effective October 15, 2004, all notifications, requests, applications, reports and other correspondence required under 40 CFR Part 71 for all Part 71 sources identified in this notice or otherwise covered by the Agreement shall be submitted to NNEPA's Air Quality Control Program Office at the following address: Navajo Nation Air Quality Control Program Office, P.O. BOX 529 Fort Defiance, AZ 86504 Attn: Chris Lee. Sources will also remain obligated to submit copies of such documents to EPA as set forth in the terms and conditions of their Part 71 permits and consistent with Section VII(2) of the Agreement.

#### FOR FURTHER INFORMATION CONTACT:

Emmanuelle Rapicavoli, Permits Office (AIR-3), 75 Hawthorne Street, San Francisco, CA 94110, Telephone: 415-972-3969, e-mail: [rapicavoli.emmanuelle@epa.gov](mailto:rapicavoli.emmanuelle@epa.gov).

**SUPPLEMENTARY INFORMATION:** The purpose of this notice is to announce that on October 15, 2004, EPA granted NNEPA's request for full delegation of authority to administer the Part 71 federal operating permits program for certain Part 71 sources. The Act and its implementing regulations under Part 71 authorize EPA to delegate authority to administer the Part 71 program to any eligible Tribe that submits a demonstration of adequate regulatory procedures and authority for administration of the Part 71 operating permits program.

In order to be considered an "eligible tribe," the NNEPA submitted, on June 17, 2004, an application for a determination, under the provisions of the Tribal Authority Rule (TAR), 40 CFR Part 49, that it is eligible to be treated in the same manner as a state for the purpose of receiving delegation of authority to administer the federal Part 71 operating permit program. The application excluded the Four Corners Power Plant and the Navajo Generating Station. Region IX reviewed NNEPA's application and determined that it met the four criteria for eligibility, identified in 40 CFR 49.6, for the sources described, and was thus eligible for entering into a delegation agreement with Region IX to administer the Part 71 program. Region IX's eligibility determination was signed on October 13, 2004.

On July 16, 2004, NNEPA submitted a request to the Region to delegate the administration of the federal Part 71 program for certain Part 71 sources. The

area included in the request, herein called the "Delegated Program Area," includes all lands within the formal boundaries of the Navajo Nation Reservation and the satellite reservations of Alamo, Canoncito and Ramah and Tribal trust lands located outside of the formal reservations in the Eastern Agency, excluding the Bennet Freeze area.

As part of its request, NNEPA submitted a legal opinion from its attorney general stating that the Navajo Nation Air Pollution Prevention and Control Act and the Navajo Nation Air Quality Control Program Operating Permit Regulations provide it adequate authority to carry out all aspects of the delegated program. NNEPA provided all necessary documentation to demonstrate that it has adequate authority and adequate resources to administer the Part 71 federal permitting program.

Pursuant to 40 CFR 71.10(b), EPA hereby notifies the public that effective October 15, 2004, it has granted NNEPA's request and is fully delegating the authority to administer the federal operating permits program as set forth under 40 CFR Part 71 and in the Agreement. The terms and conditions for full delegation are specified in the Agreement between EPA Region IX and NNEPA signed and dated on October 15, 2004.

The Agreement applies to all new and existing sources within the Delegated Program Area except the Four Corners Power Plant and the Navajo Generating Station, for which Region IX retains sole authority to regulate under Title V. The existing Part 71 sources covered by the Agreement are the following: the El Paso Natural Gas Window Rock Compressor Station, the El Paso Natural Gas White Rock Compressor Station, the El Paso Natural Gas Navajo Compressor Station, the El Paso Natural Gas Leupp Compressor Station, the El Paso Natural Gas Dilkon Compressor Station, the Transwestern Pipeline Klagetoh Compressor Station, the Transwestern Pipeline Leupp Compressor Station, El Paso Natural Gas Gallup Compressor Station, the Conoco Phillips Wingate Fractionating Plant, Peabody Western Coal Company's Black Mesa Complex, the Chevron-Texaco Aneth Gas Plant, and the Exxon-Mobil McElmo Creek Unit. The Agreement also applies to all new Part 71 sources which will construct and operate within the Delegated Program Area as well as existing sources in the Delegated Program Area which later become subject to Part 71.

If, at any time, EPA determines that NNEPA is not or cannot adequately