

program, such as certification of EPA-issued permits by non-NPDES States. The third category, "State Program Oversight," includes activities required of NPDES States so that EPA may satisfy its statutory requirements for state program oversight. The information collected by EPA is used to evaluate the adequacy of a State's NPDES or sludge program and to provide EPA with the information necessary to fulfill its statutory oversight functions over State program performance and individual permit actions. EPA will use this information to evaluate State requests for full or partial program approval and program modifications. In order to evaluate the adequacy of a State's proposed program, appropriate information must be provided to ensure that proper procedures, regulations, and statutes are in place and consistent with the CWA requirements.

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 52 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:** States, Territories, and American Indian Tribal Entities.

**Estimated Number of Respondents:** 618.

**Frequency of Response:** Semi-annually, quarterly, on occasion, every 5 years, on-going.

**Estimated Total Annual Hour Burden:** 1,013,802 hours.

**Estimated Total Annual Cost:** \$37,470,111, which includes \$0 for capital or O&M.

**Changes in the Estimates:** The estimated increase in burden is 46,836 hours compared to the total estimated burden hours currently identified in the OMB Inventory of Approved ICR Burdens. This change is primarily the result of (1) EPA's continuous effort to improve the quality of data in its PCS database. This change may reflect more accurate data rather than a significant change in the number of permits actually administered. The total number of permits in PCS has decreased, but the number of major facilities has increased. (2) Changes and adjustments in the number and types of permits administered by the states and EPA under the NPDES program. Non-NPDES authorized states continue to apply for NPDES program and sludge program authorization, impacting recordkeeping and reporting, resulting in a shift of burden from Federal to State governments. (3) The shift toward the use of general permits to cover certain categories of dischargers, reducing the number of standard permits.

Dated: December 4, 2006.

**Richard T. Westlund,**

*Acting Director, Collection Strategies Division.*

[FR Doc. E6-21115 Filed 12-11-06; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2005-0023; FRL-8254-1]

### Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Clean Water Act Section 404 State-Assumed Programs; EPA ICR No. 0220.10, OMB Control Number 2040-0168

**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 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. The ICR, which is abstracted below, describes the nature of the information collection and its estimated burden and cost.

**DATES:** Additional comments may be submitted on or before January 11, 2007.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-OW-2005-0023, to (1) EPA online using <http://www.regulations.gov> (our preferred method), by e-mail to [ow.docket@epa.gov](mailto:ow.docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Water Docket Mail Code: 4101T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, and (2) OMB by mail to: 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:** Kathy Hurlid, Office of Wetlands, Oceans, and Watersheds, Wetlands Division (4502T), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: 202-566-1348; fax number: 202-566-1349; e-mail address: [hurlid.kathy@epa.gov](mailto:hurlid.kathy@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 July 11, 2006, (71 FR 39102), 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-2005-0023, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 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 <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 <http://www.regulations.gov> as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other

information whose public disclosure is restricted by statute. For further information about the electronic docket, go to <http://www.regulations.gov>.

*Title:* Clean Water Act Section 404 State-Assumed Programs.

*ICR Numbers:* EPA ICR No. 0220.10, OMB Control No. 2040-0168.

*ICR Status:* This ICR is scheduled to expire on January 31, 2007. 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:* This information collection request has three parts: A. Information needed for States or Tribes to request program assumption; B. Information needed from permit applicants; and C. Information included in the State or Tribe's annual report.

A. Section 404(g) of the Clean Water Act authorizes States [and Tribes] to assume the Section 404 permit program. States/Tribes must demonstrate that they meet the statutory and regulatory requirements (40 CFR part 233) for an approvable program. Specified information and documents must be submitted by the State/Tribe to EPA to request assumption. Once the required information and documents are submitted and EPA has a complete assumption request package, the statutory time clock for EPA's decision to either approve or deny the State/Tribe's assumption request starts. The information contained in the assumption request is made available to the other involved Federal agencies (Corps of Engineers, U.S. Fish and Wildlife Service, and National Marine Fisheries Service) and to the general public for review and comment. These minimum information requirements are based on the information that must be submitted when applying for a Section 404 permit from the Corps of Engineers. [33 CFR part 328].

B. States/Tribes must be able to issue permits that comply with the 404(b)(1) Guidelines, the environmental review criteria. States/Tribes and the reviewing Federal agencies must be able to review

proposed projects to evaluate, avoid, minimize and compensate for anticipated impacts. EPA's assumption regulations establish recommended elements that should be included in the State/Tribe permit application, so that sufficient information is available to make a thorough analysis of anticipated impacts. These minimum information requirements are based on the information that must be submitted when applying for a Section 404 permit from the Corps of Engineers (CWA Section 404(h)(1)(A)(i) and Section 404(j) and 40 CFR 230.10, 233.20, 233.21, 233.34, and 233.50) (33 CFR 325.1).

C. EPA is responsible for oversight of assumed programs to ensure that State/Tribal programs are in compliance with applicable requirements and that State/Tribal permit decisions adequately consider, avoid, minimize and compensate for anticipated impacts. States/Tribes must evaluate their programs annually and submit the results in a report to EPA. EPA's assumption regulations establish minimum requirements for the annual report (40 CFR 233.52).

If a State or Tribe chooses to assume the CWA Section 404 Program, the information collected during the approval process is required and the reporting requirements for each permit and the annual report are mandatory (CWA Section 404(h)(1)(A)(i) and Section 404(j) and 40 CFR 230.10, 233.20, 233.21, 233.34, and 233.50) (33 CFR 325.1). The nature and extent of confidentiality is addressed in Section 404(o) of the Clean Water Act which requires that all permits and permit applications under this section be made available to the public.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is listed below. 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:* States and Tribes.

*Estimated Number of Respondents:* 2 States/Tribes to request assumption; 20,000 permit applicants; and 4 States/Tribes to submit annual report to EPA.

*Frequency of Response:* One time when requesting assumption; one time when filing a permit; and annually for program annual report (once the program is assumed).

*Estimated Total Annual Hour Burden:* 101,360 hours.

*Estimated Total Annual Cost:* There are no capital or O&M costs associated with this collection.

Dated: December 4, 2006.

**Richard T. Westlund,**

*Acting Director, Collection Strategies Division.*

[FR Doc. E6-21116 Filed 12-11-06; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8253-9]

### Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or Superfund, Section 128(a); Notice of Grant Funding Guidance for State and Tribal Response Programs

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) will begin to accept requests, from December 15, 2006 through February 15, 2007, for grants to supplement State and Tribal Response Programs. This notice provides guidance on eligibility for funding, use of funding, grant mechanisms and process for awarding funding, the allocation system for distribution of funding, and terms and reporting under these grants. EPA has consulted with state and tribal officials in developing this guidance.

The primary goal of this funding is to ensure that state and tribal response programs include, or are taking reasonable steps to include, certain elements and a public record. Another goal is to provide funding for other activities that increase the number of response actions conducted or overseen by a state or tribal response program. This funding is not intended to supplant current state or tribal funding for their response programs. Instead, it is to supplement their funding to increase their response capacity.

For fiscal year 2007, EPA will consider funding requests up to a