

*J. Pipeline/LNG Industry Service Providers*

34. EMS Pipeline Services provides a broad array of pipeline operations and maintenance services, including field measurement, pipeline integrity testing, asset management, communications, and web-based data management. EMS is the only provider of pipeline services that filed comments, which generally support the Reports' approaches on both gas quality and interchangeability. EMS asserts that the Commission should encourage the industry to develop better and more comprehensive ways of measuring gas quality and interchangeability.

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BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OA-2006-0513; FRL-8185-6]

### Agency Information Collection Activities: Request for Renewal of Information Collection for EPA's National Environmental Performance Track Program, EPA ICR Number 1949.05, OMB Control Number 2010-0032

**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 request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on August 31, 2006. The request will be to renew the existing approved collection (EPA ICR Number 1949.03, OMB Control Number 2010-0032, National Environmental Performance Track Program). Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collections as described below.

**DATES:** Comments must be submitted on or before August 21, 2006.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OA-2006-0513 by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

- *E-mail:* [doCKET.oei@epa.gov](mailto:doCKET.oei@epa.gov).
- *Fax:* 202-566-0224.
- *Mail:* Office of Administrator Docket, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.
- *Hand Delivery:* EPA Docket Center, EPA West, Room B-102, 1301

Constitution Ave, NW., Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4:30 p.m. M-F), special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-OA-2006-0513. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov>, or via e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov> your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, *e.g.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the EPA Docket Center, EPA/DC, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The 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 Office of Administrator Docket is (202) 566-1752).

**FOR FURTHER INFORMATION CONTACT:** Robert D. Sachs, Office of Policy, Economics and Innovation, Mail Code 1807T, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-2884; fax Number: (202) 566-0966; e-mail address: [Sachs.Robert@epa.gov](mailto:Sachs.Robert@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OA-2006-0513, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Office of Environmental Information 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 Office of Environmental Information Docket is (202) 566-1752.

Use <http://www.regulations.gov> to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the 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 in this document.

### What Information Is EPA Particularly Interested In?

Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits comments and information to enable it 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. In

particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

### What Should I Consider When I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible and provide specific examples.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Offer alternative ways to improve the collection activity.
6. Make sure to submit your comments by the deadline identified under **DATES**.
7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

### What Information Collection Activity or ICR Does This Apply to?

*Affected entities:* Entities potentially affected by this action are facility members of EPA's National Environmental Performance Track program.

*Title:* Request for Renewal of Information Collection for EPA's National Environmental Performance Track Program.

*ICR Numbers:* EPA ICR No. 1949.03, OMB Control No. 2010-0032.

*ICR Status:* This ICR is currently scheduled to expire on August 31, 2006. 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:* EPA's National Environmental Performance Track is a voluntary program that recognizes and

rewards private and public facilities that demonstrate top environmental performance beyond current requirements. The program is based on the premise that government should complement existing programs with new tools and strategies that not only protect people and the environment, but also capture opportunities for reducing cost and spurring technological innovation.

Performance Track is a facility based program (not company-wide) that solicits and receives applications and makes acceptance decisions twice per year from February through April, and August through October. Applying facilities must meet four basic criteria: (1) A history of sustained compliance with environmental regulations; (2) an Environmental Management System (EMS) in place that has undergone an assessment by an independent third party; (3) past and future environmental achievements, and a commitment to quantified continuous environmental improvement; and (4) public involvement and annual reporting. Once accepted, members remain in the program for three years, as long as they continue to meet the program criteria. After three years, they may apply to renew their membership through a streamlined application process.

In this request, EPA proposes to renew ICR 1949.03, set to expire on August 31, 2006. This ICR requests approval to collect information from applicants and members of the National Environmental Performance Track program. A total of 401 facilities are current members.

No confidential information is requested in this notice. 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.

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 Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 16.4 hours per facility per year. This includes all applications, compliance screens, annual reporting, incentives participation, and site visits.

*The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:*

*Estimated total number of respondents:* 476.

*Frequency of response:* Annually, biennially, and triennially.

*Estimated total average number of responses for each respondent:* 2 or 3.

*Estimated total annual burden hours:* 7,805.

*Estimated total annual costs:* \$514,521. This includes an estimated burden cost of \$514,521, and an estimated cost of \$0.00 for capital investment or maintenance and operational costs.

EPA estimates that all facilities who voluntarily respond to this information collection by electing to participate in the Performance Track program have determined that the expected benefits of participation outweigh any burdens associated with preparing the 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.

### Are There Changes in the Estimates From the Last Approval?

This renewal ICR 1949.05 estimates annualized burden hours to be 7,805. This is a reduction of 105,634 hours from the previous reportable burden to OMB of 113,439 hours. The primary reason for this decrease is the burden hour estimate in "program

participation" under ICR 1949.03. The estimated hours for program participation were dramatically overestimated in the previous ICR, and EPA has determined therefore that these hours were incorrect. Specifically, EPA estimated significant burden for "compliance demonstration, EMS documentation and reporting, continuous performance demonstration, and reporting and public outreach." This burden was not correctly estimated, nor attributable to information collection requirements of the Performance Track Program. Other areas that contributed to the decrease in burden hours are application and renewal application hours, incentives hours, and annual performance reporting hours. Estimated burden hours per facility for the customer satisfaction survey have not changed. Finally, EPA has gained tremendous experience in the last three years about implementing its Performance Track Program, and assessing information collection burden in ICR amendments 1949.03 and 1949.04. As a result of this experience, EPA believes that current estimates in ICR 1949.05 to be significantly more accurate than previous estimates.

#### What Is the Next Step in the Process for This ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: June 14, 2006.

**David W. Guest,**

*Acting Director, Performance Incentives Division.*

[FR Doc. E6-9870 Filed 6-21-06; 8:45 am]

**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-8187-8]

#### Proposed Cercla Administrative Cost Recovery Settlement; Chester Realty Trust and Warren W. Kean, Mohawk Tannery Superfund Site, Nashua, NH

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

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

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement for recovery of costs concerning the Mohawk Tannery Superfund Site in Nashua, New Hampshire ("Site"). The settlement resolves the liability of Chester Realty Trust, which is the owner of the Site, and Warren W. Kean ("Settling Parties") for the recovery of costs incurred and to be incurred by the United States and the State of New Hampshire ("Government Parties") in response to releases and threatened releases of hazardous substances at the Site pursuant to Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9606 and 9607(a). EPA has incurred \$3,452,311.00 in response costs relating to this Site. This is an ability to pay settlement based upon EPA's review of financial documentation provided to the United States by the Settling Parties. This settlement calls for the liquidation of all property owned by Chester Realty Trust, including the Site property, and payment of net insurance proceeds from claims made against insurance carriers. In addition, Warren W. Kean will make a cash payment to the Government Parties. The settlement includes a covenant not to sue the Settling Parties pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a). For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate.

The Agency's response to any comments received will be available for public inspection at One Congress Street, Boston, MA 02214-2023 (Telephone No. 617-918-1089).

**DATES:** Comments must be submitted on or before July 24, 2006.

**ADDRESSES:** Comments should be addressed to Eve Vaudo, Senior Enforcement Counsel, U.S. Environmental Protection Agency, Region I, One Congress Street, Suite 1100 (SES), Boston, Massachusetts 02114-2023 (Telephone No. 617-918-1089) and should refer to: In re:

Mohawk Tannery Superfund Site, U.S. EPA Docket No. 01-2005-0053.

**FOR FURTHER INFORMATION CONTACT:** A copy of the proposed settlement may be obtained from Tina Hennessy, U.S. Environmental Protection Agency, Region I, Office of Site Remediation & Restoration, One Congress Street, Suite 1100 (HBR), Boston, MA 02114-2023 (Telephone No. 617-918-1216; E-mail [hennessy.tina@epa.gov](mailto:hennessy.tina@epa.gov)).

Dated: April 28, 2006.

**Susan Studlien,**

*Director, Office of Site Remediation & Restoration, EPA Region 1.*

[FR Doc. E6-9871 Filed 6-21-06; 8:45 am]

**BILLING CODE 6560-50-P**

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

#### Solicitation of Nomination for Appointment to the Chronic Fatigue Syndrome Advisory Committee

**AGENCY:** Office of Public Health and Science, Office of the Secretary, HHS.  
**ACTION:** Notice.

**Authority:** 42 U.S.C. 217a, section 222 of the Public Health Service (PHS) Act, as amended. The committee is governed by the provisions of Public Law 92-463, as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of advisory committees.

**SUMMARY:** The Office of Public Health and Science, HHS, is seeking nominations of qualified candidates to be considered for appointment as a member of the Chronic Fatigue Syndrome Advisory Committee (CFSAC). CFSAC provides science-based advice and recommendations to the Secretary of Health and Human Services, through the Assistant Secretary for Health, on a broad range of issues and topics pertaining to chronic fatigue syndrome (CFS). CFSAC, which was formerly known as the Chronic Fatigue Syndrome Coordinating Committee, was established by the Secretary of Health and Human Services on September 5, 2002. The appointments of five Committee members are scheduled to end on September 30, 2006. Nominations of qualified candidates are being sought to fill these scheduled vacancies.

**DATES:** Nominations for membership on the Committee must be received no later than 5 p.m. EST on July 12, 2006, at the address listed below.

**ADDRESSES:** All nominations should be mailed or delivered to Dr. John Eckert, Acting Executive Secretary, Chronic Fatigue Syndrome Advisory Committee;