

8100244e.htm) and Government Performance and Results Act (GPRA) requirements (GPRA Goal 5—Compliance and Environmental Stewardship; Objective 1: Improve Compliance), the Agency has found a need to evaluate and measure priority enforcement in terms of ‘environmental harm’, pollutant loadings deterred through enforcement, etc. In addition, the public, regulated facilities, and environmental advocates have formally requested this type of information. Both the Clean Water Act (CWA) and RCRA programs and their databases (Permit Compliance System (PCS) and RCRAInfo) have sophisticated reporting and tracking of either pollutants violated or violating types/definitions or both. Clean Air Act HPV tracking has only two methods of tracking this information and neither HPV Violation Type Codes or Violating Pollutants are required to be reported as a Minimum Data Requirement (MDR). There are several advantages to these data elements. Not only do they provide insight to potential environmental harm, but they can provide details about the extent of the violations (e.g., percentage of excess emissions above legal limit). These data elements can also provide a clear connection to the HPV Policy and, therefore, make it easier to evaluate implementation. Both of these data elements are entered on the AFS ‘Day Zero’ record/menu screen and would be entered at the same time as the HPV Day Zero; thereby, not requiring a new update session in AFS. Consistent with the need for Subpart information discussed under the first potential new data requirement, this information would be provided for all new HPV violations.

Time Standard for State/Local Reporting (from 90 day to 30 day standard): With the public release of AFS data, and more timely reporting requirements placed upon EPA through the Government Performance and Results Act (GPRA), real time data is demanded. Moving from a 90 to a 30 day minimum reporting frequency is an attempt to move toward maintaining real time data in AFS, and meeting public demand. Allowing for 90 days to report is inconsistent with the greater emphasis the Agency is placing on timely input of data. Having data lag for 90 days negatively impacts the ability to conduct on-going analysis. In addition to not meeting public demand, this lag in data reporting can also cause the public to be misled because inaccurate (or at least old, out of date) data ends up appearing in public on web sites such as the Enforcement Compliance

History Online (ECHO) system which can lead to inaccurate conclusions being made regarding State compliance monitoring and enforcement program performance.

Burden Statement: In the previously approved ICR, the average annual burden to covered entities to meet the recordkeeping and reporting requirements was estimated at 85,496 person-hours for the three years following approval of that ICR. The total annualized cost burden was estimated as \$2,669,186. This is based on an estimated 89 respondents and a frequency of at least four times per year, with many reporting more frequently. The average annual burden for reporting per source per response for reporting activities is dependent upon the size of the State. A State with a small universe of federally reportable sources (150 major sources or less) spends an average 85 hours per quarter; a medium-sized universe of sources (having between 151 and 499 major sources) spends an average 337 hours per quarter; and a State with a large universe of sources (having more than 500 major sources) spends an average 586 hours per quarter. In order to estimate the burden that would be added by the proposed new MDR’s, EPA will take all comments into consideration. In addition, a representative number state and local agencies will be contacted for their input.

Dated: May 24, 2004.

Michael M. Stahl,

Director, Office of Compliance.

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0111; FRL-7360-6]

Data Call-Ins for the Special Review and Registration Review Programs; Renewal of Pesticide Information Collection Activities and Request for Comments

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this notice announces that EPA is seeking public comment on the following Information Collection Request (ICR): Data Call-Ins for the Special Review and Registration Review Programs (EPA ICR No. 0922.07, OMB Control No. 2070-0057). This is a request to renew an existing ICR that is

currently approved and due to expire on August 31, 2004. The ICR describes the nature of the information collection activity and its expected burden and costs. Before submitting this ICR to the Office of Management and Budget (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 ID number OPP-2004-0111, must be received on or before August 2, 2004.

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

FOR FURTHER INFORMATION CONTACT:

Nancy Vogel, Field and External Affairs Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-6475; fax number: (703) 305-5884; e-mail address: vogel.nancy@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

You may be potentially affected by this action if you are a business engaged in the manufacturing of pesticides and other agricultural chemicals. Potentially affected entities may include, but are not limited to:

- Pesticide and other agricultural chemical manufacturing (NAICS 325320), e.g., businesses engaged in the manufacture of pesticides.

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 above 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 the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(c)(5) and the Federal Food, Drug, and Cosmetic Act (FFDCA) section 408. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

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

A. Docket

EPA has established an official public docket for this action under docket identification (ID) number OPP-2004-0111. 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 Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

B. 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. 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 II.A. 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.

III. How Can I Respond to this Action?

A. How and To Whom Do I Submit 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 III.B. 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 OPP-2004-0111. 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 opp-docket@epa.gov, Attention: Docket ID Number OPP-2004-0111. 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 III.A. 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: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID Number OPP-2004-0111.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, Attention: Docket ID Number OPP-2004-0111. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit II.A.

B. 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 person listed under **FOR FURTHER INFORMATION CONTACT.**

C. 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.

D. What Information is EPA Particularly Interested in?

Pursuant to section 3506(c)(2)(A) of the 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.

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

EPA is seeking comments on the following ICR:

Title: Data Call-Ins for the Special Review and Registration Review Programs.

ICR numbers: EPA ICR No. 0922.07, OMB Control No. 2070-0057.

ICR status: This ICR is a renewal of an existing ICR that is currently approved by OMB and is due to expire on August 31, 2004.

Abstract: This information collection will enable EPA to collect the necessary data to assess whether the continued registration of an existing pesticide causes an unreasonable adverse effect on human health or the environment. The special review process is set in motion when EPA has reason to believe that the use of a pesticide may result in unreasonable adverse effects to human health or the environment. The goal of this process is to reduce the risks posed by a pesticide to an acceptable level while taking into consideration the benefits provided by the use of the pesticide. This ICR also includes the information collection related to the registration review program. The Food Quality Protection Act of 1996 (FQPA), which amended the two primary statutes regulating pesticides, i.e., the

FFDCA and FIFRA, established the registration review program. Under FIFRA section 3(g), EPA must now periodically review all pesticide registrations. In doing so, the Agency is authorized to use FIFRA section 3(c)(2)(B) to require pesticide registrants to generate and submit data to the Agency where such data is needed to assess whether registration of an existing pesticide poses unreasonable risk to human health or the environment.

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 estimated annual public burden for this information collection is 64,699 hours. The following is a summary of the estimates taken from the ICR:

Respondents/affected entities:

Businesses engaged in the manufacturing of pesticides and other agricultural chemicals.

Estimated total number of potential respondents: 61.

Frequency of response: On occasion.

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

Estimated total annual burden hours: 64,699.

Estimated total annual burden costs: \$5,851,894.

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

This ICR renewal request will result in a net decrease in the annual respondent burden of 6,433 hours from 7,352 hours to 919 hours for special review because the Agency expects to issue fewer special review ICRs in the next 3 years. The annual burden hour estimate for the registration review program remains unchanged at 63,780.

Although respondent labor rates have increased since the previous ICR, annual cost estimates have decreased from \$6,072,472 to \$5,851,894, again due to a decrease in the number of special review data call-in notices to be issued.

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 person listed under **FOR FURTHER INFORMATION CONTACT**.

List of Subjects

Environmental protection, Reporting and recordkeeping requirements.

Dated: May 23, 2004.

Susan B. Hazen,

Acting Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances.
[FR Doc. 04-12309 Filed 5-28-04; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPPT-2004-0081; FRL-7361-5]

TSCA Section 402 and Section 404 Training and Certification, Accreditation and Standards for Lead-Based Paint Activities; Request for Comment on Renewal of Information Collection Activities

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): TSCA Section 402 and Section 404 Training and Certification, Accreditation and Standards for Lead-Based Paint Activities (EPA ICR No. 1715.06, OMB Control No. 2070-0155). This ICR involves a collection activity that is currently approved and scheduled to expire on August 31, 2004. The information collected under this ICR helps EPA protect public health and the environment by ensuring that

individuals conducting activities that prevent, detect, and eliminate hazards associated with lead-based paint in residential facilities are properly trained and certified, that training programs providing instruction in such activities are accredited, and that such activities are conducted according to reliable, effective, and safe work practice standards. The ICR describes the nature of the information collection activity and its expected burden and costs. Before submitting this ICR to the Office of Management and Budget (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 ID number OPPT-2004-0081, must be received on or before August 2, 2004.

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.

For technical information contact: Doreen Cantor, 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) 566-0486; fax number: (202) 566-0471; e-mail address: cantor.doreen@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you provide training in lead-based paint activities, are engaged in lead-based paint activities, or are a state agency that administers lead-based paint activities. Potentially affected entities may include, but are not limited to:

- Building, developing, and general contracting (NAICS 233), e.g., single family housing construction, multifamily housing construction, manufacturing and industrial building construction, commercial and institutional building construction.

- Special trade contractors (NAICS 235), e.g., painting and wall covering contractors, drywall, plastering, acoustical, and insulation contractors, carpentry contractors, roofing, siding, and sheet metal contractors, glass and glazing contractors, all other special trade contractors.

- Technical and trade schools (NAICS 6115), e.g., apprenticeship training, other technical and trade schools, all other miscellaneous schools and instruction.

- Public administration (NAICS 92), e.g., administration of human resource programs, administration of environmental quality programs, administration of housing programs, urban planning, and community development.

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 identification (ID) number OPPT-2004-0081. 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 EPA Docket Center, is (202) 566-0280.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet