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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/>. A frequently updated electronic version of 40 CFR part 9 is available at [http://www.access.gpo.gov/nara/cfr/cfrhtml\\_00/Title\\_40/40cfr9\\_00.html](http://www.access.gpo.gov/nara/cfr/cfrhtml_00/Title_40/40cfr9_00.html), a beta site currently under development.

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. 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. Once in the system, select "search," then key in the appropriate docket ID number.

## II. Background

### A. Why is this Technical Amendment Being Issued?

This document updates the OMB control numbers listed in 40 CFR part 9 for various actions published in the **Federal Register** since July 1, 2000, and issued under the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136), and the Federal Food, Drug, and Cosmetic Act (FFDCA) (21 U.S.C. 408). EPA will continue to present OMB control numbers in a consolidated table format in 40 CFR part 9 of the Agency's regulations. The table lists CFR citations with reporting, recordkeeping, or other information collection requirements that require OMB approval under the PRA (44 U.S.C. 3501 *et seq.*), and the current

OMB control numbers. This listing of the OMB control numbers and their subsequent codification in the CFR satisfies the requirements of the PRA (44 U.S.C. 3501 *et seq.*) and OMB's implementing regulations at 5 CFR part 1320.

### B. Why is this Technical Amendment Issued as a Final Rule?

The information collection activities included in this document were previously subject to public notice and comment prior to OMB approval, as part of the OMB approval or rulemaking process. Therefore, EPA finds that publication of a proposed rule is unnecessary and would waste public tax dollars. This technical amendment is effective upon publication under the "good cause" clause found in section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)(3)(B)) which allows a regulatory action to become final without prior notice and comment.

### C. What Specific Changes are Being Made?

The following changes are being made to the table in § 9.1:

1. *Table amended to reflect new requirements.* In the **Federal Register** of July 19, 2001 (66 FR 37772) (FRL-6057-7), EPA issued final regulations under FIFRA for Plant-Incorporated Protectants (Formerly Plant-Pesticides), with provisions codified in 40 CFR parts 152 and 174. The information collection requirements contained in this rule consisted of up-front substantiation for claims of CBI for plant-incorporated protectant activities (*e.g.*, EUP submissions, registration applications, tolerance requests, and adverse-effects reporting), and for adverse-effects reporting for the otherwise exempt plant-incorporated protectants. OMB approved the Information Collection Request (ICR) for this rule on July 31, 2001, under OMB control number 2070-0142 (EPA ICR No. 1693.02). EPA announced this approval in the **Federal Register** on September 28, 2001 (66 FR 49664) (FRL-7069-8). Copies of these documents are available in the docket described in Unit I.B.1.

2. *Table amended to reflect ICR consolidation.* EPA consolidated the information collection activities related to the PCB regulations in 40 CFR part 761 under a single ICR. All of these information collection activities were already approved by OMB under the following OMB control numbers: 2070-0003 (EPA ICR No. 1000); 2070-0008 (EPA ICR No. 1001); 2070-0011 (EPA ICR No. 1012); 2070-0021 (EPA ICR No. 857); 2070-0112 (EPA ICR No. 1446);

and 2070-0159 (EPA ICR No. 1729), and the table in part 9 identified these OMB control numbers. OMB approved the consolidated ICR on August 29, 2001, under OMB control number 2070-0112 (EPA ICR No. 1446.07). EPA announced this approval in the **Federal Register** on December 14, 2001 (66 FR 64817) (FRL-7118-4), see also the **Federal Register** of February 12, 2002 (67 FR 6519) (FRL-7142-4). Copies of these documents are available in the docket described in Unit I.B.1.

3. *Table amended to reflect changes in the regulations.* Since July 1, 2001, EPA has taken several actions related to significant new use rules (SNURs) promulgated under TSCA section 5(a)(2). The paperwork burden associated with a SNUR has been approved under OMB control numbers 2070-0012 (EPA ICR No. 0574.11), when related to new chemicals, and 2070-0038 (EPA ICR No. 1188.07), when related to existing chemicals. These ICRs were first approved in the late 1980s and have been renewed every 3 years, and the latest approval for these ICRs were announced in the **Federal Register** on September 28, 2001 (66 FR 49664) for 2070-0012, and in the **Federal Register** on February 3, 2003 (68 FR 5288) (FRL-7446-7) for 2070-0038. Copies of these documents are available in the docket described in Unit I.B.1.

EPA is removing several entries because the SNURs have been revoked. Specifically, in the **Federal Register** on December 11, 2001 (66 FR 63941) (FRL-6807-3), EPA removed §§ 721.3460 and 721.6820, and in the **Federal Register** on September 27, 2002 (67 FR 60991) (FRL-7186-9), EPA removed §§ 721.3628, 721.5300, and 721.8170. Since these provisions no longer exist, the corresponding listing in the table should be removed as well.

EPA is adding several entries to reflect the promulgation of the SNURs. Specifically, in the **Federal Register** on March 11, 2002 (67 FR 11007) (FRL-6823-6), EPA established a new § 721.9582. In the **Federal Register** on April 11, 2002 (67 FR 17643) (FRL-6805-1), EPA established new §§ 721.1230, 721.1240, 721.3780, and 721.8175. In the **Federal Register** on March 28, 2003 (68 FR 15061) (FRL-6758-7), EPA established the following new §§ 721.321; 721.338; 721.463; 721.465; 721.522; 721.525; 721.532; 721.533; 721.638; 721.648; 721.843; 721.910; 721.990; 721.1767; 721.1852; 721.1878; 721.1880; 721.2093; 721.2155; 721.2465; 721.2577; 721.2582; 721.2584; 721.2673; 721.3805; 721.3807; 721.3812; 721.3818; 721.3848; 721.4136; 721.4486; 721.4575; 721.5260; 721.5262; 721.5283;