most information was tracked locally on a fiscal year basis for budgetary purposes. The revised July 1-June 30 annual report period will accommodate most MS4s using the New Mexico fiscal year, but some MS4s may have alternative fiscal years, so flexibility to use alternative fiscal years has been added. This flexibility in the annual report period and due date will still allow the public and regulators to assess the permittee's activities in 12 month increments. Requiring the Annual Report to be submitted within 90 days following the end of the fiscal year will ensure that information in the report will not be stale by the time the public and regulatory agencies review it and is consistent with the time frame in the permit. Having a reporting period coinciding with the local fiscal year may also make local review and public input less confusing.

6. Consistent with Response to Comment No. 22, Part 1.4.6, second paragraph, first sentence has been corrected to replace ''* * * should consult * * *'' with ''* * * must consult * * *.''

7. In Addendum A, references to the U.S. Fish and Wildlife Web site for information on endangered species has been updated to the current link: *http://www.fws.gov/southwest/es/EndangeredSpecies/lists/.*

8. Consistent with Response to Comment No. 33, Addendum C the correct cross references in Item 4 to Part 1.4.6 and Item 7 to Part 5.2 have been added.

9. Addendum E, Section B. has been modified to clarify that the 30-day deadline for submittal of comments on an NOI begins when the NOI information is posted on EPA Region 6's small MS4 NOI web page. The word ''filed'' was inadvertently used in the same sentence in two separate ways. Comments will be due ''* * * within thirty (30) days of the date the NOI is posted on the Web site in Section A.''

10. Part 2.2.3.6 has been corrected to provide the address for submittal of Notices of Termination and remove a reference regarding submittal of copies to the State of New Mexico (which is independently required under Part 8.1.1).

*Revisions and Corrections to the Response to Comments Documents*

1. Response to Comment No. 9 should refer to Response to Comment No. 48 instead of No. 37.

2. Due to an editing error, the last paragraph in Response to Comment No. 28 was inadvertently included in the final document. The final permit did not include a table of expectations for interim progress (which in any event would have been in Part 5 and not Part 4). EPA determined that a single set of expectations could not take into account what programs were already being implemented and what challenges an individual MS4 would face in developing and implementing their programs. Due to the subjective nature of ''credible interim progress,'' the Director will need to evaluate this requirement on a case-by-case basis taking into account the unique situation at a particular MS4. EPA expects that programs will consist of a combination of existing programs, initial effort programs, and schedules for final programs. For example, the initial programs could be based on activities currently underway, activities which can be implemented in the short term (i.e., with existing resources, without changes in ordinances, by relying on available guidance and materials, etc.), and pilot programs. The initial program could also include activities (e.g., illicit discharge screening of the system, etc.) to help prioritize activities and refine options as the final program evolves. In general, EPA would expect that activities such as public involvement would have to begin early in the permit cycle to allow for public input on the final program. The public education, illicit discharge detection and elimination, and proper operation and maintenance/good housekeeping at municipal operations programs would not be expected to take 2–3 years to have in place, with initial program implementation possible earlier. The full construction and post-construction final programs, unless existing programs can be used, would be expected to take 3–5 years to implement due to the need to develop (or adapt) and adopt local standards, rules/ordinances, etc.

3. Response to Comment No. 32 should refer to Part 5.8.1.5 instead of Part 5.6.1.

4. Revisions discussed in Sections II and III supercede any conflicting responses in the September 29, 2006, Response to Comments document.

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: May 31, 2007.

**Miguel I. Flores,**

*Director, Water Quality Protection Division, EPA Region 6.*

[FR Doc. E7–11316 Filed 6–12–07; 8:45 am]

BILLING CODE 6560–50–P

## ENVIRONMENTAL PROTECTION AGENCY

**[Docket ID Number OECA 2005–0081; FRL–8325–1]**

## Safe Drinking Water Act: Proposed Administrative Settlement, Penalty Assessment and Opportunity To Comment Regarding Shell Oil Company

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

**ACTION:** Notice.

**SUMMARY:** EPA has entered into a consent agreement with Shell Oil Company (''Shell'' or ''Respondent'') to resolve violations of the Safe Drinking Water Act (''SDWA'') and the Resource Conservation and Recovery Act (''RCRA'') and their implementing regulations.

The Administrator is hereby providing public notice of this Consent Agreement and proposed Final Order, and providing an opportunity for interested persons to comment on the SDWA portions of this Consent Agreement in accordance with SDWA section 1423(c)(3)(B).

**DATES:** Comments are due on or before July 13, 2007.

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

**FOR FURTHER INFORMATION CONTACT:** Lynn S. Holloway, Waste and Chemical Enforcement Division (2246–A), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone (202) 564–4241; fax: (202) 564–0019; e-mail: *Holloway.Lynn@epa.gov.*

**SUPPLEMENTARY INFORMATION:**

### I. General Information

*A. How Can I Get Copies of This Document?*

1. *Docket.* EPA has established an official public docket for this action under Docket ID No. OECA–2005–0081.

The official docket consists of the Consent Agreement, proposed Final Order, and any public comments received. The official public docket is the collection of materials that is available for public viewing at the Enforcement and Compliance Docket Information Center (ECDIC) 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 Public Reading Room is (202) 566–1744, and the telephone number for the ECDIC is (202) 566–1752. A reasonable fee may be charged by EPA for copying docket materials.

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, 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.

For public commentors, 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's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, Confidential Business Information, 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's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the Docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the Docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

*B. How and to Whom Do I Submit Comments?*

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket identification number in the subject line on the first page of your comment. 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.

1. *Electronically.* If you submit an electronic comment as prescribed below, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD–ROM you submit, and in any cover letter accompanying the disk or CD–ROM. 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. EPA's policy is that EPA will not edit your comment, and 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.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at *http://www.epa.gov/edocket,* and follow the online instructions for submitting comments.

Once in the system, select ''search,'' and then key in Docket ID No. OECA–2005–0081. The 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.

ii. *E-mail.* Comments may be sent by electronic mail (e-mail) to *docket.oeca@epa.gov.,* Attention Docket ID No. OECA–2005–0081. In contrast to EPA's electronic public docket, EPA's 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, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD–ROM.* You may submit comments on a disk or CD–ROM that you mail to the mailing address identified in Section I.A.1. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By Mail.* Send your comments to: Enforcement and Compliance Docket Information Center, Environmental Protection Agency, Mailcode: 2201T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. OECA–2005–0081.

3. *By Hand Delivery or Courier.* Deliver your comments to the address provided in Section I.A.1., Attention Docket ID No. OECA 2005–0081. Such deliveries are only accepted during the Docket's normal hours of operation as identified in Section I.A.1.

## II. Background

Shell Oil Company and affiliates Shell Chemical LP, Equilon Enterprises LLC, Motiva Enterprises LLC, and Criterion Catalysts Technologies, LP (collectively ''Shell'' or ''Respondent''), comprise a global group of energy and petrochemical companies with corporate offices in Houston, Texas. Respondent is authorized to do business in the states of California, Delaware, Illinois, Indiana, Louisiana, Ohio, Texas, and Washington. Respondent is the owner and operator of hazardous waste management facilities subject to regulation under Subtitle C of RCRA. Respondent is also the owner and operator of Class I hazardous waste injection wells subject to regulation under SDWA.

On or about April 9, 2004, pursuant to EPA's Policy on Incentives for Self-Policing (Audit Policy), 65 FR 19618 (April 11, 2000), Respondent submitted its initial voluntary disclosure to EPA regarding potential violations of RCRA's financial responsibility regulations. Respondent submitted additional clarifying disclosures on August 26, 2004, December 9, 2004, and April 13, 2005. Respondent's submissions disclosed that it failed to satisfy certain financial responsibility requirements under RCRA for closure, post-closure care, and third-party liability, and under SDWA for plugging and abandonment, at seventeen facilities in eight states between March 30, 2004 and May 28, 2004.

Respondent's Audit Policy disclosure indicated that based on the need of its parent companies (Royal Dutch Petroleum Company and Shell Transport and Trading Company) to restate certain oil and gas reserves related to years prior to 2003, Respondent's annual report had been delayed, and that its auditor could not complete a certification until the

restatement work by the parent companies was completed. Accordingly, Respondent was not able to submit updated financial information to demonstrate that it met the financial test or corporate guarantee for the seventeen facilities by March 30, 2004, as required by RCRA, SDWA, and their implementing regulations. Respondent's updated financial information in support of its corporate guarantee was not submitted to EPA and the affected states until May 28, 2004.

Section 3008(a) of RCRA, 42 U.S.C. 6928(a), authorizes the EPA to issue compliance orders whenever the EPA determines that any person is violating any requirement of the Act. Pursuant to RCRA section 3006, 42 U.S.C. 6926, California, Delaware, Illinois, Louisiana, Texas, and Washington have been authorized to administer a state hazardous waste program. Any noncompliance with the regulations promulgated pursuant to Subtitle C of RCRA, or with any state provision authorized pursuant to RCRA section 3006, constitutes a violation of RCRA and is subject to the assessment of penalties and issuance of compliance orders pursuant to RCRA section 3008.

Section 3008(h) of RCRA, 42 U.S.C. 6928(h), authorizes EPA to issue orders requiring corrective action or such other measures as EPA may deem necessary to protect human health or the environment. EPA's authority under this section includes, among other things, the authority to require financial assurance for corrective action.

Section 1423 of the SDWA, 42 U.S.C. 300h–2, authorizes the EPA to issue compliance orders whenever the EPA finds that any person is violating any requirement of an Underground Injection Control (UIC) program where a state does not have primary enforcement responsibility. Criterion Catalysts Technologies, LP, a subsidiary of Shell, operates three Class I hazardous waste injection wells in Michigan City, Indiana (UIC Permit Numbers IN–091–0001, IN–091–0002, and IN–091–0004). Indiana does not have primacy over Class I hazardous waste injection wells. *See* 40 CFR 147.751. Therefore, the UIC program for Class I wells in the state of Indiana is administered by EPA.

Specifically, Respondent disclosed that it failed to satisfy the requirements of the corporate guarantee for closure by failing to provide updated financial information within 90 days after the close of FY 2003, at the following nine facilities: Martinez Refining Co. (Martinez, California); Carson Marine Terminal (Carson, California); Delaware City Refinery (Delaware City, Delaware); Wood River Refining Co. (Wood River, Illinois); Odessa Refining Co. (Odessa, Texas); Shell Deer Park Refining Co. (Deer Park, Texas); Westhollow Technology Center (Houston, Texas); Port Arthur Refinery (Port Arthur, Texas); and Puget Sound Refining Co. (Anacortes, Washington), in violation of RCRA section 3008(a), 42 U.S.C. 6928(a), and Cal. Code of Reg. 66264.143(f), 66265.143(f) (California); Del. Admin. Code 7–1000 264–264.143(f) (Delaware); 35 Ill. Adm. Code 724.243(f) (Illinois); LAC 33:V.3707.F. (Louisiana); 30 Texas Admin. Code, 37.251 (Texas); and WAC 173–303–620(4) (Washington).

Respondent further disclosed that it failed to satisfy the requirements of the corporate guarantee for post-closure by failing to provide updated financial information within 90 days after the close of FY 2003, at the following twelve facilities: Martinez Refining Co. (Martinez, California); Los Angeles Refining Co., (Wilmington, California); Delaware City Refinery (Delaware City, Delaware); Wood River Refining Co. (Wood River, Illinois); Norco Chemical Plant—West Site (Norco, Louisiana); Odessa Refining Co. (Odessa, Texas); Shell Deer Park Refining Co. (Deer Park, Texas); Westhollow Technology Center (Houston, Texas); Port Arthur Refinery (Port Arthur, Texas); and Puget Sound Refining Co. (Anacortes, Washington), in violation of RCRA section 3008(a), 42 U.S.C. 6928(a), and 22 Cal. Code of Reg. 66264.145(f), 66265.145(f) (California); Del. Admin. Code 7–1000 264–264.145(f) (Delaware); 35 Ill. Adm. Code 724.245(f) (Illinois); LAC 33:V.3711.F. (Louisiana); 30 Texas Admin. Code, 37.251 (Texas); and WAC 173–303–620(6) (Washington).

Respondent further disclosed that it failed to satisfy the requirements of the corporate guarantee for third-party liability by failing to provide updated financial information within 90 days after the close of FY 2003, at the following twelve facilities: Martinez Refining Co. (Martinez, California); Los Angeles Refining Co., (Wilmington, California); Delaware City Refinery (Delaware City, Delaware); Wood River Refining Co. (Wood River, Illinois); Norco Chemical Plant—West Site (Norco, Louisiana); Odessa Refining Co. (Odessa, Texas); Shell Deer Park Refining Co. (Deer Park, Texas); Westhollow Technology Center (Houston, Texas); Port Arthur Refinery (Port Arthur, Texas); and Puget Sound Refining Co. (Anacortes, Washington), in violation of RCRA section 3008(a), 42 U.S.C. 6928(a), and 22 Cal. Code of Reg. 66264.147(g), 66265.147(g) (California); Del. Admin. Code 7–1000 264–264.147(f) (Delaware); 35 Ill. Adm. Code 724.247(f) (Illinois); LAC 33:V.4411.F. (Louisiana); 30 Texas Admin. Code, 37.404 (Texas); and WAC 173–303–620(8) (Washington).

In addition, Respondent disclosed that it failed to comply with the financial responsibility requirements in the corrective action order under Dkt. No. RCRA–05–2003–0007, issued pursuant to RCRA section 3008(h), 42 U.S.C. 6928(h).

Finally, Respondent disclosed that it failed to satisfy the requirements of the corporate guarantee for plugging and abandonment by failing to provide updated financial information within 90 days after the close of FY 2003, at the following three facilities: Criterion Catalysts (Permit #IN–091–0001) (Michigan City, Indiana); Criterion Catalysts (Permit #IN–091–0002) (Michigan City, Indiana); and Criterion Catalysts (Permit #IN–091–0004) (Michigan City, Indiana), in violation of SDWA section 1421(b), 42 U.S.C. 300h(b), and 40 CFR 144.63(f)(1) and 144.63(f)(5).

EPA, as authorized by RCRA section 3008(g), 42 U.S.C. 6928(g) and SDWA section 1423(c), 42 U.S.C. 300h–2(c), has assessed a civil penalty for these violations.

EPA has determined that Respondent has satisfied all of the conditions set forth in the Audit Policy and thereby qualifies for a 100% reduction of the gravity component of the civil penalty. EPA has determined that the gravity component of the civil penalty is $77,546.50. Of that penalty, $77,391.50 is attributable to the RCRA violations and $155 is attributable to SDWA violations. EPA alleges that this gravity component is assessable against Respondent for the violations that are the basis of this Agreement.

Under the Audit Policy, EPA reserves the right to collect any economic benefit that Respondent may have realized as a result of its noncompliance. Based on information provided by Respondent, EPA has determined that Respondent obtained an economic benefit of $153,949 as a result of its noncompliance. Of this amount, $153,757 is attributable to the RCRA violations and $192 is attributable to the SDWA violations. Accordingly, the civil penalty agreed upon by the parties for settlement purposes is $153,949. Respondent has agreed to pay this amount. EPA and Respondent negotiated this agreement following the Consolidated Rules of Practice, 40 CFR 22.13(b). This Consent Agreement and proposed Final Order is subject to public notice and comment under SDWA section 1423(c)(3)(B), 42 U.S.C.

300h–2(c)(3)(B) and 40 CFR 22.45(b) and (c).

Dated: June 7, 2007.

**Rosemarie A. Kelley,**

*Director, Waste and Chemical Enforcement Division, Office of Enforcement and Compliance Assurance.*

[FR Doc. E7–11418 Filed 6–12–07; 8:45 am]

**BILLING CODE 6560–50–P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Submitted for Review to the Office of Management and Budget

June 1, 2007.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995, Public Law 104–13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written Paperwork Reduction Act (PRA) comments should be submitted on or before July 13, 2007. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Jasmeet K. Seehra, Office of Management and Budget, Room 10236 NEOB, Washington, DC 20503, (202) 395–3123, or via fax at 202–395–5167 or via Internet at *Jasmeet_K._Seehra@omb.eop.gov* and to *Judith-B. Herman@fcc.gov,* Federal Communications Commission, Room 1–B441, 445 12th Street, SW., DC 20554 or an e-mail to *PRA@fcc.gov.* If you would like to obtain or view a copy of this information collection, you may do so by visiting the FCC PRA Web page at: *http://www.fcc.gov/omd/pra.*

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Judith B. Herman at 202–418–0214 or via the Internet at *Judith-B.Herman@fcc.gov.*

**SUPPLEMENTARY INFORMATION:** *OMB Control Number:* 3060–0865.

*Title:* Wireless Telecommunications Bureau Universal Licensing System (ULS) Recordkeeping and Third Party Disclosure Requirements.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Individuals or households, business or other for-profit, not-for-profit institutions, and state, local or tribal government.

*Number of Respondents:* 70,447 respondents; 70,447 responses.

*Estimated Time Per Response:* .25—4 hours (average).

*Frequency of Response:* On occasion reporting requirement, recordkeeping requirement, and third party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits.

*Total Annual Burden:* 63,446 hours.

*Total Annual Cost:* N/A.

*Privacy Act Impact Assessment:* Yes.

*Nature and Extent of Confidentiality:* There is a need for confidentiality with respect to all Private Land Mobile Radio service filers in this collection. Information on the private land mobile radio licensees is maintained in the Commission's system of records, FCC/WTB–1, ''Wireless Services Licensing Records.'' The licensee records will be publicly available and routinely used in accordance with subsection b. of the Privacy Act. Taxpayer Identification Numbers (TINs) and material which is afforded confidential treatment pursuant to a request made under 47 CFR 0.459 will not be available for public inspection. Any personally identifiable information (PII) that individual applicants provide is covered by a system of records reference above and these and all other records may be disclosed pursuant to the Routine Uses as stated in the system of records notice dated April 5, 2006 (71 FR 17234, 17269).

*Needs and Uses:* The Commission will submit this information collection to OMB as an extension (no change in reporting requirements, recordkeeping requirements and/or third party disclosure requirements) during this comment period to obtain the full three-year clearance from them. The Commission reduced the total annual burden due to an adjustment in the number of responses by licensees who operate within the various service categories of this information collection gathered from the Commission's ULS and CORES databases.

The purpose of this collection is to streamline the set of rules which minimize filing requirements via the Universal Licensing System (ULS); to eliminate redundant and unnecessary submission requirements; and to assure ongoing collection of reliable licensing and ownership data. The recordkeeping and third party disclosure requirements, along with certifications which made via ULS are ways the Commission reduced the filing burden on the industry. However, applicants must maintain records to document compliance with the requirements for which they provide certifications. In some instances, third party coordinations are required.

*OMB Control Number:* 3060–1007.

*Title:* Streamlining and Other Revisions of Part 25 of the Commission's Rules.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit.

*Number of Respondents:* 28 respondents; 28 responses.

*Estimated Time Per Response:* 2.89 hours (average).

*Frequency of Response:* On occasion, annual and other reporting requirements and third party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits.

*Total Annual Burden:* 9,688 hours.

*Total Annual Cost:* $95,194,000.

*Privacy Act Impact Assessment:* N/A.

*Nature and Extent of Confidentiality:* There is a need for confidentiality.

*Needs and Uses:* The Commission will submit this information collection to OMB as an extension (no change in reporting requirements, recordkeeping requirements and/or third party disclosure requirements) during this comment period to obtain the full three-year clearance from them. There is no change in the number of respondents, total annual burden hours or annual costs.

On April 16, 2004, the Commission released a Fourth Report and Order, IB Docket Numbers 02–34 and 00–248, FCC 04–92. In this Order, the Commission extended the mandatory