

the establishment in which the pesticide is produced. This section further requires that the application for registration of any establishment shall include the name and address of the establishment and of the producer who operates such an establishment. EPA Form 3540-8, Application for Registration of Pesticide-Producing Establishments, is used to collect the establishment registration information required by this section.

FIFRA section 7(c) requires that any producer operating an establishment registered under section 7 report to the Administrator within 30 days after it is registered, and annually thereafter by March 1st for certain pesticide/device production and sales/distribution information. The producers must report which types and amounts of pesticides, active ingredients, or devices are currently being produced, were produced during the past year, sold or distributed in the past year. The supporting regulations at 40 CFR part 167 provide the requirements and time schedules for submitting production information. EPA Form 3540-16, Pesticide Reports for Pesticide-Producing Establishments, is used to collect the pesticide production information required by section 7(c) of FIFRA.

Establishment registration information, collected on EPA Form 3540-8, is a one-time requirement for all pesticide-producing establishments. Pesticide production information, reported on EPA Form 3540-16, is required to be submitted within 30 days of receipt of the Notification of Registration of Pesticide-Producing Establishments (EPA Form 3540-8A), and annually thereafter on or before March 1.

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.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

*Burden:* The average annual burden to the industry over the next three years is estimated to be 2 person hours per response.

*Respondents/affected entities:* 13,000.

*Estimated number of respondents:* 13,000.

*Frequency of responses:* 1.

*Estimated total annual hour burden:* 26,000.

There are no capital/startup costs or operating and maintenance (O&M) costs associated with this ICR since all equipment associated with this ICR is present as part of ordinary business practices.

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.

Dated: January 10, 2005.

**Richard Colbert,**

*Director, Agriculture Division, Office of Compliance, Office of Enforcement and Compliance Assurance.*

[FR Doc. 05-1375 Filed 1-25-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[R07-OAR-2005-MO-0001; FRL-7863-4]

### Adequacy Determination for the St. Louis Area Ozone Maintenance State Implementation Plan for Transportation Conformity Purposes; State of Missouri

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

**ACTION:** Notice of adequacy determination.

**SUMMARY:** In this notice, EPA is informing the public that we have found the motor vehicle emissions budgets (MVEB) for volatile organic compounds and nitrogen oxides in the Missouri portion of the St. Louis area adequate for conformity purposes. The State of Missouri established MVEBs for 2007. The emission estimates for 2007 were included in the 1-hour ozone maintenance plan based on projected emission inventories for that year. This Notice formalizes the 2007 emissions estimates as budgets for future conformity determinations, including the conformity determination that is required by June 15, 2005, under the 8-hour ozone standard.

**DATES:** This rule is effective February 10, 2005.

**ADDRESSES:** The finding and the response to comments will be available at EPA's conformity Web site: <http://www.epa.gov/otaq/transp/traqconf.htm> (click on "Adequacy Web Pages").

**FOR FURTHER INFORMATION CONTACT:** You may also contact Heather Hamilton, Environmental Protection Agency, 901 N. 5th Street, Kansas City, Kansas 66101, or by e-mail at [hamilton.heather@epa.gov](mailto:hamilton.heather@epa.gov), telephone (913) 551-7039.

**SUPPLEMENTARY INFORMATION:**

Throughout this document whenever "we," "us," or "our" is used, we mean EPA.

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule requires that transportation plans, programs, and projects conform to State Implementation Plans (SIPs) and established the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the National Ambient Air Quality Standards. The SIPs must establish MVEBs to ensure that conformity is achieved.

The criteria by which we determine whether SIP motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). We applied these criteria in finding that the submitted budgets are adequate.

We sent a letter to the Missouri Department of Natural Resources on December 17, 2004, stating that the motor vehicle emissions budgets in the St. Louis area for 2007 were found to be adequate. These budgets were projected emissions in the 1-hour ozone maintenance plan for St. Louis, although EPA approved a MVEB for

2014 as part of its approval of the maintenance plan. Because St. Louis must achieve the 8-hour ozone standard by 2010, budgets for an earlier year were determined to be necessary. The State's budgets for 2007 were approved through the adequacy process to be used for future conformity determinations. A conformity determination is required by June 15, 2005, for the 8-hour ozone standard. The 2007 budget will be used in that determination.

On March 2, 1999, the DC Circuit Court ruled that submitted SIPs cannot be used for conformity determinations until EPA has affirmatively found them adequate. As a result of our adequacy finding, the St. Louis area may use the 2007 budget for future conformity determinations.

We described our process for determining the adequacy of submitted SIP budgets in a guidance memorandum dated May 14, 1999, entitled, "Conformity Guidance on Implementation of March 2, 1999, Conformity Court Decision." We followed this guidance in making our adequacy determination. The proposed budget was posted on the Adequacy Web site on November 3, 2004. The comment period closed on December 2, 2004, and no comments were received. This action provides notice that the 2007 MVEB for the Missouri portion of the St. Louis area is adequate for conformity purposes.

**Authority:** 42 U.S.C. 7401-7671q.

**Dated:** January 11, 2005.

**William Rice,**

*Acting Regional Administrator, Region 7.*  
[FR Doc. 05-1372 Filed 1-25-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0347; FRL-7691-3]

### Fluazifop-P-butyl; Risk Assessment(s) (Phase 3 of 4-Phase Process); Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's risk assessment(s) and related technical support documents for the pesticide fluazifop-P-butyl and opens a public comment period on these documents. Fluazifop-P-butyl is a selective, post-emergent herbicide registered for the control of annual and perennial grass weeds. EPA is developing a tolerance reassessment decision (TRED) for fluazifop-P-butyl

through a modified, 4-Phase public participation process that the Agency uses to involve the public in developing pesticide reregistration and tolerance reassessment decisions. Through these programs, EPA is ensuring that all pesticides meet current health and safety standards.

**DATES:** Comments, identified by docket identification (ID) number OPP-2004-0347, must be received on or before March 28, 2005.

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

#### FOR FURTHER INFORMATION CONTACT:

Cathryn O'Connell, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460-0001; telephone number: (703) 308-0136; fax number: (703) 308-8041; e-mail address: [occonnell.cathryn@epa.gov](mailto:occonnell.cathryn@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health and agricultural advocates; the chemical industry; pesticide users and members of the public interested in the sale, distribution, or use of pesticides. Since others also may 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. 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 number OPP-2004-0347. The official public docket consists of the documents specifically referenced in this action, any public comments received and other information related to this action. 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 Public

Information and Records Integrity Branch (PIRIB), Room 119, Crystal Mall #2, 1801 S. Bell Street, Arlington, VA 22202-4501. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

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 ID 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 Dockets. EPA's policy is that copyrighted material will not be placed in EPA Dockets 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 Dockets. 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 Dockets. 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 Unit I.B.1. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA Dockets.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA Dockets as EPA receives them and without change, unless the comment contains copyrighted material, CBI or other information whose 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 EPA Dockets. The entire printed comment, including the copyrighted