

4503T, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-1170; fax number: (202) 566-1333; e-mail address: [waye.don@epa.gov](mailto:waye.don@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 16, 2006 (71 FR 28319), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments. Any additional comments on this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OW-2006-0394, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC 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 Water Docket is 202-566-2426.

Use EPA's electronic docket and comment system at [www.regulations.gov](http://www.regulations.gov), to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select "docket search," then key in the docket ID number identified above. Please note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at [www.regulations.gov](http://www.regulations.gov) 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. For further information about the electronic docket, go to [www.regulations.gov](http://www.regulations.gov).

**Title:** Approval of State Coastal Nonpoint Pollution Control Programs (Renewal).

**ICR numbers:** EPA ICR No. 1569.06, OMB Control No. 2040-0153.

**ICR Status:** This ICR is scheduled to expire on October 31, 2006. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. 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 title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

**Abstract:** Under the provisions of national Program Development and Approval Guidance implementing section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) which was jointly developed and published by EPA and the National Oceanic and Atmospheric Administration (NOAA), 29 coastal States and 5 coastal Territories with Federally approved Coastal Zone Management Programs have developed and submitted to EPA and NOAA Coastal Nonpoint Pollution Programs. EPA and NOAA have approved 13 States and 4 Territories, and conditionally approved 16 States and 1 Territory. The conditional approvals will require States and Territories to submit additional information in order to obtain final program approval. CZARA section 6217 requires States and Territories to obtain final approval of their Coastal Nonpoint Pollution Programs in order to retain their full share of funding available to them under section 319 of the Clean Water Act and section 306 of the Coastal Zone Management Act.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 125 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 which have subsequently changed; 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:** 16 States and 1 Territory with approved coastal zone management programs.

**Estimated Number of Respondents:** 17.

**Frequency of Response:** Once.

**Estimated Total Annual Hour Burden:** 2,125 hours.

**Estimated Total Annual Cost:** \$76,500, which includes \$0 annualized Capital Startup costs, \$0 annualized O&M costs, and \$76,500 annualized Labor Costs.

**Changes in the Estimates:** There is a decrease of 1125 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This decrease is the result of EPA and NOAA having fully approved 17 of the 34 State Coastal Nonpoint Programs.

Dated: September 22, 2006.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. E6-16297 Filed 10-2-06; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8225-8]

### Clean Air Act; Contractor Access to Confidential Business Information

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

**ACTION:** Notice.

**SUMMARY:** EPA has contracted with The Bionetics Corporation to provide assistance in the enforcement of regulatory requirements under the Clean Air Act, from September 1, 2006, until August 31, 2011. The Bionetics Corporation has been authorized to have access to information submitted to EPA under these statutes that may be claimed and determined to be confidential business information.

**DATES:** This notice is effective October 3, 2006.

**FOR FURTHER INFORMATION CONTACT:** Ross Ruske, Environmental Scientist, USEPA, Mail Code (2242A), 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Telephone: (202) 564-1033. Fax: (202) 564-1024. Internet mail address: [ruske.ross@epamail.epa.gov](mailto:ruske.ross@epamail.epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has authorized access for The Bionetics Corporation ("Bionetics"), a contractor, to information submitted to the EPA under the Clean Air Act. Some of this information may be claimed and determined to be confidential business information ("CBI"). The EPA contract number is EP-06-088. The Bionetics corporate address is: The Bionetics Corporation, 11833 Canon Boulevard, Suite #100, Newport News, VA 23606.

Under the contract, Bionetics provides enforcement support to the Air Enforcement Division, Office of Regulatory Enforcement, Office of Enforcement and Compliance Assurance in a number of activities primarily related to the Clean Air Act. The contractor may also be called upon to provide support to other EPA offices under the other statutes. The activities in which Bionetics provides enforcement support include, but are not limited to:

Inspections and audits of facilities that produce, import, store, transport, dispense or analyze fuel used in mobile source vehicles and engines; and Inspections and audits of facilities that manufacture, import, distribute, sell or repair motor vehicles, motor vehicle engines, or non-road engines.

The type of information that may be disclosed includes, but are not limited to: Records related to the production, importation, distribution, sale, storage, testing and transportation of gasoline, gasoline blendstocks, diesel fuel, diesel fuel blendstocks, and detergent additives; and records related to the manufacture, importation, emission certification, emission testing, emission control warranty, repair, modification and fueling of mobile source vehicles and engines, including, but not limited to, motor vehicles, motor vehicle engines, non-road engines, locomotives and marine engines, and stationary source engines.

It is necessary for Bionetics to have access to these records in order to prepare reports that EPA uses to evaluate whether regulated parties are in compliance with applicable regulatory requirements under the above listed statutes.

In accordance with 40 CFR 2.301(h)(2), EPA has determined that disclosure of confidential business information to Bionetics and its subcontractor is necessary for these entities to carry out the work required by this contract. EPA is issuing this notice to inform all submitters of information to the EPA under the Clean Air Act that EPA may allow access to CBI contained in such submittals to Bionetics and their subcontractor as necessary to carry out work under this contract. Disclosure of CBI under this contract may continue until August 31, 2011.

As required by 40 CFR 2.301(h)(2), the Bionetics contract includes provisions to assure the appropriate treatment of CBI disclosed to contractors and subcontractors.

Dated: September 27, 2006.

**John Fogarty**,  
Acting Director, Air Enforcement Division.  
[FR Doc. E6-16298 Filed 10-2-06; 8:45 am]  
BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[Docket ID Number EPA-HQ-OECA-2006-0753; FRL-8226-4]

### Clean Water Act Class II: Proposed Administrative Settlement, Penalty Assessment and Opportunity To Comment Regarding Kmart Holding Corporation

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

**ACTION:** Notice.

**SUMMARY:** EPA has entered into a consent agreement with Kmart Holding Corporation ("Kmart" or "Respondent") to resolve violations of the Clean Water Act ("CWA"), the Emergency Planning and Community Right-to-Know Act ("EPCRA"), and the Resource Conservation and Recovery Act ("RCRA") and their implementing regulations.

The Administrator is hereby providing public notice of this consent agreement and proposed final order, and providing an opportunity for interested persons to comment on the CWA, EPCRA, and RCRA portions of this consent agreement, in accordance with CWA section 311(b)(6)(C).

**DATES:** Comments are due on or before November 2, 2006.

**ADDRESSES:** Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Section I.B of the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** Beth Cavalier, Special Litigation and Projects Division (2248-A), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone (202) 564-3271; fax: (202) 564-0010; e-mail: [cavalier.beth@epa.gov](mailto:cavalier.beth@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. How Can I Get Copies of This Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under Docket ID No. EPA-HQ-OECA-2006-0753.

The official public docket consists of the Consent Agreement, proposed Final

Order, and any public comments received. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Enforcement and Compliance Docket Information Center (ECDIC) 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 Public Reading Room is (202) 566-1744, and the telephone number for the ECDIC is (202) 566-1752. A reasonable fee may be charged by EPA for copying docket materials.

2. *Electronic Access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

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 submit or 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. Once in the system, select "search," then key in the appropriate docket identification number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. 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 in Section I.A.1.

For public commentors, it is important to note that EPA's policy is that public comments, whether