

## III. 26 NOTICES OF COMMENCEMENT FROM: 07/14/03 TO 07/31/03—Continued

Case No.	Received Date	Commencement/ Import Date	Chemical
P-93-0563	07/22/03	04/13/98	(G) Alkoxylated alkyl phenol

**List of Subjects**

Environmental protection, Chemicals, Premanufacturer notices.

Dated: August 12, 2003.

**Sandra R. Wilkins,**

*Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.*

[FR Doc. 03-20900 Filed 8-14-03; 8:45 am]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7544-2]

**Mission Foods Corporation—Administrative Consent Agreement and Final Order; Notice of Proposed Administrative Consent Agreement and Final Order Pursuant to Section 311(B)(6) of the Clean Water Act**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice, request for public comments.

**SUMMARY:** In accordance with section 311(b)(6)(C) of the Clean Water Act, (“CWA”), 33 U.S.C. 1321(b)(6)(C), notice is hereby given of a proposed Consent Agreement and Final Order (“CA/FO,” Region 9 Docket No. OPA 9-2003-0003), which resolves penalties for alleged violations of sections 311(b)(3) and 311(j) of the CWA. The respondent to the CA/FO is the Mission Foods Corporation, a California corporation. Through the proposed CA/FO, the Mission Foods Corporation will pay \$60,000 to the Oil Spill Liability Trust Fund as a penalty for alleged violations involving the discharge of oil into waters of the United States, and the failure to prepare and maintain Spill Prevention, Control and Countermeasure plans. The penalty included in this CA/FO was calculated in accordance with the Agency’s guidance document, *Civil Penalty Policy for Section 311(b)(3) and Section 311(j) of the Clean Water Act*, dated August 21, 1998. For thirty (30) days following the date of publication of this Notice, the Agency will receive written comments relating to the proposed CA/FO. 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 311(b)(6)(C)(iii) of the CWA, 33 U.S.C. 1321(b)(6)(C)(iii).

**DATES:** Comments must be submitted on or before September 15, 2003.

**ADDRESSES:** The proposed CA/FO may be obtained from Laurie Williams, telephone (415) 972-3867. Comments regarding the proposed CA/FO should be addressed to Danielle Carr (ORC-1) at 75 Hawthorne Street, San Francisco, California 94105, and should reference the Mission Foods Corporation and Region 9 Docket No. OPA 9-2003-0003.

**FOR FURTHER INFORMATION CONTACT:** Laurie Williams (ORC-3), Office of Regional Counsel, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105, (415) 972-3867.

Dated: August 6, 2003.

**Daniel Meer,**

*Acting Director, Superfund Division, Region 9.*

[FR Doc. 03-20896 Filed 8-14-03; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7544-9]

**Public Water System Supervision Program Revision for the State of Colorado**

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

**ACTION:** Notice.

**SUMMARY:** The State of Colorado has revised its Public Water System Supervision (PWSS) primacy program by adopting regulations for the Interim Enhanced Surface Water Treatment Rule (IESWTR), Disinfectants/Disinfection Byproducts Rule (D/DBPR), Radionuclides Rule, revisions to the Variances and Exemptions Rule, Administrative Penalty Authority, Definition of “Public Water System,” and the Public Notification Rule (PNR). Having determined that these revisions meet all pertinent requirements in the

Safe Drinking Water Act (SDWA), and EPA’s implementing regulations, the EPA approves them.

Today’s approval action does not extend to public water systems in Indian country. Please see **SUPPLEMENTARY INFORMATION**, Item B. **DATES:** Any member of the public is invited to submit written comments and/or request a public hearing on this determination by September 15, 2003. Please see **SUPPLEMENTARY INFORMATION**, Item C, for information on submitting comments and requesting a hearing. If no hearing is requested or granted, then this action shall become effective September 15, 2003. If a public hearing is requested and granted, then this determination shall not become effective until such time following the hearing as the Regional Administrator (RA) issues an order affirming or rescinding this action.

**ADDRESSES:** Written comments and requests for a public hearing should be addressed to: Robert E. Roberts, Regional Administrator, c/o Qian Zhang (8P-W-MS), U.S. EPA, Region 8, 999 18th Street, Suite 300, Denver, CO 80202-2466.

All documents relating to this determination are available for inspection at the following locations: (1) U.S. EPA, Region 8, Municipal Systems Unit, 999 18th Street (4th Floor), Denver, CO 80202-2466; (2) Colorado Department of Public Health and Environment (CDPHE), Drinking Water Section, 4300 Cherry Creek Drive South, Denver, CO.

**FOR FURTHER INFORMATION CONTACT:** Qian Zhang, Municipal Systems Unit, EPA, Region 8 (8P-W-MS), 999 18th Street, Suite 300, Denver, CO 80202-2466, 303-312-6267.

**SUPPLEMENTARY INFORMATION:** EPA approved Colorado’s application for assuming primary enforcement authority for the PWSS program, pursuant to section 1413 of SDWA, 42 U.S.C. 300g-2, and 40 CFR part 142. CDPHE administers Colorado’s PWSS program. The State of Colorado has revised its PWSS primacy program by adopting regulations for the IESWTR (December 16, 1998, 63 FR 69478-69521), D/DBPR (December 16, 1998, 63 FR 69390-69476), Radionuclides Rule (December 7, 2000, 65 FR 76708), revisions to the Variances and

Exemptions Rule (August 14, 1998, 63 FR 43833-43851), Administrative Penalty Authority (April 28, 1998, 62 FR 23362), Definition of "Public Water System" (April 28, 1998, 63 FR 23362), and the PNR (May 4, 2000, 65 FR 25981-26049), that correspond to the National Primary Drinking Water Regulations (NPDWRs) in 40 CFR part 141.

#### A. Why Are Revisions to State Programs Necessary?

States with primary PWSS enforcement authority must comply with the requirements of 40 CFR part 142 for maintaining primacy. They must adopt regulations that are at least as stringent as NPDWRs at 40 CFR part 141 (40 CFR 142.10(a)). Changes to state programs may be necessary as federal primacy requirements change, as states must adopt all new and revised NPDWRs in order to retain primacy (40 CFR 142.12(a)).

#### B. How Does Today's Action Affect Indian Country (18 U.S.C. 1151) in Colorado?

Colorado is not authorized to carry out its PWSS program in Indian country. This includes, but is not limited to, land within formal Indian reservations located within or abutting the State of Colorado, including the Southern Ute Indian Reservation and the Ute Mountain Ute Indian Reservation, any land held in trust by the United States for an Indian tribe, and any other areas which are "Indian country" within the meaning of 18 U.S.C. 1151.

#### C. Requesting a Hearing and Submitting Written Comments.

Any request for a public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the RA's determination and of information that the requesting person intends to submit at such hearing; and (3) the signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of the responsible official of the organization or other entity.

Notice of any hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing. Such notice will be made by the RA in the **Federal Register** and in newspapers of general circulation in the State of Colorado. A notice will also be sent to the person(s) requesting the hearing as well as to the State of Colorado. The

hearing notice will include a statement of purpose, information regarding time and location, and the address and telephone number where interested persons may obtain further information. A final determination will be made upon review of the hearing record.

Frivolous or insubstantial requests for a hearing may be denied by the RA. However, if a substantial request is made within thirty (30) days after this notice, a public hearing will be held.

Please bring this notice to the attention of any persons known by you to have an interest in this determination.

Dated: August 6, 2003.

**Robert E. Roberts,**

*Regional Administrator, Region 8.*

[FR Doc. 03-20891 Filed 8-14-03; 8:45 am]

**BILLING CODE 6560-50-P**

### ENVIRONMENTAL PROTECTION AGENCY

[FRL-7545-1]

#### Public Water System Supervision Program Revision for the State of South Dakota

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the provisions of section 1413 of the Safe Drinking Water Act (SDWA), 42 U.S.C. 300g-2, and 40 CFR 142.13, public notice is hereby given that the State of South Dakota has revised its Public Water System Supervision (PWSS) Primacy Program by developing regulations for the Lead and Copper Rule Minor Revisions (LCRMR), the Public Notification Rule (PNR), the Disinfectants/ Disinfection Byproducts Rule (D/DBPR), and the Interim Enhanced Surface Water Treatment Rule (IESWTR) that correspond to 40 CFR parts 141 and 142. The EPA has completed its review of South Dakota's primacy revisions in accordance with the SDWA, and EPA's implementing regulations at 40 CFR parts 141 and 142, and proposes to approve South Dakota's primacy revisions for the LCRMR, PNR, D/DBPR and conditionally approves the IESWTR.

Today's approval action does not extend to public water systems in Indian country, as that term is defined in 18 U.S.C. 1151. Please see **SUPPLEMENTARY INFORMATION**, Item B. **DATES:** Any member of the public is invited to submit written comments and/or request a public hearing on this determination by September 15, 2003.

Please see **SUPPLEMENTARY INFORMATION**, Item C, for information on submitting comments and requesting a hearing. Should no timely and appropriate request for a hearing be received, and the Regional Administrator (RA) does not elect to hold a hearing on his own motion, this determination shall become effective September 15, 2003. If a hearing is requested or granted, then this determination shall not become effective until such time following the hearing as the RA issues an order affirming or rescinding this action.

**ADDRESSES:** Written comments and a request for a public hearing should be addressed to: Robert E. Roberts, Regional Administrator, c/o Bruce Suchomel (8P-W-MS), U.S. Environmental Protection Agency, Region 8, 999 18th St., Suite 300, Denver, CO 80202-2466.

**Reviewing Documents:** All documents relating to this determination are available for inspection at the following locations: (1) U.S. EPA, Region 8, Municipal Systems Unit, 999 18th St. (4th Floor), Denver, CO 80202-2466; (2) South Dakota Department of Environment and Natural Resources, Drinking Water Program, 523 E. Capitol Ave., Pierre, SD 57501-3181.

**FOR FURTHER INFORMATION CONTACT:** Bruce Suchomel, Municipal Systems Unit, U.S. EPA, Region 8 (8P-W-MS), 999 18th St., Suite 300, Denver, CO 80202-2466; telephone 303-312-6001.

**SUPPLEMENTARY INFORMATION:** Effective January 9, 1984, EPA approved South Dakota's application for assuming primary enforcement authority for the PWSS program, pursuant to section 1413 of SDWA, 42 U.S.C. 300g-2, and 40 CFR part 142 (see 48 FR 55173). The South Dakota Department of Environment and Natural Resources (DENR) administers South Dakota's PWSS program.

#### A. Why Are Revisions to State Programs Necessary?

States with primary PWSS enforcement authority must comply with the requirements of 40 CFR part 142 for maintaining primacy. They must adopt regulations that are at least as stringent as the National Primary Drinking Water Regulations (NPDWRs) at 40 CFR parts 141 and 142. As new NPDWRs become final, states must adopt all new and revised NPDWRs in order to retain primacy. (40 CFR 142.12(a)).