

interested federal agencies, pesticide registrants and pesticide users. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through [www.regulations.gov](http://www.regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns, and suggest alternatives.
- vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- viii. Make sure to submit your comments by the comment period deadline identified.

**II. What Action is the Agency Taking?**

EPA is making available for comment a proposed Settlement Agreement that would establish a series of deadlines for

the Agency to make "effects determinations" on atrazine as it relates to any of 21 identified endangered or threatened species or their designated critical habitat. If the Agency determines atrazine "may affect and is likely to adversely affect" any of the listed species, the Agency will initiate formal consultation with the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS), as appropriate. EPA will evaluate all comments received during the public comment period to determine whether all or part of the proposed Settlement Agreement warrants reconsideration. This proposed Settlement Agreement, if entered by the Court, would resolve a lawsuit brought against EPA by the Natural Resources Defense Council (NRDC or plaintiff).

**III. Background**

On August 21, 2003, plaintiff filed a lawsuit in the Federal District Court of Maryland alleging that EPA failed to comply with section 7(a)(2) of the Endangered Species Act (ESA), 16 U.S.C. 1536(a)(2) (*NRDC v. EPA*, Case No. Civ. No: 03-CV-02444 RDB).

EPA has reached an agreement with the plaintiff. The agreement is embodied in a proposed Settlement Agreement. The proposed Settlement Agreement sets a series of deadlines for the Agency to make "effects determinations" on the potential for atrazine to affect any of the following species (or their designated critical habitat): Loggerhead sea turtle, leatherback sea turtle, green sea turtle, Kemp's ridley sea turtle, shortnose sturgeon, dwarf wedge mussel, Barton Springs salamander, Alabama sturgeon, pink mucket pearly mussel, shiny pigtoe pearly mussel, fine-rayed pigtoe mussel, rough pigtoe mussel, heavy pigtoe mussel, ovate clubshell mussel, southern clubshell mussel, stirrup mussel, pallid sturgeon, Topeka shiner, fat pocketbook pearly mussel, purple cat's paw pearly mussel, and northern riffleshell. An "effects determination" considers whether use of a pesticide: (1) Has no effect on a listed species; (2) may affect but is not likely to adversely affect a listed species; or (3) may affect and is likely to adversely affect a listed species. If the Agency determines atrazine "may affect and is likely to adversely affect" any of the 21 named species or their designated critical habitat, EPA will initiate formal consultation with the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS) as described in the Settlement Agreement. In addition, during the pendency of the schedule for effects determinations outlined in the Settlement Agreement,

the plaintiff agrees not to seek any injunction or other use restriction for any of the pesticides subject to the Settlement Agreement. Pursuant to the Settlement Agreement, in the event EPA makes a "may affect and is likely to adversely affect" determination for atrazine on any of the listed species named in the lawsuit, the plaintiff reserves the right to seek use restrictions for that pesticide by filing a new complaint with the Court.

Beginning today, EPA is opening a 15-day comment period on the proposed Settlement Agreement. EPA will use the comments to determine whether all or part of the proposed Settlement Agreement warrants reconsideration. If EPA determines that any part of the proposed Settlement Agreement merits reconsideration, EPA will provide the plaintiff with a written request for further negotiations and the proposed Settlement Agreement shall not be entered with the Court unless the parties can reach agreement on needed changes. If EPA determines that the proposed Settlement Agreement does not need to be reconsidered, the terms of the proposed Settlement Agreement shall become effective upon entry by the U.S. District Court for Maryland. Once the Settlement Agreement is entered by the U.S. District Court, EPA will post on its web site at [www.epa.gov/pesticides](http://www.epa.gov/pesticides) a notice indicating the Settlement Agreement has been so entered.

**List of Subjects**

Environmental protection,  
Endangered species.

Dated: February 15, 2006.

**Margaret Schneider,**

*Acting Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances.*

[FR Doc. 06-1744 Filed 2-23-06; 8:45 am]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[OARM-2006-0101; FRL-8036-7]

**Establishment of New System of Records Notice for EZHIRE**

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

**ACTION:** Notice of Establishment of a New System of Records Notice for EZHIRE.

**SUMMARY:** Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Office of Human Resources is giving notice that it proposes to establish a new system of records, EZHire. This system of records is a web-based hiring

management system that collects, maintains, monitor, and track individuals filing employment applications with U.S. EPA and to assess recruiting goals and objectives.

**DATES:** Persons wishing to comment on this new system of records notice may do so by April 5, 2006. Unless there is a further notice in the **Federal Register**, this system of records will become effective on April 5, 2006.

**ADDRESSES:** Questions regarding this notice should be referred to Rose Ann Clark, Office of Human Resources, Ariel Rios East Building, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Rose Ann Clark or (202) 564-7877.

**SUPPLEMENTARY INFORMATION:**

**General Information**

The EZHire system of records does not duplicate any existing recruitment system of records. Details regarding the new system of records are contained in this **Federal Register** Notice. The new system is a web-based hiring management system for advertised vacancies that allows individuals to file applications for employment with the U.S. EPA in response to advertised position vacancy announcements. Access to the system is restricted to authorized users and will be maintained in a secure, password protected computer system, in secure areas and buildings with physical access controls and environmental controls. The system is maintained by the Office of Human Resources.

EPA has established an official public docket for this action under Docket ID No. EPA-HQ-OARM-2006-0101. The official public docket is the collection of materials that is available for public viewing at the OEI 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 OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still

access any of the publicly available docket materials through the docket facility identified above.

Dated: February 15, 2006.

**Linda A. Travers,**  
*Acting Assistant Administrator and Chief Information Officer.*

**EPA-56**

**SYSTEM NAME:**

EZHIRE.

**SYSTEM LOCATION:**

Human Resources Office, Personnel Services Branch, United States Environmental Protection Agency (EPA) 1200 Pennsylvania Avenue, Washington, DC 20640.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals filing applications for employment with the U.S. Environmental Protection Agency in response to advertised position vacancy announcements.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Position vacancy announcement information such as position title, series and grade level(s), office and duty location, opening and closing date of the announcement, and dates of referral and return of lists of qualified candidates; applicant personal data such as name, address, social security number, date of birth, sex, veterans' preference and federal competitive status; and applicant qualification and processing information such as qualifications, grade level eligibility, reason for ineligibility, referral status, and dates of notification.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 1104, 5 U.S.C. 1302, 5 U.S.C. 3301, 5 U.S.C. 3304, 5 U.S.C., 3320, 5 U.S.C. 3327, 5 U.S.C. 3361, and 5 U.S.C. 3393; Executive Order 9397 (Nov. 22, 1943).

**PURPOSE(S):**

The records are collected and maintained to monitor, track and rank qualified individuals filing employment applications with the U.S. EPA and to assess recruiting goals and objectives. EZHire will improve time-to-hire cycle, it will comply with the security requirements of Federal Information Security Management Act (FISMA), collect Equal Employment Opportunity (EEO) data and facilitate ad hoc reporting.

**GENERAL ROUTINE USES OF EPA SYSTEMS OF RECORDS:**

A. To the U.S. Office of Personnel Management, the Merit Systems

Protection Board, the Office of Government Ethics, the Office of Special Counsel, the Federal Labor Relations Authority or its General Counsel, the Equal Employment Opportunity Commission, to the extent disclosure is determined to be relevant and necessary to carry out the government-wide personnel management, investigatory, adjudicatory, and appellate functions within their respective jurisdictions;

B. To a congressional office in response to a written inquiry made by a congressional office at the request of the individual to whom the record pertains;

C. To the appropriate Federal, State or local agency or responsible authority, such information that is necessary and pertinent for investigating or prosecuting a violation of, or for enforcing or implementing a statute, rule, regulation, or order, when the information indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto;

D. To a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations or in connection with criminal proceedings, when the U.S. EPA is a party to the proceeding or has a significant interest in the proceeding and the information is determined to be relevant and necessary; and

E. To a consultant, person or entity who contracts or subcontracts with the U.S. EPA, to the extent necessary for the performance of the contract or subcontract. The recipient of the records shall be required to comply with the requirements of the Privacy Act of 1974, as amended (5 U.S.C. 552a).

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Records are stored in electronic media and paper format.

**RETRIEVABILITY:**

Indexed and retrieved by name and social security number of individual applicant.

**SAFEGUARDS:**

Electronic files are password protected and accessible only by authorized personnel (Human Resources Specialist who are assigned to this task). Network servers are located in a locked

room with physical access limited to only authorized personnel such as IT personnel.

**RETENTION AND DISPOSAL:**

Personal data that is collected from the individual is maintained for two years after which all data is removed in accordance with National Archives and Records Administration procedures.

**SYSTEM MANAGER(S) AND ADDRESS:**

Acting Director, Office of Human Resources, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

**NOTIFICATION PROCEDURE:**

An Individual wishing to determine if they are named in this system of records or gain access to records maintained in this system must be a registered user. (If you have previously applied for employment enter your online applicant User ID (or e-mail address) plus your Password to view or edit the application, personal data or your resume.)

**RECORD ACCESS PROCEDURES:**

An individual wishing to determine if they are named in this system of records or gain access to records maintained in this system must be a Registered User.

**CONTESTING RECORD PROCEDURES:**

An individual wishing to contest or amend information maintained in this system should be a Registered User.

**RECORD SOURCE CATEGORIES:**

None.

Information originates from position vacancy announcements, and applications for employment submitted by individuals.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. 06-1738 Filed 2-23-06; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[HQ-OARM-2006-0100; FRL-8036-6]

**Privacy Act System of Records**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of amendment to existing Privacy Act System of Records .

**SUMMARY:** The Environmental Protection Agency (EPA or "Agency") is amending a Privacy Act system of records entitled "PeoplePlus Payroll, Time and Labor Application System" to reflect the Agency's transfer of payroll processing

services from EPA to the Defense Finance and Accounting Service (DFAS) in FY2006. Under the President's Management Agenda e-Payroll initiative, federal agencies are required to select one of four consolidated government-wide payroll service providers. EPA selected DFAS because its system was the most compatible with EPA's existing systems and accounting structure. DFAS will compute the Agency payroll and make all payments. This notice also notifies the public of the additional routine uses for the payroll data. This notice does not affect any Privacy Act rights already accorded individuals who are the subject of Agency payroll records. This action gives notice that payroll processing will be performed by DFAS and adds compatible routine uses.

**DATES:** Person wishing to comment on this revised system of records notice may do so by April 5, 2006. Unless there is a further notice in the **Federal Register**, this revised system of records will become effective on April 5, 2006.

**ADDRESSES:** Questions regarding this notice should be referred to Zandra Kern at (202) 564-7721.

**FOR FURTHER INFORMATION CONTACT:** Zandra Kern, Washington Finance Center, Office of Financial Services, Office of the Chief Financial Officer, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., (MC 2734R), Washington, DC 20460, 202-564-7721.

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

DFAS will prepare and process payroll for EPA employees and for employees of the Department of Transportation's Surface Transportation Board (STB). DFAS will compute each employee's gross pay, subtract all applicable deductions and benefits and forward net payments to banks, and report back the results. The Agency will then perform labor distribution and enter the information into the Agency's central accounting system. Transferring payroll processing services is part of an overall e-government effort led by the Office of Personnel Management (OPM) to consolidate executive branch payroll providers and to simplify and standardize civilian payroll procedures across the Federal government. This action gives notice that the payroll processing function is being transferred to DFAS and new routine uses are being added.

EPA has established an official public docket for this action under Docket ID No. EPA-HQ-OARM-2006-0100. The official public docket is the collection of

materials that is available for public viewing at the Office of Environmental Information (OEI) 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 OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified above.

Dated: February 15, 2006.

**Linda A. Travers,**

*Acting Assistant Administrator and Chief Information Officer.*

**EPA-1**

**SYSTEM NAME:**

PeoplePlus Payroll, Time and Labor Application.

**SYSTEM LOCATION:**

National Computer Center, Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Current and former EPA employees including Health and Human Services Public Health Service Commissioned Officers assigned to EPA and employees of the Surface Transportation Board (formerly the Interstate Commerce Commission), Department of Transportation.

**CATEGORIES OF RECORDS COVERED BY THE SYSTEM:**

This system contains personnel, basic benefits, pay, cash awards, and leave records. This includes, but is not limited to, employee information such as: Name(s), date of birth, social security number, home and mailing addresses, grade, employing organization, salary, pay plan, number of hours worked, overtime, compensatory time, leave accrual rate, leave usage and balances, Civil Service Retirement and Federal Retirement System contributions, FICA