

#### *D. What Information is EPA Particularly Interested in?*

Pursuant to PRA section 3506(c)(2)(A), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collections of information are necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.
2. Evaluate the accuracy of the Agency's estimates of the burdens of the proposed collections of information.
3. Enhance the quality, utility, and clarity of the information to be collected.
4. Minimize the burden of the collections of information on those who are to respond, including through the use of appropriate automated or electronic collection technologies or other forms of information technology, e.g., permitting electronic submission of responses.

#### **IV. What Information Collection Activity or ICR Does this Action Apply to?**

EPA is seeking comments on the following ICR:

*Title:* Asbestos-Containing Materials in Schools Rule and Revised Asbestos Model Accreditation Plan Rule.

*ICR numbers:* EPA ICR No. 1365.05, OMB No. 2070-0091.

*ICR status:* This ICR is currently scheduled to expire on May 31, 2001. 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 information collections appear on the collection instruments or instructions, in the **Federal Register** notices for related rulemakings and ICR notices, and, if the collection is contained in a regulation, in a table of OMB approval numbers in 40 CFR part 9.

*Abstract:* The Asbestos Hazard Emergency Response Act (AHERA) requires LEAs to conduct inspections, develop management plans, and design or conduct response actions with respect to the presence of asbestos-containing materials in school buildings. AHERA also requires States to develop model accreditation plans for persons who perform asbestos inspections, develop management control plans, and design or conduct response actions. This information collection addresses the burden associated with recordkeeping requirements imposed on LEAs by the

asbestos in schools rule, and reporting and recordkeeping requirements imposed on States and training providers related to the model accreditation plan rule. Responses to the collection of information are mandatory (see 40 CFR part 763, subpart E). Respondents may claim all or part of a notice confidential. EPA will disclose information that is covered by a claim of confidentiality only to the extent permitted by, and in accordance with, the procedures in TSCA section 14 and 40 CFR part 2.

#### **V. What are EPA's Burden and Cost Estimates for this ICR?**

Under the PRA, "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. For this collection it 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.

The ICR provides a detailed explanation of this estimate, which is only briefly summarized in this notice. The annual public burden for this collection of information is estimated to average in range between 5.5 hours per respondent and 140 hours per respondent, depending upon the category of respondent. The following is a summary of the estimates taken from the ICR:

*Respondents/affected entities:* 107,759.

*Estimated total number of potential respondents:* 107,759.

*Frequency of response:* On occasion.

*Estimated total/average number of responses for each respondent:* One.

*Estimated total annual burden hours:* 2,212,151 hours.

*Estimated total annual burden costs:* \$58,860,737.

#### **VI. Are There Changes in the Estimates from the Last Approval?**

There is a net decrease of 155,142 hours (from 2,367,293 hours to 2,212,151 hours) in the total estimated respondent burden compared with that identified in the information collection request most recently approved by

OMB. This change reflects changes in the numbers of school buildings containing friable asbestos (adjustment), offset slightly by an increase in the burden that applies to training providers (adjustment).

#### **VII. 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. 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**.

#### **List of Subjects**

Environmental protection, Reporting and recordkeeping requirements.

Dated: October 11, 2000.

**Susan H. Wayland,**

*Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances.*

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#### **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6886-3]

#### **Agency Information Collection Activities: Proposed Collection; Comment Request; IAQ Practices in Schools Survey**

**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 the following proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB): IAQ Practices in Schools Survey, EPA ICR Number 1885.01. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before December 19, 2000.

**ADDRESSES:** To obtain a copy of the ICR without charge, contact: Mr. John Guevin, Indoor Environments Division,

Office of Radiation and Indoor Air, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, (6609J), Washington, D.C. 20460.

**FOR FURTHER INFORMATION CONTACT:** Mr. John Guevin by phone at (202) 564-9055 or by e-mail at [guevin.john@epa.gov](mailto:guevin.john@epa.gov).

**SUPPLEMENTARY INFORMATION:**

*Affected entities:* Entities potentially affected by this action are all public and private schools operating in the United States during the school year immediately preceding the year in which the survey is conducted.

*Title:* IAQ Practices in Schools Survey (EPA ICR No. 1885.01). This is a new collection.

*Abstract:* As part of its authorization under Title IV of SARA, 1986, the Indoor Environments Division (IED) of EPA's Office of Radiation and Indoor Air has been working to promote more effective approaches for preventing, identifying, and solving indoor air quality (IAQ) problems in schools and has developed low-cost guidance entitled IAQ Tools for Schools for that purpose.

The IAQ Practices in Schools Survey will allow EPA to gain information regarding the number of schools that have implemented sound IAQ-management practices, such as those activities recommended in its guidance. These data are essential for measuring the effectiveness of EPA's outreach efforts against the Agency's established GPRA goal. EPA is working towards achieving the implementation of sound IAQ practices in 15 percent, or 16,650, of the nation's public and private schools by 2005. The IAQ Practices in Schools Survey is voluntary.

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:* EPA estimates the annual public reporting and record keeping burden for this collection of information to be 1.3 hours per mail response and 0.8 hours per telephone 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; 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.

This survey effort is expected to cost approximately \$27.60 per mail response and \$16.95 per telephone response. Respondents will incur no capital or start-up costs, and the only operation and maintenance component of the survey will be the cost to photocopy the survey once completed (if desired).

Dated: October 6, 2000.

**Mary T. Smith,**

*Director, Indoor Environments Division.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-6885-3]**

**Adequacy Status of Submitted State Implementation Plans (SIP) for Transportation Conformity Purposes: Dallas-Fort Worth (DFW) and Beaumont-Port Arthur (BPA) Attainment Demonstration SIPs for Ozone**

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

**ACTION:** Notice of adequacy determination.

**SUMMARY:** In this notice, the EPA is announcing that the motor vehicle emissions budgets contained in the

submitted DFW and BPA Attainment Demonstration State Implementation Plans (SIP) for ozone are adequate for transportation conformity purposes. As a result of this determination, the budgets from the submitted attainment SIPs must be used for transportation conformity determinations in the DFW and BPA areas. The EPA received no public comments.

**DATES:** These budgets are effective November 6, 2000.

**FOR FURTHER INFORMATION CONTACT:** Mr. J. Behnam, P.E., The U.S. Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202; telephone (214) 665-7247.

**SUPPLEMENTARY INFORMATION:**

Transportation conformity is required by section 176(c) of the Clean Air Act. The EPA's conformity rule, 40 CFR part 93, requires that transportation plans, programs, and projects conform to SIPs and establishes 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 criteria by which EPA determines whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). An adequacy review is separate from EPA's completeness review, and it should not be used to prejudge EPA's ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

On March 2, 1999, the United States Court of Appeals for the District of Columbia Circuit issued its opinion in *Environmental Defense Fund (EDF) v. Environmental Protection Agency*, 167 F.3d 641 (D.C. Cir. 1999), and ruled that budgets contained in submitted SIPs cannot be used for conformity determinations unless EPA has affirmatively found the conformity budget adequate. We have described our process for determining the adequacy of submitted SIP budgets in the policy guidance dated May 14, 1999, and titled *Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision*. You may obtain a copy of this guidance from EPA's conformity web site: <http://www.epa.gov/oms/traq> (once there, click on "conformity" and then scroll down) or by contacting us at the address above.

By this notice, we are simply announcing the DFW and BPA adequacy determinations that we have already made. The Governor of Texas