

**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 June 2, 2004 (69 FR 31095). EPA received one public comment on this ICR during the 60-day comment period and has addressed it in the ICR.

EPA has established a public docket for this ICR under Docket ID No. OPP-2004-0110, which is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 Bell St., 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:** Data Generation for Pesticide Reregistration.

**ICR Status:** This is a request for extension of an existing approved collection that is currently scheduled to

expire on September 30, 2004. 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 information collection activity enables EPA to fulfill the requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended in 1988, which mandates that EPA reregister pesticides originally registered before November 1, 1984. Section 4 of FIFRA, as amended, establishes a process and a schedule for the development of the information EPA needs (e.g., various scientific studies related to certain pesticides) to assess whether the reregistration of a pesticide or pesticide product would cause an unreasonable adverse effect on human health or the environment. Pesticide registrants seeking reregistration must generate and report the required data according to specified time tables.

This information collection will also enable EPA to collect certain company data about pesticide registrants that may be needed in order to verify eligibility for certain waivers and exemptions. The information collection allows EPA's Office of Pesticide Programs (OPP) to obtain data needed by OPP scientists to assess and characterize pesticide risks, and for risk managers to determine whether and under what conditions pesticides may be reregistered and to reassess existing tolerances as required by Section 408 of the Federal Food Drug and Cosmetic Act to ensure that they meet the standards established by law. Data collected may consist of toxicology studies, residue chemistry studies, fish and wildlife studies, environmental fate studies, or other data needed to analyze the potential risks associated with pesticide chemicals and products. This collection also supports the Agency's reassessment of food tolerances associated with reregistration. Responses to this information collection activity are generally required in order to maintain a benefit (i.e., in order to reregister certain pesticides).

**Burden Statement:** The annual "respondent" burden for this ICR is estimated to average about 596 hours per response to an EPA request for confirmatory data, 2,560 hours per response for an EPA request for product-specific data, 596 hours per response for any voluntarily submitted data considered to be "low burden" and 3,587 hours per response for any voluntarily submitted data considered to be "high burden." 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 following is a summary of the burden estimates taken from the ICR:

**Respondents/affected entities:** Pesticide and other agricultural chemical manufacturing (NAICS 325320), e.g., Businesses engaged in the manufacture of pesticides.

**Estimated total number of potential respondents:** 1,565.

**Frequency of response:** As needed.

**Estimated total/average number of responses for each respondent:** 1.

**Estimated total annual burden hours:** 275,063.

**Estimated total annual labor costs:** \$24,529,295.

**Changes in the ICR since the last approval:** The estimated annual burden for this ICR has increased by 184,338 hours (from 90,725 hours to 275,063 hours) related primarily to an increase of the average number of chemicals for which EPA will annually request certain data before they may be reregistered. This increase is an adjustment and is explained in detail in the ICR.

Dated: September 21, 2004.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 04-21702 Filed 9-27-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0109, FRL-7820-8]

**Agency Information Collection Activities; Submission to OMB; Comment Request; EPA ICR No. 1911.02; OMB Control No. 2070-0164; Data Acquisition for Anticipated Residue and Percent of Crop Treated**

**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: **Data Acquisition for Anticipated Residue and Percent of Crop Treated**; EPA ICR No. 1911.02; OMB Control No. 2070-0164. This is a request to renew an existing approved collection that is currently scheduled to expire on September 30, 2004. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. 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 October 28, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Nathanael R. Martin, 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: [martin.nathanael@epa.gov](mailto:martin.nathanael@epa.gov).

**ADDRESSES:** Submit your comments, referencing docket ID number OPP-2004-0109 to: (1) EPA online using EDOCKET (our preferred method), by e-mail 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, Mailcode: 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.

**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 published on May 5, 2004 (69 FR 25079). EPA received no comments on this ICR during that 60-day comment period.

EPA has established a public docket for this ICR under Docket ID No. OPP-2004-0109 which is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 Bell St., 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 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:** Data Acquisition for Anticipated Residue and Percent of Crop Treated.

**ICR Numbers:** EPA ICR No. 1911.02; OMB Control No. 2070-0164.

**ICR Status:** EPA is asking OMB to extend the existing approval of 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 ICR will enable EPA's Office of Pesticide Programs (OPP) to obtain information needed to re-evaluate the Agency's original tolerance decisions as mandated by the Food Quality Protection Act of 1996 (FQPA), which amended the two primary statutes regulating pesticides, *i.e.*, the Federal Food, Drug, and Cosmetic Act (FFDCA) and the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Among other things, FQPA amended FFDCA to authorize the Agency to use anticipated or actual residue (ARs) data and percent crop treated (PCT) data to

establish, modify, maintain, or revoke a tolerance for a pesticide residue. The new law also requires that tolerance decisions based on ARs or PCT data be verified to ensure that residues in or on food are not above the residue levels relied on for establishing the tolerance.

In order to conduct the required re-evaluation, a Pesticide Registrant may be required to submit specific data necessary to demonstrate that residues do not exceed the residue levels used to establish the tolerance.

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 the 40 CFR part 9 and are identified on the form and/or instrument, if applicable.

**Burden Statement:** The total annual "respondent" burden for this ICR is estimated to be 28,569 hours. 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 following is a summary of the burden estimates taken from the ICR:

**Respondents/affected entities:** Businesses engaged in the manufacture of pesticides who file a petition asking the Agency to take a specific tolerance action.

**Estimated total number of potential respondents:** 16.

**Frequency of response:** On occasion, *i.e.*, once five years after initial tolerance is established.

**Estimated total/average number of responses for each respondent:** 1.

**Estimated total annual burden hours:** 28,569.

**Estimated total annual costs:** \$2,524,938, includes \$0 annualized capital or O&M costs.

**Changes in the ICR Since the Last Approval:** The total annual respondent burden estimate for this ICR has decreased 1,238 hours, from 29,807 to 28,569, and the total respondent cost has decreased \$248,928, from \$2,773,866 to \$2,594,938. These reductions are adjustments due to the

fact that the Agency expects to issue fewer data call-ins under this program than originally estimated.

Dated: September 21, 2004.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 04-21703 Filed 9-27-04; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[OAR-2004-0059, FRL-7820-7]

### Agency Information Collection Activities: Submission for OMB Review and Approval; Comment Request; Emissions Certification and Compliance Requirements for Nonroad Compression-Ignition Engines and On-Highway Heavy Duty Engines (Renewal); EPA ICR Number 1684.06, OMB Control Number 2060-0287

**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 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 9/30/2004. 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 October 28, 2004.

**ADDRESSES:** Submit your comments, referencing docket ID number OAR-2004-0059, to: (1) EPA online using EDOCKET (our preferred method), by e-mail to [a-and-r-docket@epamail.epa.gov](mailto:a-and-r-docket@epamail.epa.gov), or by mail to: Environmental Protection Agency, EPA Docket Center (EPA/DC), Air and Radiation Docket and Information Center, Mail Code 6102T, 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:** Ms. Nydia Y. Reyes-Morales, Mail Code 6403J, Environmental Protection

Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 343-9264; fax number: (202) 343-2804; e-mail address: [reyes-morales.nydia@epa.gov](mailto:reyes-morales.nydia@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 June 18, 2004 (69 FR 34158), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received only one comment. The commenter suggested that EPA establish zero-emission requirements for nonroad engines.

EPA has established a public docket for this ICR under Docket ID number OAR-2004-0059, which is available for public viewing at the Air and Radiation 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 Air and Radiation Docket and Information Center is (202) 566-1742. 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, 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:** Emissions Certification and Compliance Requirements for Nonroad Compression-Ignition Engines and On-Highway Heavy Duty Engines (Renewal).

**Abstract:** This information collection is requested under the authority of Title II of the Clean Air Act (42 U.S.C. 7521 *et seq.*). Under this Title, EPA is charged with issuing certificates of conformity for those engines which comply with applicable emission standards. Such a certificate must be issued before engines may be legally introduced into commerce. To apply for a certificate of conformity, manufacturers are required to submit descriptions of their planned production line, including detailed descriptions of the emission control system, and test data. This information is organized by "engine family" groups expected to have similar emission characteristics. There are also recordkeeping and labeling requirements. Manufacturers electing to participate in the Averaging, Banking, and Trading (AB&T) Program are also required to submit information regarding the calculation of projected and actual generation and usage of credits in an initial report, end-of-the-year report and final report. These reports are used for certification and enforcement purposes. Manufacturers need to maintain records for eight years on the engine families participating in the program. Portions of former ICR 0011.08 ("Selective Enforcement Auditing and Recordkeeping Requirements for On-Highway Heavy-Duty Engines, Nonroad Large Compression Ignition Engines, and On-Highway Light-Duty Vehicles and Light-Duty Trucks," OMB Control Number 2060-0064, expired on 8/31/1999) are being incorporated into ICR 1684.06. No collection of information from ICR 0011.08 has been conducted since its expiration; upon approval of ICR 1684.06, the agency shall resume this information collection. Portions of former ICR 1897.05 ["Information Requirements for Nonroad Diesel Engines (Nonroad Large SI Engines and Marine Diesel Engines)," OMB Control Number 2060-0460, expiring on 10/31/2004] related to certification and compliance requirements for marine compression-ignition engines are also being incorporated into ICR 1684.06. This action is undertaken to consolidate information requirements for the same industry into one ICR, for simplification and to avoid duplicity. With this