

pursuant to the Agency's 2004 Effluent Guidelines Plan (69 FR 53719, September 2, 2004). The focus of the rulemaking is on wastewater discharges from aircraft and airport pavement deicing operations. EPA will send survey questionnaires to a sample of airports and airlines to help the Agency compile a national assessment of deicing operations. Three questionnaires will be used: A detailed airport questionnaire, a short "screener" airline questionnaire, and a detailed airline questionnaire. The detailed questionnaires will include questions on the deicing technologies employed, amount of deicing chemicals used, pollution prevention techniques, and economic and financial information. The airline screener will ask airlines whether they deice their own aircraft at specified locations, or if another party conducts the deicing operation. EPA will use the screener results to select airline locations for responding to the detailed airline questionnaire. Completion of this one-time survey will be mandatory pursuant to section 308 of the Clean Water Act.

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 62 hours for airport questionnaire respondents, 21 hours for airline detailed questionnaire respondents, and 5.5 hours for airline screener respondents to complete and review their responses to the questionnaire and associated data submissions. 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:** Airports and airlines that perform deicing and anti-icing on aircraft and/or airfield pavement.

**Estimated Number of Respondents:** 290.

**Frequency of Response:** One time response.

**Estimated Total Annual Hour Burden:** 20,851 hours.

**Estimated Total Annual Cost:** \$871,998, includes \$0 annualized capital expenditure and \$8,134 Respondent O&M costs.

Dated: October 19, 2005.

**Sara Hisel-McCoy,**

*Acting Director, Collection Strategies Division.*

[FR Doc. 05-21374 Filed 10-25-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7988-4]

### Proposed Settlement Agreement, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement, to address petitions for review filed by American Chemistry Council ("ACC"), Eastman Chemical Company, Clariant LSM (America), Inc., Rohm and Haas Company, General Electric Company, Lyondell Chemical Company and the Coke Oven Environmental Task Force (collectively "petitioners"). *ACC et al. v. EPA* Nos. 04-1004 (and consolidated cases 04-1005, 04-1008, 04-1009, 04-1010, 04-1012, and 04-1013) (D.C. Cir.). In January 2003, petitioners filed petitions for review challenging the final EPA rule entitled "National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing; Final Rule" ("MON"). 68 FR 63852 (November 10, 2003). Under the terms of the proposed settlement agreement, EPA has agreed that: On or before November 30, 2005, the EPA Administrator will sign a notice of proposed rulemaking to amend the MON as provided in Attachment A to the Settlement Agreement; As part of the proposed amendments to the MON, EPA will include language in the preamble as provided in Attachment B to the Settlement Agreement; Within 30

days of the date the comment period on the proposed amendments closes, EPA will take final action on the proposed 18 month compliance extension; and Within 150 days of the date the comment period on the proposed amendments closes, EPA will sign a notice of final rulemaking.

**DATES:** Written comments on the proposed settlement agreement must be received by November 25, 2005.

**ADDRESSES:** Submit your comments, identified by docket ID number OGC-2005-0015, online at <http://www.epa.gov/edocket> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Wordperfect or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Elliott Zenick, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460, telephone: (202) 564-1822.

### SUPPLEMENTARY INFORMATION:

#### I. Additional Information About the Proposed Settlement

This case concerns challenges to the rule entitled "National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing; Final Rule" ("MON"). 68 FR 63852 (November 10, 2003). These standards are based on the performance of Maximum Achievable Control Technology (MACT), and implement section 112(d) of the Clean Air Act. Under the terms of the proposed settlement agreement, EPA has agreed that: (1) On or before November 30, 2005, the EPA Administrator will sign a notice of proposed rulemaking to amend the MON as provided in Attachment A to the Settlement Agreement; (2) As part of the proposed amendments to the MON, EPA will include language in the preamble as provided in Attachment B to the Settlement Agreement; (3) Within 30 days of the date the comment period on the proposed amendments closes, EPA will take final action on the

proposed 18 month compliance extension; and (4) Within 150 days of the date the comment period on the proposed amendments closes, EPA will sign a notice of final rulemaking.

Petitioners have agreed to dismiss their petitions for review if EPA takes final action amending the MON in a manner substantially the same as the amendments set forth in Attachment A and not substantially inconsistent with the language in Attachment B.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, based on any comment which may be submitted, that consent to the settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

## II. Additional Information About Commenting on the Proposed Settlement

### A. How Can I Get a Copy of the Settlement?

EPA has established an official public docket for this action under Docket ID No. OGC-2005-0015 which contains a copy of the settlement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, 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 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 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.

It is important to note that EPA's policy is that public comments, whether submitted electronically or on paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in EPA's electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

### B. How and To Whom Do I Submit Comments?

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public

docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through EPA's electronic public docket, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: October 19, 2005.

**Brenda Mallory,**

*Acting Principal Deputy General Counsel,  
Office of General Counsel.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0257; FRL-7742-5]

### Versar, Inc. and EnDyna, BR Stern and Associates, Menzie-Cura and Associates, and Tetrahedon, Inc.; Transfer of Data

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

**ACTION:** Notice.

**SUMMARY:** This notice announces that pesticide related information submitted to EPA's Office of Pesticide Programs (OPP) pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA), including information that may have been claimed as Confidential Business Information (CBI) by the submitter, will be transferred to Versar, Inc. and its subcontractors, EnDyna, BR Stern and Associates, Menzie-Cura and Associates, and Tetrahedon, Inc., in accordance with 40 CFR 2.307(h)(3) and 2.308(i)(2). Versar, Inc. and its subcontractors, EnDyna, BR Stern and Associates, Menzie-Cura and Associates, and Tetrahedon, Inc., have been awarded a contract to perform work for OPP, and access to this information will enable Versar, Inc. and its subcontractors, EnDyna, BR Stern and Associates, Menzie-Cura and Associates, and Tetrahedon, Inc., to fulfill the obligations of the contract.

**DATES:** Versar, Inc. and its subcontractors, EnDyna, BR Stern and Associates, Menzie-Cura and Associates, and Tetrahedon, Inc., will be given access to this information on or before October 31, 2005.

**FOR FURTHER INFORMATION CONTACT:** Felicia Croom, Information Technology and Resources Management Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington,