

## 2. RSPA/OPS Inspectional Findings

- What inspectors are discovering from their comprehensive inspections when utilizing the OQ protocol format.

## 3. RSPA/OPS Congressional Reporting

- What data RSPA/OPS is collecting, tabulating and analyzing for an OQ status and results report to Congress.

*Congressional Mandates*

The final rule on Pipeline Operator Qualification (OQ) on August 27, 1999 (64 FR 46853), required pipeline operators to ensure that individuals working on gas or hazardous liquid pipeline facilities have the knowledge and skills to competently perform covered tasks and to be able to recognize and react to abnormal operating conditions that may occur while performing covered tasks.

The Pipeline Safety Improvement Act (PSIA) of 2002 (Public Law 107-355; December 17, 2002), expanded OQ statutory mandates to require pipeline operators to: (1) Establish "appropriate" levels of training and document individual training; (2) establish creditable and rational bases for subsequent evaluations; (3) eliminate performance observation as the sole means of evaluation for requalification (unless authorized by RSPA/OPS); and (4) notify RSPA/OPS when the operator "significantly modifies" an operator OQ plan or evaluation program after it was inspected by an authorized state or Federal pipeline inspector. In addition, Congress required RSPA/OPS to report on the status and results of its OQ initiatives. A public meeting on this matter was held during a joint technical pipeline safety standards committee session on February 4, 2004, in Dulles, Virginia.

*Improvements in OQ Program Oversight*

RSPA/OPS and State agencies have (1) Developed OQ protocols as standards for inspectors to evaluate program adequacy; (2) conducted and are still conducting comprehensive inspections and data collection on OQ programs; (3) provided more consistent and thorough inspector OQ training; (4) addressed small pipeline operator OQ program issues; (5) worked on national consensus standards committees; and (6) provided Internet-based informational resources for operators and the general public.

Issued in Washington, DC, on October 25, 2004.

**Stacey L. Gerard,**

*Associate Administrator for Pipeline Safety.*

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## DEPARTMENT OF THE TREASURY

## Community Development Financial Institutions Fund

## Proposed Collection; Comment Request

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Community Development Financial Institutions Fund (the "Fund") within the Department of the Treasury is soliciting comments concerning the Bank Enterprise Award ("BEA") Program Application.

**DATES:** Written comments should be received on or before December 27, 2004, to be assured of consideration.

**ADDRESSES:** Direct all comments to Margaret Nilson, BEA Program Manager, at the Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, by e-mail to [cdfihelp@cdfi.treas.gov](mailto:cdfihelp@cdfi.treas.gov) or by facsimile to (202) 622-7754. This is not a toll free number.

**FOR FURTHER INFORMATION CONTACT:** The BEA Program application may be obtained from the BEA page of the Fund's Web site at <http://www.cdfifund.gov>. Requests for additional information should be directed to Margaret Nilson, BEA Program Manager, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, or call (202) 622-6355. This is not a toll free number.

**SUPPLEMENTARY INFORMATION:**

*Title:* Bank Enterprise Award Program Application.

*OMB Number:* 1559-0005.

*Abstract:* The purpose of the BEA Program is to provide an incentive to insured depository institutions to increase their activities in the form of loans, investments, services, and technical assistance, within distressed communities and provide financial assistance to community development financial institutions through grants, stock purchases, loans, deposits, and other forms of financial and technical

assistance. The Fund will make awards through the BEA Program to insured depository institutions, based upon such institutions' completion of certain qualified activities, as reported in the application. The application will solicit information concerning: applicants' eligibility to participate in the BEA Program; the character and quantity (value) of applicants' activities, and the extent to which such activities may be qualified activities; and appropriate supporting documentation. The questions that the application contains, and the information generated thereby, will enable the Fund to evaluate applicants' activities and determine the extent of applicants' eligibility for a BEA Program award.

*Current Actions:* Extension of currently approved collection.

*Type of Review:* Extension.

*Affected Public:* Insured depository institutions.

*Estimated Number of Respondents:* 65.

*Estimated Annual Time Per Respondent:* 15 hours.

*Estimated Total Annual Burden Hours:* 975 hours.

*Requests for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Fund, including whether the information shall have practical utility; (b) the accuracy of the Fund's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

**Authority:** 12 U.S.C. 1834a, 4703, 4703 note, 4713, 4717; 31 U.S.C. 321; 12 CFR part 1806.

Dated: October 19, 2004.

**Arthur A. Garcia,**

*Director, Community Development Financial Institutions Fund.*

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