

Dated: December 20, 2004.

**Oscar Morales,**

*Director, Collection Strategies Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

[OPPT-2004-0127]; FRL-7689-9]

### Reporting and Recordkeeping Requirements under EPA's Lead Safety Partnership (LSP) Pilot Program; Request for Comment on New Information Collection Activity

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*) EPA is seeking public comment and information on the following Information Collection Request (ICR): Reporting and Recordkeeping Requirements under EPA's Lead Safety Partnership (LSP) Pilot Program (EPA ICR No. 2172.01, OMB Control No. 2070-TBD). This ICR involves a proposed new collection activity not currently approved by the Office of Management and Budget (OMB). The information collected under this ICR relates to identifying and encouraging the use of lead-safe work practices (LSWP) among contractors and homeowners, thereby helping to protect the environment and public health from risks associated with lead-based paint in residential facilities. The ICR describes the nature of the information collection activity and its expected burden and costs. Before submitting this ICR to OMB for review and approval under the PRA, EPA is soliciting comments on specific aspects of the collection.

**DATES:** Written comments, identified by the docket identification (ID) number OPPT-2004-0127, must be received on or before March 11, 2005.

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

**FOR FURTHER INFORMATION CONTACT:** For general information contact: Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

*For technical information contact:* Dave Topping, National Program Chemicals Division (7404T), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 566-1974; fax number: (202) 566-0471; e-mail address: [topping.dave@epa.gov](mailto:topping.dave@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

You may be potentially affected by this action if you are a company or individual primarily engaged in renovation, remodeling, and repair, including general contractors such as painters, plumbers, electricians, and other trades, in housing properties built before 1978. Potentially affected entities may include, but are not limited to:

- Residential remodelers (NAICS 236118), e.g., addition, alteration and renovation of buildings, fire and flood restoration, handyman construction service, home improvement, home renovation, and remodeling and renovating general contractors, etc.
- Specialty trade contractors (NAICS 238), e.g., painting and wall covering contractors, electrical contractors, and plumbing contractors, etc.
- Architectural services (NAICS 541310), e.g., architectural private practices, consultants' offices and design services, etc.
- Paint and coating manufacturing (NAICS 325510), e.g., enamel paints manufacturing, lacquers manufacturing, latex paint (i.e., water based) manufacturing, polyurethane coatings manufacturing, wood fillers manufacturing, etc.
- Other construction material merchant wholesalers (NAICS 423390), e.g., building materials merchant wholesalers, etc.
- Plumbing and heating equipment and supplies merchant wholesalers (NAICS 423720), e.g., plumbing supply wholesalers, etc.
- Building material and supplies dealers (NAICS 4441), e.g., paint and wallpaper stores, hardware retailers, plumbing supply stores, building materials supply dealers, etc.
- Lessors of residential buildings and dwellings (NAICS 531110), e.g., building, apartment, rental or leasing, housing authorities operating residential buildings, etc.
- Building inspection services (NAICS 541350), e.g., building inspection services, home inspection services, building or home inspection

bureaus, pre-purchase home inspection services, etc.

- Junior colleges, (NAICS 611210) e.g., community colleges, junior colleges, junior college vocational schools, etc.
- Other miscellaneous ambulatory health care services (NAICS 621999), e.g., health screening services, etc.
- Other community housing services (NAICS 624229), e.g., volunteer housing assistance agencies, volunteer housing repair organizations, transitional housing agencies, volunteer housing repair organizations, work (sweat) equity home construction organizations, etc.
- Business associations (NAICS 813910), e.g., Chambers of Commerce, contractors' and construction associations, etc.
- Administration of housing programs (NAICS 9251), urban planning, and community development, e.g., government housing authorities, government community development agencies, etc.
- Regulation, licensing, and inspection of miscellaneous commercial sectors (NAICS 926150), e.g., government building inspection agencies, etc.

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT.**

###### B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPPT-2004-0127. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the EPA Docket Center, Rm. B102-Reading Room, EPA West, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket

Center is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The EPA Docket Center Reading Room telephone number is (202) 566-1744 and the telephone number for the OPPT Docket, which is located in the EPA Docket Center, is (202) 566-0280.

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, 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.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. 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. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, 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, CBI, 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.

#### *C. How and to Whom Do I Submit the Comments?*

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID 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. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, 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 number OPPT-2004-0127. 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 e-mail to [oppt.ncic@epa.gov](mailto:oppt.ncic@epa.gov), Attention: Docket ID Number OPPT-2004-0127. 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 Unit I.C.2. 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: Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

3. *By hand delivery or courier.* Deliver your comments to: OPPT Document Control Office (DCO) in EPA East Bldg., Rm. 6428, 1201 Constitution Ave., NW., Washington, DC. Attention: Docket ID Number OPPT-2004-0127. The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 564-8930.

#### *D. How Should I Submit CBI to the Agency?*

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside

of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

#### *E. What Should I Consider when I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the collection activity.
7. Make sure to submit your comments by the deadline in this notice.
8. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

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

Pursuant to section 3506(c)(2)(A) of PRA, 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.

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

EPA is seeking comments on the following ICR:

*Title:* Reporting and Recordkeeping Requirements under EPA's Lead Safety Partnership (LSP) Pilot Program.

*ICR numbers:* EPA ICR No. 2172.01, OMB Control No. 2070-TBD.

*ICR status:* This ICR is a new proposed information collection that has not been approved by OMB. 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 in title 40 of the CFR, after appearing in the **Federal Register**, are listed in 40 CFR part 9, and included on the related collection instrument or form, if applicable.

*Abstract:* The LSP is an EPA voluntary program that seeks to increase the use of LSWP among contractors and homeowners. Participants in the LSP fall into two categories: Members and Partners. Members are renovation, remodeling, painting, and other contractors in the building trades who work in properties built before 1978. Partners are entities that participate in the LSP but are not contractors. These may include associations, community-based organizations, retailers, lenders, realtors, state and local agencies.

Members will be asked to sign a Lead Safety Partnership Member Agreement indicating that the contractor will train all workers in LSWP, inform all potential clients in housing built prior to 1978 of LSWP, use LSWP in such homes, and report annually to the LSP about numbers of jobs done with LSWP. Members will also be asked to submit a Lead Safety Partnership Annual Member Report on Progress in Meeting Goals of Agreement that will include the number of renovation and remodeling jobs completed in pre-1978 and other housing, number of employees trained, and information on the Members' satisfaction with the program. Partners will be asked to sign a Lead Safety Partnership Partner Agreement that outlines their role and level of

commitment. Partners will also provide an Annual Partner Report on Progress in Meeting Goals of Agreement. This report will include information on services provided in the past year and Partner satisfaction with the program.

EPA will use the information collected under the LSP pilot to determine the effectiveness of the program in increasing the use of LSWP. The Agency will also use feedback from Members and Partners to adjust the pilot program design before instituting a national LSP so that the program is effective and useful for all parties involved. The general public is also expected to use some of the information gathered as homeowners and others undertaking renovation and remodeling projects consult the LSP Member directory.

Responses to the collection of information are voluntary. 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.

#### **III. 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 1.9 hours per response. The following is a summary of the estimates taken from the ICR:

*Respondents/affected entities:* Companies and individuals involved in renovation, remodeling, painting, and other construction activities in the building trades working in properties built before 1978, and companies, associations, and individuals involved

in housing activities, policies, and related issues, such as community-based organizations, retailers, lenders, realtors, and state and local agencies.

*Estimated total number of potential respondents:* 240.

*Frequency of response:* Annually.

*Estimated total/average number of responses for each respondent:* 1.

*Estimated total annual burden hours:* 377 hours.

*Estimated total annual burden costs:* \$14,087.

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

No. This is a new proposed ICR.

#### V. 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: December 17, 2004.

**Susan B. Hazen,**

*Acting Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances.*

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**BILLING CODE 6560-50-S**

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-7859-1]

#### National Drinking Water Advisory Council's Water Security Working Group Meeting Announcement

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) announces the fourth public meeting of the Water Security Working Group (WSWG) of the National Drinking Water Advisory Council (NDWAC), which was established under the Safe Drinking Water Act. The purpose of this meeting is to provide an opportunity for the WSWG members to

continue deliberations on the features of active and effective security programs for drinking water and wastewater utilities (water sector), to continue deliberations on incentives to encourage broad adoption of active and effective security programs in the water sector, and to continue deliberations on measures of the performance of water security programs. The focus of the meeting will be on review of draft recommendations on incentives and development of performance measures. The WSWG findings and recommendations will be provided to the NDWAC for their consideration. The WSWG anticipates providing findings and recommendations to the NDWAC in spring 2005. One additional meeting of the WSWG is planned and will be announced in the near future.

**DATES:** The WSWG meeting is January 25-27, 2004, in Phoenix, Arizona. On January 25, 2005, the meeting is scheduled from 2 p.m. to 6 p.m., mountain time (m.t.). On January 26, 2005, the meeting is scheduled from 8 a.m. to 5 p.m., m.t. On January 27, 2005, the meeting is scheduled from 8 a.m. to 4 p.m., m.t.

**ADDRESSES:** The meeting will take place at the City of Phoenix Water Services Department Training Room, 9th Floor, 200 West Washington Street, Phoenix, AZ 85003. Parking is available at the City's facilities at 305 West Washington Street. Water Services' reception will be able to validate your parking; please remember to bring your ticket with you. Once in the building, proceed to the 9th floor and check-in at the reception desk—you will then be directed to the meeting room, which is just beyond reception.

**FOR FURTHER INFORMATION CONTACT:** Interested participants from the public should contact Marc Santora, Designated Federal Officer, U.S. Environmental Protection Agency, Office of Ground Water and Drinking Water, Water Security Division (Mail Code 4601-M), 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Please contact Marc Santora at [santora.marc@epa.gov](mailto:santora.marc@epa.gov) or call 202-564-1597 to receive additional details.

#### SUPPLEMENTARY INFORMATION:

##### Background

The WSWG mission is to: (1) Identify, compile, and characterize best security practices and policies for drinking water and wastewater utilities and provide an approach for considering and adopting these practices and policies at a utility level; (2) consider mechanisms to provide recognition and incentives that facilitate a broad and receptive response

among the water sector to implement these best security practices and policies and make recommendations as appropriate; (3) consider mechanisms to measure the extent of implementation of these best security practices and policies, identify the impediments to their implementation, and make recommendations as appropriate. The WSWG is comprised of sixteen members from water and wastewater utilities, public health, academia, state regulators, and environmental and community interests. Technical experts from the Environmental Protection Agency, the Department of Homeland Security, the Centers for Disease Control and Prevention, and the Department of Defense are also actively supporting the WSWG.

#### Closed and Open Parts of the Meeting

The WSWG is a working group of the NDWAC; it is not a Federal advisory committee and therefore not subject to the same public disclosure laws that govern Federal advisory committees. The Group can enter into closed session as necessary to provide an opportunity to discuss security-sensitive information relating to specific water sector vulnerabilities and security tactics. Currently, the WSWG does not anticipate closing any parts of the January meeting to the public. However, the Group reserves the right to enter into closed session, if necessary, late in the afternoon of January 25, 2005, immediately before lunch on January 26, 2005, and late in the day on January 27, 2005. If closed sessions are needed, opportunities for public comment will be provided before the closed sessions begin.

If there is a closed meeting session, only WSWG members, Federal resource personnel, facilitation support contractors and outside experts identified by the facilitation support contractors will attend the closed meetings. A general summary of the topics discussed during closed meetings and the individuals present will be included with the summary of the open portions of the WSWG meeting.

#### Public Comment

An opportunity for public comment will be provided during the open part of the WSWG meeting. Oral statements will be limited to five minutes, and it is preferred that only one person present the statement on behalf of a group or organization. Written comments may be provided at the meeting or may be sent, by mail, to Marc Santora, Designated Federal Officer for the WSWG, at the mail or e-mail address listed in the **FOR**