

31, 2018. Public comments were previously requested, via the **Federal Register**, on June 29, 2017 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An agency may neither conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**DATES:** Additional comments may be submitted on or before January 22, 2019.

**ADDRESSES:** Submit your comments, referencing Docket ID Number EPA-HQ-OECA-2013-0354, to: (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), or by email to [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460; and (2) OMB via email to [oir-submission@omb.eop.gov](mailto:oir-submission@omb.eop.gov). Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI), or other information whose disclosure is restricted by statute.

**FOR FURTHER INFORMATION CONTACT:** Patrick Yellin, Monitoring, Assistance, and Media Programs Division, Office of Compliance, Mail Code 2227A, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (202) 564-2970; fax number: (202) 564-0050; email address: [yellin.patrick@epa.gov](mailto:yellin.patrick@epa.gov).

**SUPPLEMENTARY INFORMATION:** Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at [www.regulations.gov](http://www.regulations.gov), or in person at the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit: <http://www.epa.gov/dockets>.

**Abstract:** The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Paint Stripping and Miscellaneous Surface Coating at Area Sources (40 CFR part 63, subpart HHHHHH) are part of the EPA Integrated Urban Strategy to reduce cancer risk from area sources under

Section 112(k)(3)(C) of the Clean Air Act (CAA). These standards apply to existing and new sources that conduct paint stripping operations using methylene chloride (MeCl)-containing paint strippers, motor vehicle and mobile equipment surface coating operations, and miscellaneous surface coating operations located at area sources. New facilities include those that commenced construction, modification or reconstruction after the date of proposal. In general, all NESHAP standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance with This information is being collected to assure compliance with 40 CFR part 63, subpart HHHHHH.

*Form numbers:* None.

*Respondents/affected entities:* Paint stripping and miscellaneous surface coating operations.

*Respondent's obligation to respond:* Mandatory (40 CFR part 63, subpart HHHHHH).

*Estimated number of respondents:* 39,812 (total).

*Frequency of response:* Initially and annually.

*Total estimated burden:* 169,000 hours (per year). Burden is defined at 5 CFR 1320.3(b).

*Total estimated cost:* \$18,500,000 (per year), which includes \$117,000 in annualized capital/startup and/or operation & maintenance costs.

*Changes in the estimates:* There is an adjustment increase in the labor hours in this ICR compared to the previous ICR. This is due to a change in assumption: This ICR assumes all existing sources will take time to re-familiarize with the regulations each year.

**Courtney Kerwin,**

*Director, Regulatory Support Division.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2017-0260; FRL-9988-42-OW]

### Aquatic Life Ambient Water Quality Criteria for Aluminum in Freshwater

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

**ACTION:** Notice of availability.

**SUMMARY:** The Environmental Protection Agency (EPA) is announcing the availability of Aquatic Life Ambient Water Quality Criteria for Aluminum in Freshwater. The EPA first released freshwater criteria for aluminum in 1988 to protect aquatic life from harmful effects of aluminum toxicity. The EPA updated its recommended aluminum criteria to reflect the latest science and to provide users the flexibility to develop criteria based on site-specific water chemistry. The document provides a scientific assessment of ecological effects and is not a regulation. The EPA submitted the draft document for external expert peer review and edited the document considering peer review comments. The EPA subsequently released the draft criteria document for a 90-day public comment period in July 2017. The EPA has considered the public comments and revised the document based on consideration of those comments. The final criteria document provides recommendations for states and authorized tribes to establish water quality standards under the Clean Water Act. The recommendations found in this document supersede the EPA's 1988 national recommended criteria for aluminum in ambient water.

**FOR FURTHER INFORMATION CONTACT:** Diana Eignor, Health and Ecological Criteria Division, Office of Water (Mail Code 4304T), Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone: (202) 566-1143; or email: [eignor.diana@epa.gov](mailto:eignor.diana@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

*A. How can I get copies of this document and other related information?*

*1. Docket.* EPA has established a docket for this action under Docket ID No. EPA-HQ-OW-2017-0260. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Water Docket in the EPA Docket Center, (EPA/DC) EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426.

*2. Electronic Access.* You may access this **Federal Register** document

electronically from the Government Printing Office under the **Federal Register** listings FDSys (<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR>).

**II. What is aluminum and how does it affect aquatic life?**

Aluminum is found in most soils and rocks and is the third most abundant element and the most common metal in the earth’s crust. Aluminum can enter the water via natural processes, like weathering of rocks and as a result of human based activities, such as drinking and waste water treatment and mining. Aluminum is considered a non-essential metal because fish and other aquatic life do not need it to function. Elevated levels of aluminum can affect some species’ ability to regulate ions and inhibit respiratory functions. Aquatic plants are generally less sensitive than fish and other aquatic life to aluminum.

**III. What are EPA’s updated recommended criteria for aluminum in freshwater?**

The recommended criteria concentrations for aluminum in freshwater to protect aquatic life depends on a site’s water chemistry parameters. Bioavailability is the measure of whether a substance in the environment is available to affect living organisms like fish. The bioavailability of aluminum is dependent on specific water chemistry parameters. The more bioavailable the aluminum is, the more likely it is to cause a toxic effect. The water chemistry parameters that have the greatest impact on aluminum’s bioavailability are pH, dissolved organic carbon (DOC) and total hardness.

The final 2018 recommended national criteria are based upon Multiple Linear

Regression (MLR) models for fish and invertebrate species that use pH, DOC, and total hardness to quantify the effects of these water chemistry parameters on the bioavailability and associated toxicity of aluminum to aquatic organisms. The MLR models are used to normalize the available toxicity data to reflect the effects of the water chemistry (pH, hardness, DOC) on the toxicity of aluminum to tested species. These normalized toxicity test data are then used in a criteria calculator to generate criteria for specific water chemistry conditions, yielding the water chemistry specific acute and chronic criteria concentrations. This flexible approach is based on the latest science and allows users to develop site-specific aluminum criteria for freshwaters that appropriately reflect important water chemistry parameters. The recommended acute criteria (known as the criteria maximum concentration or CMC) duration is a one-hour average and the recommended chronic criteria (criteria chronic concentration or CCC) duration is a four-day average. The EPA recommends that the CMC and CCC not be exceeded more than once every three years.

These final 2018 recommended national aluminum criteria are expressed as total recoverable metal concentrations. The use of total recoverable aluminum includes monomeric (both organic and inorganic) forms, polymeric and colloidal forms, as well as particulate forms and aluminum sorbed to clays. However, toxicity data comparing toxicity of aluminum using total recoverable aluminum and dissolved aluminum demonstrated that toxic effects increased with increasing concentrations of total recoverable aluminum even though the concentration of dissolved aluminum

was relatively constant. If aluminum criteria were based on dissolved concentrations, toxicity would likely be underestimated, as colloidal forms and hydroxide precipitates of the metal that can dissolve under natural conditions and become biologically available would not be measured. The criteria document contains more discussion of the studies that informed the choice to use total recoverable aluminum as the basis for the final 2018 recommended national criteria. The current EPA-approved Clean Water Act Test Methods<sup>1</sup> for aluminum in natural waters and waste waters measure total recoverable aluminum.

The numeric outputs of the 2018 recommended National Aluminum Criteria Calculator will depend on the specific pH, DOC, and total hardness concentrations entered into the models. The model outputs (CMC and CCC) are numeric values that are protective for the set of input conditions. Criteria can be determined in two ways: Use the provided Aluminum Criteria Calculator V.2.0 to enter the pH, DOC, and total hardness conditions at a specific site to calculate the numeric aluminum CMC and CCC corresponding to those local input water-quality conditions, or (2) use the look-up tables provided in the criteria document, developed using the calculator, to find the numeric aluminum CMC and CCC most closely corresponding to the local conditions for pH, DOC, and total hardness. In order to calculate numeric water quality criteria for aluminum that will protect the aquatic life designated uses of a site over the full range of ambient conditions and toxicity, multiple model outputs will need to be considered.

See Table 1 for a comparison of the EPA’s 1988 criteria and the updated 2018 criteria for aluminum.

TABLE 1—SUMMARY OF THE EPA NATIONAL RECOMMENDED AQUATIC LIFE CRITERIA FOR ALUMINUM

EPA aquatic life criteria for aluminum	Freshwater acute <sup>a</sup> (1 hour, total recoverable aluminum)	Freshwater Chronic <sup>a</sup> (4-day, total recoverable aluminum)
2018 Updated Criteria (Vary as a function of a site’s pH, total hardness, and DOC) .....	1–4,800 µg/L <sup>b</sup> .....	0.63–3,200 µg/L <sup>b</sup> .
1988 Criteria (pH 6.5–9.0, across all total hardness and DOC ranges) .....	750 µg/L .....	87 µg/L.

<sup>a</sup> Values are recommended not to be exceeded more than once every three years on average.

<sup>b</sup> Values will be different under differing water chemistry conditions.

**IV. What are recommended water quality criteria developed by the EPA?**

Section 304(a)(1) of the Clean Water Act directs the EPA to develop and publish and, from time to time, revise criteria for water quality accurately

reflecting the latest scientific knowledge. Water quality criteria developed under section 304(a) are based solely on data and scientific judgments on the relationship between pollutant concentrations and

environmental and human health effects. Section 304(a) criteria do not reflect consideration of economic impacts or the technological feasibility of meeting pollutant concentrations in ambient water.

<sup>1</sup> 40 CFR part 136.3 and Appendix C

Section 304(a) criteria provide guidance to states and authorized tribes in adopting water quality standards that ultimately provide a basis for controlling discharges of pollutants. Under the Clean Water Act and its implementing regulations, states and authorized tribes are to adopt water quality criteria to protect designated uses (e.g., aquatic life, recreational use). The EPA water quality criteria recommendations are not regulations. Thus, the EPA recommended criteria do not constitute legally binding requirements. States and authorized tribes may adopt other scientifically defensible water quality criteria that differ from these recommendations. As part of the water quality standards triennial review process defined in section 303(c)(1) of the Clean Water Act, the states and authorized tribes are responsible for maintaining and revising water quality standards. Standards consist of designated uses, water quality criteria to protect those uses, a policy for antidegradation, and may include general policies for application and implementation. Section 303(c)(1) requires states and authorized tribes to review and modify, if appropriate, their water quality standards at least once every three years. Consistent with the EPA regulations at 40 CFR 131.11(a), protective criteria must be based on a sound scientific rationale and contain sufficient parameters or constituents to protect the designated uses. Criteria may be expressed in either narrative or numeric form. States and authorized tribes have four options when adopting water quality criteria for which EPA has published section 304(a) criteria. They may: (1) Establish numerical values based on recommended section 304(a) criteria; (2) Adopt section 304(a) criteria modified to reflect site-specific conditions; (3) Adopt criteria derived using other scientifically defensible methods; or (4) Establish narrative criteria where numeric criteria cannot be established or to supplement numeric criteria (40 CFR 131.11(b)).

Dated: December 14, 2018.

**Anna J. Wildeman,**

*Acting Assistant Administrator, Office of Water.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2018-0139; FRL-9988-13-OEI]

### Agency Information Collection Activities; Submitted to OMB for Review and Approval; Comment Request; Labeling Requirements for Certain Minimum Risk Pesticides Under FIFRA Section 25(b) (Renewal)

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) has submitted the following information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA): "Labeling Requirements for Certain Minimum Risk Pesticides under FIFRA Section 25(b)," identified by EPA ICR No. 2475.03 and OMB Control No. 2070-0187. This is a request to renew the approval of an existing ICR. The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized in this document. EPA received one comment in response to the previously provided public review opportunity issued in the **Federal Register** on May 30, 2018; however, the comment submitted to the docket did not pertain to this ICR. With this submission, EPA is providing an additional 30 days for public review and comment.

**DATES:** Comments must be received on or before January 22, 2019.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2018-0139 and OMB Control No. 2070-0187, to both EPA and OMB as follows:

- To EPA online using <http://www.regulations.gov> (our preferred method) or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.
- To OMB via email to [oira\\_submission@omb.eop.gov](mailto:oira_submission@omb.eop.gov). Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the docket without change, including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI), or other information whose disclosure is

restricted by statute. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.

**FOR FURTHER INFORMATION CONTACT:** Ryne Yarger, Field and External Affairs Division (7506P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (703) 605-1193; email address: [yarger.ryne@epa.gov](mailto:yarger.ryne@epa.gov).

#### SUPPLEMENTARY INFORMATION:

**Docket:** Supporting documents, including the ICR that explains in detail the information collection activities and the related burden and cost estimates that are summarized in this document, are available in the docket for this ICR. The docket can be viewed online at <http://www.regulations.gov> or in person at the EPA Docket Center, West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is (202) 566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

**ICR status:** This ICR is currently scheduled to expire on February 28, 2019. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. Under PRA, 44 U.S.C. 3501 *et seq.*, 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 are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

**Abstract:** This information collection request documents the PRA burden for the labeling requirements for certain minimum risk pesticide products exempt from Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) registration under 40 CFR 152.25(f). Under 40 CFR 152.25(f), EPA has exempted from the requirement of FIFRA registration certain pesticide products if they are composed of specified ingredients and labeled accordingly. EPA created the exemption for minimum risk pesticides to eliminate the need for industry or business to expend significant resources to apply for and maintain regulated products that are deemed to be of minimum risk to human health and the environment. In addition, exempting