

The following analysis demonstrates that the State of Colorado's program is at least as protective as the elements of the Federal program.

#### 5.3.1

Purpose of the proposed regulation. The purpose of the Pre-Renovation Education in Target Housing Regulation Number 19, Part B, is to reduce exposure to lead hazards that may result from renovation activities conducted in "target housing," including dwelling units and common areas. Regulation Number 19, Part B, will not regulate activities in public or commercial buildings. Regulation Number 19, Part B, includes provisions to establish requirements for certain persons who perform renovations of target housing for compensation to provide a lead hazard information pamphlet to the owner and occupant of such housing prior to commencing the renovation.

#### 5.3.2

Program elements. The Division has followed EPA's regulation at 40 CFR part 745 and the State Legislature's statutory requirements to develop Regulation Number 19, Part B, to be both consistent with the federal program and acceptable to EPA. Implementation of Regulation Number 19, Part B, is an appropriate step to continuing to prevent exposing children to lead hazards that may result from certain renovation activities in "target housing." The scope and applicability of Regulation Number 19, Part B, (Section I., Scope and Applicability) has the same meaning as the scope and applicability of EPA's program (40 CFR 745.82).

Regulation Number 19, Part B, includes or incorporates definitions (Section II, Definitions) that are nearly identical to EPA's program (40 CFR 745.83). This includes the clear requirement that the information must meet the requirements of TSCA 406(a) or be approved by EPA pursuant to 40 CFR 745.326.

The information distribution requirements provided by Regulation Number 19, Part B, (Section III., Information Distribution Requirements) are nearly identical to EPA's (40 CFR 745.85). The information distribution requirements of Regulation Number 19, Part B, include renovations in dwelling units (section III.A.), renovation in common areas (Section III.B.), and written acknowledgements (Section III.C.) which correspond almost word for word to EPA requirements (40 CFR 745.85(a), (b) and (c)). Regulation No. 19, Part B, includes recordkeeping requirements (Section IV., Recordkeeping Requirements) designed

to match those of the EPA (40 CFR 745.86).

Also included in Regulation Number 19, Part B, is sample language for acknowledgement and certification statements (Section V., Acknowledgement and Certification Statements). The sample language in this section was designed to match the clear intent and have the same meaning as EPA program's sample language (40 CFR 745.88).

#### 5.3.3 Conclusion

This analysis of substantive program elements demonstrates that Colorado's Pre-Renovation Education in Target Housing Regulation Number 19, Part B, is at least as protective of human health and the environment as the Federal regulations developed pursuant to TSCA section 406.

### IV. Federal Overfiling

Section 404(b) of TSCA makes it unlawful for any person to violate, or fail or refuse to comply with, any requirement of an approved State or Tribal program. Therefore, EPA reserves the right to exercise its enforcement authority under TSCA against a violation of, or a failure or refusal to comply with, any requirement of an authorized state or tribal program.

### V. Submission to Congress and the Comptroller General

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

#### List of Subjects

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

Dated: May 27, 2008.

**Robert E. Roberts,**

*Administrator, Region VIII.*

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-8685-1]

#### Science Advisory Board Staff Office; Notification of a Public Teleconference of the Science Advisory Board Acrylamide Review Panel

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

**ACTION:** Notice.

**SUMMARY:** The EPA Science Advisory Board (SAB) Staff Office announces a public teleconference of the SAB Acrylamide Review Panel to finalize its draft report on its review of EPA's draft "Toxicological Review of Acrylamide".

**DATES:** A public teleconference of the SAB Acrylamide Review Panel will be held from 1 p.m. to 4 p.m. (Eastern Time) on July 16, 2008.

**ADDRESSES:** The public teleconference will take place via telephone only.

**FOR FURTHER INFORMATION CONTACT:** Members of the public who wish to obtain the call-in number and access code to participate in the teleconference may contact Dr. Sue Shallal, EPA Science Advisory Board Staff (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone/voice mail: (202) 343-9977 or via e-mail at [shallal.suhair@epa.gov](mailto:shallal.suhair@epa.gov).

**SUPPLEMENTARY INFORMATION:** The SAB was established by 42 U.S.C. 4365 to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies. Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the EPA SAB Acrylamide Review Panel will hold a public teleconference to finalize their draft report.

*Background:* EPA's Office of Research and Development (ORD) has requested that the SAB peer review the Agency's draft Integrated Risk Information System (IRIS) assessment entitled "Toxicological Review of Acrylamide." Background on this SAB review, including the process for forming this review panel was provided in a **Federal Register** Notice published on March 29, 2007 (Volume 72 FR 60; 14804-14805). The SAB Panel met on March 11-12, 2008 to review the IRIS document [see **Federal Register** Notice dated February

1, 2008 [Volume 73, Number 22, Pages 6181–6182]). The purpose of this upcoming teleconference is for the SAB Panel to discuss and finalize its draft report. Additional information about this advisory activity can be found on the SAB Web site at <http://www.epa.gov/sab>. A meeting agenda and the draft SAB review report will be posted at the above noted SAB Web site prior to the meeting.

**Availability of Meeting Materials:** The meeting agendas and other materials including the SAB panel's draft report will be available on the SAB Web site at (<http://www.epa.gov/sab>) in advance of the meeting. For technical questions and information concerning the EPA's IRIS assessment, please contact Dr. Rob Dewoskin, at (919) 541-1089, or [dewoskin.rob@epa.gov](mailto:dewoskin.rob@epa.gov).

**Procedures for Providing Public Input:** Interested members of the public may submit relevant written or oral information for the SAB Panel to consider throughout the advisory process. **Oral Statements:** In general, individuals or groups requesting an oral presentation at a public SAB teleconference will be limited to three minutes per speaker, with no more than a total of one-half hour for all speakers. To be placed on the public speaker list, interested parties should contact Dr. Sue Shallal, DFO, in writing (preferably via e-mail), by July 9, 2008. **Written Statements:** Written statements should be received in the SAB Staff Office by July 9, 2008, so that the information may be made available to the SAB for their consideration prior to the teleconference. Written statements should be supplied to the DFO via e-mail to [shallal.suhair@epa.gov](mailto:shallal.suhair@epa.gov) (acceptable file format: Adobe Acrobat PDF, WordPerfect, MS Word, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format).

**Accessibility:** For information on access or services for individuals with disabilities, please contact Dr. Sue Shallal at (202) 343-9977 or [shallal.suhair@epa.gov](mailto:shallal.suhair@epa.gov). To request accommodation of a disability, please contact Dr. Shallal preferably at least ten days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: June 18, 2008.

**Vanessa T. Vu,**

*Director, EPA Science Advisory Board Staff Office.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2008-0470; FRL-8368-3]

### Pesticide Products; Registration Applications

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

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of applications to register pesticide products containing new active ingredients not included in any currently registered products pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**DATES:** Comments must be received on or before July 25, 2008.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2008-0470, by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- **Mail:** Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.
- **Delivery:** OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPP-2008-0470. 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.

**Docket:** All documents in the docket are listed in the docket index available in [www.regulations.gov](http://www.regulations.gov). To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the [www.regulations.gov](http://www.regulations.gov) website to view the docket index or access available documents. 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, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** Driss Benmhend, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-9525; e-mail address: [benmhend.driss@epa.gov](mailto:benmhend.driss@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 an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to: