

State's changes through an immediate final action.

**DATES:** Comments must be received on or before April 16, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R01-RCRA-2007-0135, by one of the following methods:

- *www.regulations.gov*: Follow the online instructions for submitting comments.
- *E-mail*: [leitch.sharon@epa.gov](mailto:leitch.sharon@epa.gov).
- *Fax*: (617) 918-0647, to the attention of Sharon Leitch.
- *Mail*: Sharon Leitch, Hazardous Waste Unit, EPA Region 1, One Congress Street, Suite 1100 (CHW), Boston, MA 02114-2023.
- *Hand Delivery or Courier*: Deliver your comments to: Sharon Leitch, Hazardous Waste Unit, Office of Ecosystem Protection, EPA Region 1, One Congress Street, 11th Floor, (CHW), Boston, MA 02114-2023. Such deliveries are only accepted during the Office's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

For further information on how to submit comments, please see today's immediate final rule published in the "Rules and Regulations" section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Sharon Leitch, Hazardous Waste Unit, U.S. EPA Region 1, One Congress Street, Suite 1100 (CHW), Boston, MA 02114-2023, telephone number: (617) 918-1647; fax number: (617) 918-0647, e-mail address: [leitch.sharon@epa.gov](mailto:leitch.sharon@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the "Rules and Regulations" section of this **Federal Register**, EPA is authorizing these changes by an immediate final rule. EPA did not make a proposal prior to the immediate final rule because we believe this action is not controversial and do not expect adverse comments that oppose it. We have explained the reasons for this authorization in the preamble to the immediate final rule. Unless we get written adverse comments which oppose this authorization during the comment period, the immediate final rule will become effective on the date it establishes, and we will not take further action on this proposal. If we get comments that oppose this action, we will withdraw the immediate final rule and it will not take immediate effect. We will then respond to public comments in a later final rule based on this proposal. You may not have another opportunity for comment. If you want to comment on this action, you should do so at this time.

Dated: March 1, 2007.

**Robert W. Varney**,  
Regional Administrator, EPA New England.  
[FR Doc. E7-4775 Filed 3-15-07; 8:45 am]  
**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2005-0049; FRL-8116-6]

RIN 2070-AC83

### 40 CFR Part 745

#### Lead; Renovation, Repair, and Painting Program; Notice of Availability

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

**ACTION:** Notice of availability.

**SUMMARY:** On January 10, 2006, EPA proposed new requirements to reduce exposure to lead hazards created by renovation, repair, and painting activities that disturb lead-based paint. The proposal supports the attainment of the Federal Government's goal of eliminating childhood lead poisoning by 2010. With this document, EPA is announcing the availability of two new studies in the rulemaking docket. The studies include one conducted by EPA—*Characterization of Dust Lead Levels after Renovation, Repair, and Painting Activities* and a second study conducted by the National Association of Home Builders (NAHB)—*Lead-Safe Work Practices Survey Project*. EPA will consider revisions to the proposed work practice standards following review of these studies and consideration of public comment received as a result of this document. Comments should be submitted to the docket for the proposed rule and must be received on or before April 16, 2007.

**DATES:** Comments must be received on or before April 16, 2007.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPPT-2005-0049, by one of the following methods:

- *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *Mail*: Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.
- *Hand Delivery*: OPPT Document Control Office (DCO), EPA East Bldg., Rm. 6428, 1201 Constitution Ave., NW., Washington, DC. Attention: Docket ID Number EPA-HQ-OPPT-2005-0049. 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. Such deliveries are only accepted during the DCO's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to docket ID number EPA-HQ-OPPT-2005-0049. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

*Docket:* EPA established a docket for this action under ID number EPA-HQ-OPPT-2005-0049. All documents in the docket are listed in the docket's index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically at <http://www.regulations.gov>, or, if only available in hard copy, at the OPPT Docket. The OPPT Docket is located in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave., NW., Washington,

DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Docket visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor bags are processed through an X-ray machine and subject to search. Visitors will be provided an EPA/DC badge that must be visible at all times in the building and returned upon departure.

**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: Mike Wilson, National Program Chemicals Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 566-0521; e-mail address: [wilson.mike@epa.gov](mailto:wilson.mike@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

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

You may be potentially affected by this action if you perform renovations of target housing for compensation or dust sampling. Target housing is defined in section 401 of the Toxic Substances Control Act (TSCA) as any housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child under age 6 resides or is expected to reside in such housing) or any 0-bedroom dwelling. Potentially affected entities may include, but are not limited to:

- Building construction (NAICS code 236), e.g., single family housing construction, multi-family housing construction, residential remodelers.
- Specialty trade contractors (NAICS code 238), e.g., plumbing, heating, and air-conditioning contractors, painting and wall covering contractors, electrical contractors, finish carpentry contractors, drywall and insulation contractors, siding contractors, tile and terrazzo contractors, glass and glazing contractors.
- Real estate (NAICS code 531), e.g., lessors of residential buildings and

dwellings, residential property managers.

- Other technical and trade schools (NAICS code 611519), e.g., training providers.
- Engineering services (NAICS code 541330) and building inspection services (NAICS code 541350), e.g., dust sampling technicians.

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. To determine whether you or your business may be affected by this action, you should carefully examine the applicability provisions in § 745.82 of the proposed rule. 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. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](http://regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM that you mail to EPA, as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes 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. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

##### II. What Action Is the Agency Taking?

Many residences built prior to 1978 contain lead-based paint. Activities that involve the disturbance or removal of lead-based paint, including many renovation and repair activities, can result in high localized concentrations of lead dust in the air and on exposed surfaces within the home, as well as in surrounding soils.

In support of the Federal Government's goal of eliminating childhood lead poisoning by 2010, EPA proposed a rule establishing requirements to protect residents of pre-1978 housing units from lead hazards due to renovation, repair, and painting activities. The proposed rule, issued under the authority of section 402(c)(3) of TSCA, was published in the **Federal Register** of January 10, 2006 (71 FR 1588) (FRL-7755-5). With this document, EPA is announcing the availability of two new studies in the rulemaking docket.

1. *Characterization of Dust Lead Levels after Renovation, Repair, and Painting Activities* (January 23, 2007). In an effort to support a thorough risk assessment and cost-benefit analysis of the proposed rule, EPA designed and conducted a field study to characterize dust lead levels during various stages of renovation, repair, and painting activities. Results of that field study are presented in this report.

2. *Lead-Safe Work Practices Survey Project* (November 9, 2006). NAHB conducted an assessment of renovation and remodeling activities to measure levels of lead dust generated by home improvement contractors. The objective of this project was to measure the amount of lead dust generated during typical renovation and remodeling activities and assess whether routine renovation and remodeling activities increased lead dust levels in the work area and property.

A copy of these studies is now available in the docket for this action (EPA-HQ-OPPT-2005-0049). EPA is

asking the public to consider their previous comments in light of these studies, particularly those related to the proposed work practice standards. EPA intends to consider these studies, and public comment received as a result of this document, in the development of the final Renovation, Repair, and Painting Program rule. In particular, EPA requests comment on the proposed methods of containment, cleaning, and cleaning verification in light of the information contained in these studies. In addition, the Agency is interested in comments on whether certain practices should require additional protective measures or should be prohibited based on the study findings. Comments should be submitted to the docket for the proposed rule (EPA-HQ-OPPT-2005-0049) and must be received on or before April 16, 2007.

#### List of Subjects 40 CFR Part 745

Environmental protection, Infants and children, Health and safety, Housing renovation, Lead, Lead-based paint.

Dated: March 12, 2007.

**James B. Gulliford,**

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

[FR Doc. E7-4869 Filed 3-15-07; 8:45 am]

BILLING CODE 6560-50-S

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## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Parts 28 and 52

[FAR Case 2006-013; Docket 2007-0001;  
Sequence 3]

RIN 9000-AK71

#### Federal Acquisition Regulation; FAR Case 2006-013, List of Approved Attorneys, Abstracters, and Title Companies

**AGENCIES:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Proposed rule with request for comments.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) are proposing to amend the Federal Acquisition Regulation (FAR) to update the procedures for the

acceptance of a bond with a security interest in real property.

**DATES:** Interested parties should submit written comments to the FAR Secretariat on or before May 15, 2007 to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments identified by FAR case 2006-013 by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Search for any document by first selecting the proper document types and selecting "Federal Acquisition Regulation" as the agency of choice. At the "Keyword" prompt, type in the FAR case number (for example, FAR Case 2006-001) and click on the "Submit" button. Please include any personal and/or business information inside the document. You may also search for any document by clicking on the "Advanced search/document search" tab at the top of the screen, selecting from the agency field "Federal Acquisition Regulation", and typing the FAR case number in the keyword field. Select the "Submit" button.

- Fax: 202-501-4067.

- Mail: General Services

Administration, Regulatory Secretariat (VIR), 1800 F Street, NW, Room 4035, ATTN: Laurieann Duarte, Washington, DC 20405.

**Instructions:** Please submit comments only and cite FAR case 2006-013 in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Jerry Olson, Procurement Analyst, at (202) 501-3221 for clarification of content.

For information pertaining to status or publication schedules, contact the FAR Secretariat at (202) 501-4755. Please cite FAR case 2006-013.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

FAR Subpart 28.2, Sureties and other Security for Bonds, includes policies which require agencies to obtain adequate security for bonds when bonds are used with a contract for supplies or services (including construction). A corporate or individual surety is an acceptable form of security for a bond. Whenever a surety secures a bond with interest in real property, FAR 28.203-3 requires that the surety provide evidence of title in the form of a certificate of title prepared by a title insurance company that has been approved by the Department of Justice

(DOJ). DOJ maintained a list of the approved title companies that could prepare the certificate of title on the "List of Approved Attorneys, Abstracters, and Title Companies." DOJ has revised its procedures and no longer maintains a list of approved title insurance companies. Instead, DOJ has developed a guide for the preparation of evidence of title, Title Standards 2001 (Standards). The Standards address the various types of title evidence that may be acceptable considering local practice, reliability, security, economy and other factors. The Standards also address the qualification requirements for preparers of title evidence.

The FAR rule proposes to revise the types of acceptable title evidence and the qualification requirements for preparers of title evidence consistent with the Standards. The types of acceptable title evidence and the required qualifications are located in Section 2 of the Standards.

In addition, FAR 28.203-3(d) requires sureties to execute a lien if a surety pledges real estate on Standard Form 28, Affidavit of Individual Surety. The lien must be recorded in the local recorder's office. When multiple parties jointly own the real estate, the lien must be signed by each owner of the property to be valid. The FAR currently does not clearly specify that all owners of the property must sign the lien. The proposed rule clarifies that all property owners are required to sign the lien when a surety pledges real estate as collateral.

This is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

##### B. Regulatory Flexibility Act

The Councils do not expect this proposed rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the incidence of use of bonds secured by interest in real property is very low. An Initial Regulatory Flexibility Analysis has, therefore, not been performed. We invite comments from small businesses and other interested parties. The Councils will consider comments from small entities concerning the affected FAR Parts 28 and 52 in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 601, *et seq.* (FAR case 2006-013), in correspondence.