

program, EPA will work with the State to correct any deficiencies in order to approve the program. If the deficiencies are not corrected, a notice of disapproval will be issued in the **Federal Register** and a Federal program will be implemented in the State.

Pursuant to section 404(b) of TSCA (15 U.S.C. 2684(b)), EPA provides notice and an opportunity for a public hearing on a State or Tribal program application before approving the application. Therefore, by this notice EPA is soliciting public comment on whether the State of Tennessee application meets the requirements for EPA approval. This notice also provides an opportunity to request a public hearing on the application. If a hearing is requested and granted, EPA will issue a **Federal Register** notice announcing the date, time, and place of the hearing. EPA's final decision on the application will be published in the **Federal Register**.

#### *B. What is the Agency's Authority for Taking this Action?*

On October 28, 1992, the Housing and Community Development Act of 1992, Public Law 102-550, became law. Title X of that statute was the Residential Lead-Based Paint Hazard Reduction Act of 1992. That Act amended TSCA (15 U.S.C. 2601 *et seq.*) by adding Title IV (15 U.S.C. 2681-2692), entitled *Lead Exposure Reduction*.

Section 402 of TSCA (15 U.S.C. 2682) authorizes and directs EPA to promulgate final regulations governing lead-based paint activities in target housing, public and commercial buildings, bridges, and other structures. Those regulations are to ensure that individuals engaged in such activities are properly trained, that training programs are accredited, and that individuals engaged in these activities are certified and follow documented work practice standards. Under section 404 (15 U.S.C. 2684), a State may seek authorization from EPA to administer and enforce its own lead-based paint activities program.

In the **Federal Register** issue of August 29, 1996 (61 FR 45777) (FRL-5389-9), EPA promulgated final TSCA section 402/404 regulations governing lead-based paint activities in target housing and child-occupied facilities (a subset of public buildings). Those regulations are codified at 40 CFR part 745, and allow both States and Indian Tribes to apply for program authorization. Pursuant to section 404(h) of TSCA (15 U.S.C. 2684(h)), EPA is to establish the Federal program in any State or Tribal Nation without its own authorized program in place by August 31, 1998.

States and Tribes that choose to apply for program authorization must submit a complete application to the appropriate Regional EPA Office for review. To receive EPA approval, a State or Tribe must demonstrate that its program is at least as protective of human health and the environment as the Federal program, and provides for adequate enforcement (section 404(b) of TSCA, 15 U.S.C. 2684(b)). EPA's regulations (40 CFR part 745, subpart Q) provide the detailed requirements a State or Tribal program must meet in order to obtain EPA approval.

A State may choose to certify that its lead-based paint activities program meets the requirements for EPA approval, by submitting a letter signed by the Governor or Attorney General stating that the program meets the requirements of section 404(b) of TSCA. Upon submission of such certification letter, the program is deemed authorized (15 U.S.C. 2684(a)). This authorization becomes ineffective, however, if EPA disapproves the application or withdraws the program authorization.

#### **III. State Program Description Summary**

The following summary of Tennessee's proposed program has been provided by the applicant. In 1997 the Tennessee State Legislature enacted the Tennessee Lead-Based Paint Abatement Certification Act, Tennessee Code Annotated (T.C.A.) Section 68-131-401, *et seq.*, as amended. This statute designated the Tennessee Department of Environment and Conservation, Division of Solid Waste Management to establish a certification program for lead abatement professionals.

The program requires certification of individuals and firms involved in lead-based paint activities, accreditation of training providers, and standards for the safe removal of lead-based paint. The State lead-based paint program regulations are applicable to all individuals and firms engaged in lead-based paint activities in target housing and child-occupied facilities. Persons who perform lead-based paint abatement activities within residential dwellings that they own and live in are exempt.

The State program provides for the enforcement of the training, certification, and accreditation requirements of the program and the safe removal of lead-based paint. The program provides for compliance with the standards set forth in regulations to protect public health and the environment. Notifications of lead-based paint projects must be submitted to the State at least 15-days prior to the

commencement of a project. The State program monitors compliance in part by conducting unannounced inspections of lead-based paint activities.

#### **IV. Submission to Congress and the Comptroller General**

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before certain actions may take effect, the agency promulgating the action must submit a report, which includes a copy of the action, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this document in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

#### **List of Subjects**

Environmental protection, Hazardous substances, Lead, Reporting and recordkeeping requirements.

Dated: September 26, 2001.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region IV.*

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**BILLING CODE 6560-50-S**

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#### **FEDERAL COMMUNICATIONS COMMISSION**

##### **Notice of Public Information Collection(s) being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority, Comments Requested**

September 25, 2001.

**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 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:** Persons wishing to comment on this information collection should submit comments by December 4, 2001. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Judy Boley, Federal Communications Commission, 445 12th Street, SW, Room 1-C804, Washington, DC 20554 or via internet to [jboley@fcc.gov](mailto:jboley@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collections contact Judy Boley at 202-418-0214 or via internet at [jboley@fcc.gov](mailto:jboley@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

*OMB Control No:* 3060-0391.  
*Title:* Program to Monitor the Impacts of the Universal Service Support Mechanisms, CC Docket Nos. 98-202 and 96-45.

*Form No.:* N/A.

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

*Respondents:* Business or other for-profit.

*Number of Respondents:* 500.

*Estimated Time Per Response:* 3.4 hours (avg. per response).

*Frequency of Response:* Annual reporting requirement.

*Cost to Respondent:* N/A.

*Total Annual Burden:* 1,718 hours.

*Needs and Uses:* The Commission has a program to monitor the impacts of the universal service support mechanisms. The program requires the annual reporting of information regarding network usage and growth by certain companies to the National Exchange Carrier Association (NECA). The information is used by the Commission, Federal-State Joint Boards, Congress, and the general public to assess the impact of the decisions of the Commission and the Joint Boards.

*OMB Control No:* 3060-0665.

*Title:* Section 64.707, Public Dissemination of Information by Providers of the Operator Services.

*Form No.:* N/A.

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

*Respondents:* Business or other for-profit.

*Number of Respondents:* 436.

*Estimated Time Per Response:* 4 hours (avg. per response).

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

*Cost to Respondent:* N/A.

*Total Annual Burden:* 1,744 hours.

*Needs and Uses:* As required by 47 U.S.C. Section 226(d)(4)(b), 47 CFR Section 64.707 provides that operator service providers must regularly publish and make available upon request from consumers written materials that describe any changes in operator services and choices available to consumers. Consumers use the information to increase their knowledge of the choices available to them in the operator services marketplace.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

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**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission

September 26, 2001.

**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 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 comments should be submitted on or before December 4, 2001. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, S.W., Washington, DC 20554 or via the Internet to [lesmith@fcc.gov](mailto:lesmith@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Les Smith at 202-418-0217 or via the Internet at [lesmith@fcc.gov](mailto:lesmith@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0053.

*Title:* Application for Consent to Transfer of Control of Corporation Holding Station License.

*Form Number:* FCC Form 703.

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

*Respondents:* Business or other for-profit, Not-for-profit institutions.

*Number of Respondents:* 40.

*Estimated Time Per Response:* 36 mins. (0.6 hr.).

*Frequency of Response:* On occasion reporting requirement.

*Total Annual Burden:* 24 hrs.

*Total Estimated Cost:* \$2,000.

*Needs and Uses:* The Communications Act of 1934, as amended, and 47 CFR Part 5.59 of FCC Rules require applicants for Experimental Radio Services to submit FCC 703 when they propose to change, as by transfer of stock ownership, the control of a station. This information is used to determine eligibility for licenses, without which, violations of ownership regulations may occur. The FCC has made various revisions to the form: (1) Expiration date was deleted; (2) questions in the fields pertaining to public coast and common carrier Alaska public fixed stations have been removed; (3) fee multiple was deleted; (4) "FOR FCC USE ONLY" field to the right of the "Fee Due" field was removed; (5) fields have been added for the transferee's address and contact information to include an "Attention" field; (6) field labeled "FCC Registration Number (FRN)" was added; (7) Internet URL address was added; (8) references to item numbers have been changed to match the change in the form numbering; (9) instructions pertaining to the use of FCC Forms 159 and 160 have been added; (11) only Experimental Radio Service regular and courier addresses are given; and (12) instructions have been revised to reflect these changes.