

6403J, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (202) 343-9264; fax number: (202) 343-2804; email 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 May 31, 2005, (70 FR 30943), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments.

EPA has established a public docket for this ICR under Docket ID Number OAR-2005-0121, 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 obtain a copy of the draft collection of information, 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 appropriate docket ID number as identified below.

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 [www.epa.gov/edocket](http://www.epa.gov/edocket).

**Title:** Exclusion Determinations for New Non-road Spark-ignited Engines at or Below 19 Kilowatts, New Non-road Compression-ignited Engines, New Marine Engines, and New On-road Heavy Duty Engines (Renewal)

**Abstract:** Under the provisions of the Clean Air Act (Act), the Administrator is required to promulgate regulations to control air pollutant emissions from "motor vehicles" and "non-road engines", as defined in the Act. Motor vehicles and non-road engines not meeting the applicable definitions are excluded from compliance with current regulations.

A manufacturer may make an exclusion determination by itself; however, manufacturers and importers may routinely request EPA to make such determination to ensure that their determination does not differ from the Agency's. To request an exclusion determination, manufacturers submit a letter with a description of the engine and/or vehicle (engine type, horsepower rating, intended usage, etc.) and a sales brochure to the Engine Programs Group (EPG), Certification and Compliance Division, Office of Transportation and Air Quality. EPG uses this information to determine whether the engine or vehicle is excluded from compliance with one or more emission regulations. EPG then stores the data in its internal files, and makes it available to environmental groups and the public upon request under the Freedom of Information Act.

Responses to this collection are voluntary. Confidentiality to proprietary information is granted in accordance with the Freedom of Information Act, EPA regulations at 40 CFR part 2, and class determinations issued by EPA's Office of General Counsel.

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 40 CFR part 9 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 7 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; 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:** Light Truck and Utility Vehicle Manufacturers; Heavy Duty Truck Manufacturers; Gasoline Engine and Engine Parts Manufacturers; Construction Machinery Manufacturers; Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturers; Marine Engine Manufacturers; Other Engine Equipment Manufacturers

**Estimated Number of Respondents:** 12  
**Frequency of Response:** One time voluntary

**Estimated Total Annual Hour Burden:** 69

**Estimated Total Annual Cost:** \$5,654, which includes \$0 annualized capital/startup costs, \$116 annual O&M costs, and \$5,538 annual labor costs.

**Changes in the Estimates:** There is no change in the total estimated burden hours currently identified in the OMB Inventory of Approved ICR Burdens.

Dated: August 23, 2005.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 05-17355 Filed 8-30-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OECA-2005-0014; FRL-7963-2]

### Agency Information Collection Activities: Submission to OMB for Review and Approval; Comment Request; State Review Framework; EPA ICR Number 2185.01

**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 EPA is planning to submit a proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request for a new collection. 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:** Comments must be submitted on or before September 30, 2005.

**ADDRESSES:** Submit your comments, referencing docket ID number OECA-2005-0014 to (1) EPA online using EDOCKET (our preferred method), by email to [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, OECA Docket, mail code 2201T, 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.

**FOR FURTHER INFORMATION CONTACT:**

Arthur Horowitz, Office of Planning Policy Analysis and Communication, mail code 2201A, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-2612; fax number: (202) 564-0027; email address: [horowitz.arthur@epa.gov](mailto:horowitz.arthur@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 April 26, 2005 70 FR 21408, EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received one comment and has addressed the comment received.

EPA has established a public docket for this ICR under Docket ID number OECA-2005-0014, which is available for public viewing at the OECA 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 OECA Docket is (202) 566-1514. 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 within 60 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, 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 [www.epa.gov/edocket](http://www.epa.gov/edocket).

*Affected entities:* State and local governments.

*Title:* State Review Framework.

*Abstract:* The State Review Framework ("Framework") is an oversight tool designed to assess state performance in enforcement and compliance assurance. The Framework's goal is to evaluate state performance by examining existing data to provide a consistent level of oversight and develop a uniform mechanism by which EPA Regions, working collaboratively with their states, can ensure that state environmental agencies are consistently implementing the national compliance and enforcement program in order to meet agreed-upon goals. Furthermore, the Framework is designed to foster dialogue on enforcement and compliance performance between the states that will enhance relationships and increase feedback, which will in turn lead to consistent program management and improved environmental results.

Specifically, the Framework is a structured process that provides critical information on a state's (or Region's, for states with EPA-implemented programs) core enforcement and compliance assurance performance by employing existing data available in EPA's national databases and presented in management reports for each state. By the end of calendar year 2005 EPA expects to automate the management reports and make them available for the Regions and states to directly view and pull their

own data. No new data collection is required for the national databases. Additional data will be obtained from the review of a state environmental agency's compliance and enforcement files. While no new data is required to be created in these files; they will be required to be provided and reviewed to ensure consistency with national standards in terms of documentation and performance. The states' participation in this process is mandatory.

The Framework process asks regions, states and local governments to examine existing data in three core programs: Clean Air Act ("CAA"), Stationary Sources; Clean Water Act ("CWA"), National Pollutant Discharge Elimination System ("NPDES"); and Resource Conservation and Recovery Act ("RCRA"), Subtitle C. The Framework evaluates twelve (12) primary elements, and a thirteenth optional element, using data and file review metrics. The utility of the Framework's metrics and the Implementation Guide are a direct result of the collaboration between states, Regions, Headquarters, and environmental leaders over the previous two years. These stakeholders provided extensive input and comments prior to both a pilot phase of the project, and in an evaluation of the pilots. The results of the evaluation of the Framework's pilot program was 14 main recommendations, which OECA and ECOS reviewed and used to establish work groups that were tasked with addressing those recommendations. The results of the evaluation of the Framework's pilot program have been used to improve the Framework and further ensure that it is narrowly crafted and will only collect information that satisfies the Agency's needs.

The thirteen (13) elements mentioned above are: (1) The degree to which a state program has completed the universe of planned inspections (addressing core requirements and Federal, state, and regional priorities); (2) The degree to which inspection reports and compliance reviews document inspection findings, including accurate descriptions of what was observed to sufficiently identify violation(s); (3) The degree to which inspection reports are completed in a timely manner, including timely identification of violations; (4) The degree to which significant violations (e.g., significant noncompliance and high-priority violations) and supporting information are accurately identified and reported to EPA's national databases in a timely manner; (5) The degree to which state enforcement

actions include required corrective or complying actions (*i.e.*, injunctive relief) that will return facilities to compliance in a specific time frame; (6) The degree to which a state takes timely and appropriate enforcement actions, in accordance with policy relating to specific media; (7) The degree to which a state includes both gravity and economic benefit calculations for all penalties, appropriately using the BEN model or similar state model (where in use and consistent with national policy); (8) The degree to which penalties in final enforcement actions collect appropriate economic benefit and gravity in accordance with applicable penalty procedures; (9) The degree to which enforcement commitments in the PPA/PPG/categorical grants (*i.e.*, written agreements to deliver a product/project at a specified time), if they exist, are met and any products or projects are completed; (10) The degree to which the minimum data requirements are timely; (11) The degree to which the minimum data requirements are accurate; (12) The degree to which the minimum data requirements are complete, unless otherwise negotiated by the region and state or prescribed by a national initiative; and (13) (Optional) Other program activities (*e.g.*, using outcome data, compliance assistance, self-disclosure programs, innovative approaches, etc.). In the interest of accuracy and efficiency, the Framework also includes a four-step protocol for managing the process: (1) Pre-review and offsite review; (2) onsite review; (3) drafting of the report; and (4) composing the final report and follow-up. After reviewing the level of performance based on metrics developed to support the 12 required performance elements, EPA will determine if a state or Region meets adequate performance levels.

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 40 CFR part 9 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 384 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; 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:** 50 states.

**Estimated Number of Respondents:** 40.

**Frequency of Response:** one time over a three year period.

**Estimated Total Annual Hour Burden:** 5,122.

**Estimated Total Annual Cost:** \$169,035 including \$0 annualized capital or O&M costs.

**Changes in the Estimates:** N/A.

Dated: August 24, 2005.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 05-17361 Filed 8-30-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OAR-2002-0073; FRL-7963-3]

### Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; Recordkeeping and Periodic Reporting of the Production, Import, Export, Recycling, Destruction, Transshipment, and Feedstock Use of Ozone-Depleting Substances (Renewal), EPA ICR Number 1432.25, OMB Control Number 2060-0170

**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 August 31, 2005. This ICR describes the nature of the information collection and its estimated burden and cost.

**DATES:** Additional comments may be submitted on or before September 30, 2005.

**ADDRESSES:** Submit your comments, referencing docket ID number OAR-

2002-0073, to (1) EPA online using EDOCKET (our preferred method), by e-mail to [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@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:

Kirsten M. Cappel, Office of Atmospheric Programs, Stratospheric Protection Division, Mail Code 6205J, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (202) 343-9556; fax number: (202) 343-2338; e-mail address: [cappel.kirsten@epa.gov](mailto:cappel.kirsten@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 14th, 2005 (70 FR 34470) EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments.

EPA has established a public docket for this ICR under Docket ID No. OAR-2002-0073 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,