

first time. FIFRA section 4 directs EPA to use FIFRA section 3(c)(2)(B) authority to obtain the required data. While most Reregistration Eligibility Decisions are expected to be completed by 2008, the Agency may still need to issue DCIs after FY 2008 to close out the program.

(2) *Registration review program.*

Section 3(g) of FIFRA contains provisions to help achieve the goal of reviewing each pesticide every 15 years to assure that the pesticide continues to pose no risk of unreasonable adverse effects on human health or the environment. FIFRA section 3(g) instructs EPA to use the FIFRA section 3(c)(2)(B) authority to obtain the required data.

(3) *Special review program.* Though rare, EPA may conduct a Special Review if EPA believes that a pesticide poses risks of unreasonable adverse effects on human health or the environment. Section 3(c)(2)(B) of FIFRA provides a means of obtaining any needed data.

(4) *Anticipated residue/percent crop treated information.* Under section 408 of FFDCA, before a pesticide may be used on food or feed crops, the Agency must establish a tolerance for the pesticide residues on that crop or established an exemption from the requirement to have a tolerance. Section 408(b)(2)(E) and (F) of FFDCA authorize the use of anticipated or actual residue (ARs) data and percent crop treated (PCT) data to establish, modify, maintain, or revoke a tolerance for a pesticide. The FFDCA requires that if AR data are used, data must be reviewed five years after a tolerance is initially established. If PCT data are used, the FFDCA affords EPA the discretion to obtain additional data if any or all of several conditions are met.

The Agency issues DCIs when it has determined that more information is necessary to make decision about pesticides pursuant to the mandates in FIFRA and FFDCA. Agency decisions requiring additional data are based on the data requirements set forth in 40 CFR parts 150 through 180, with the majority of the data requirements captured in 40 CFR part 158.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to range from 59 to 13,636 hours per response, depending on the review program and type of DCI issued. 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. This 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.

*Respondents/Affected Entities:*

Entities potentially affected by this ICR include pesticide registrants, which may be identified by the North American Industrial Classification System (NAICS) code 32532, pesticide and other agricultural chemical manufacturing.

*Frequency of Collection:* On Occasion.

*Estimated No. of Potential Respondents:* 1,643.

*Estimated No. of Total Annual Responses:* 184.

*Estimated Total Annual Burden on Respondents:* 262,301 hours.

*Estimated Total Annual Costs:* \$12,506,726.

*Changes in the Estimates:* The total estimated burden for this consolidated renewal ICR is 262,301 hours, which reflects a net decrease of 106,030 hours per year for this consolidated renewal ICR over the combined burden estimates for the currently approved ICRs. The primary cause of this reduction is the fact that EPA's Reregistration program is ending and that the Agency thus expects to issue fewer reregistration DCIs. The decreased burden associated with the reduction in the number of reregistration DCIs that will be issued is somewhat offset by an expected burden increase related to increase in the number of registration review DCIs that will be issued. These changes are adjustments. The Agency is also including a new category of DCIs for enforcement and unanticipated incidents. Although EPA expects that the issuance of this type of DCI will be rare, the related burdens represent a program change. The Supporting Statement includes detailed analyses of these revised estimates.

Dated: September 15, 2008.

**Sara Hisel-McCoy,**

*Director, Collection Strategies Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8719-6]

### Clean Water Act; Contractor Access to Information Claimed as Confidential Business Information

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

**ACTION:** Notice of intended transfer of information claimed as confidential business information to contractors and subcontractors.

**SUMMARY:** The Environmental Protection Agency (EPA) intends to transfer information claimed as confidential business information (CBI) collected from several industries, including health services, drinking water treatment, and airport deicing to Abt Associates and its subcontractors, to PG Environmental, LLC, and its subcontractors, and to Westat. Transfer of the information will allow the contractors and subcontractors to support EPA in the planning, development, review, and implementation of effluent limitation guidelines and standards under the Clean Water Act (CWA). The information being transferred was or will be collected, in part, under the authority of section 308 of the CWA. Interested persons may submit comments on this intended transfer of information to the address noted below.

**DATES:** Comments on the transfer of data are due October 1, 2008.

**ADDRESSES:** Comments may be sent to Mr. M. Ahmar Siddiqui, Document Control Officer, Engineering and Analysis Division (4303T), Room 6231S EPA West, U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Mr. M. Ahmar Siddiqui, Document Control Officer, at (202) 566-1044, or via e-mail at [siddiqui.ahmar@epa.gov](mailto:siddiqui.ahmar@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has transferred CBI to various contractors and subcontractors over the history of the effluent guidelines program. EPA determined that this transfer was necessary to enable the contractors and subcontractors to perform their work in supporting EPA in planning, developing, reviewing, and implementing effluent guidelines and standards for certain industries.

Today, pursuant to 40 CFR 2.302(h)(2)(iii), incorporating by reference 40 CFR 2.301(h)(2)(iii), EPA is giving notice that it has entered into contracts with Abt Associates (Abt), contract number EP-C-07-023, located in Cambridge, MA, with PG

Environmental, LLC (PG), contract number EP-C-07-029, located in Herndon, VA, and with Westat, contract numbers EP-D-07-109 and GS-23F-8144H, located in Rockville, MD. The purpose of these contracts is to secure economic, technical, and statistical analysis support for EPA in its development, review, implementation, and defense of effluent limitation guidelines and standards for, and studies of the environmental impacts and potential mitigation of effluent discharges for, a variety of industries, such as the drinking water treatment industry and the airport deicing industry. To obtain assistance in performing these contracts, Abt and PG have entered into contracts with their subcontractors. In particular, Abt has obtained the services of the following subcontractors: RTI International (located in Research Triangle Park, NC, subcontract number 21043); ICF Consulting (located in Fairfax, VA, subcontract number 21052); Great Lakes Environmental Center (located in Traverse City, MI, subcontract number 21040); Horizon Systems Corporation (located in Herndon, VA, subcontract number 21050); Aqua Terra (located in Mountain View, CA, subcontract number 21049); ETI (located in Westford, MA, subcontract number 21171); Stratus Consulting, Inc. (located in Washington, DC, subcontract number 20657); Indtai Inc. (located in Falls Church, VA, subcontract number 21046); and independent consultants Frank Arnold, Brynhildur Davidsdottir, Lori Snyder Bennear, Robert Johnston, Tim Bondelid, and Kurt Stephenson. PG has obtained the services of the following subcontractors: Amendola Engineering, Inc. (located in Westlake, OH, subcontract number EAD/029-003); Tetra Tech, Inc. (located in Fairfax, VA, subcontract number EAD/029-002); and Eastern Research Group (located in Chantilly, VA, subcontract number EAD/029-001).

All EPA contractor, subcontractor, and consultant personnel are bound by the requirements and sanctions contained in their contracts with EPA and in EPA's confidentiality regulations found at 40 CFR Part 2, Subpart B. Abt, PG, and Westat will adhere to EPA-approved security plans which describe procedures to protect CBI. Abt, PG, and Westat will apply the procedures in these plans to CBI previously gathered by EPA and to CBI that may be gathered in the future for the airport deicing industry, the drinking water treatment industry, and other industries. The security plans specify that contractor personnel are required to sign non-

disclosure agreements and are briefed on appropriate security procedures before they are permitted access to CBI. No person is automatically granted access to CBI: a need to know must exist.

The information that will be transferred to Abt, PG, and Westat and their subcontractors consists, in part, of information previously collected by EPA to support the development, review, implementation, and defense of effluent limitations guidelines and standards under the CWA and for studies of the environmental impacts of and potential mitigation of effluent discharges from the airport deicing point source category, the drinking water treatment industry, the health services industry, and other industries. The information that will be transferred consists of material claimed as trade secrets, intellectual property, commercial, financial, and other information. It includes information about operations, processes, products, and company finances but does not include information which is inherently public, such as effluent discharge data.

EPA also intends to transfer to Abt, PG, and Westat all information described in this notice, of the type described above (including CBI) that may be collected in the future under the authority of section 308 of the CWA or voluntarily submitted (e.g., in comments in response to a **Federal Register** notice), as is necessary to enable Abt, PG, and Westat to carry out the work required by their contracts to support EPA.

Dated: September 16, 2008.

**Ephraim S. King,**

*Director, Office of Science and Technology.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8719-8]

### Science Advisory Board Staff Office Clean Air Scientific Advisory Committee (CASAC); Notification of a Public Advisory Committee Teleconference of the CASAC Oxides of Nitrogen Primary NAAQS Review Panel

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a public teleconference of the Clean Air

Scientific Advisory Committee's (CASAC) Oxides of Nitrogen Primary NAAQS Review Panel (Panel) to conduct a peer review of the draft Exposure and Health Risk Characterization chapter for EPA's *Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary National Ambient Air Quality Standard: Second Draft*.

**DATES:** The teleconference will be held on October 22, 2008 from 11 a.m. to 1 p.m. (Eastern Daylight Time).

**ADDRESSES:** The public teleconference will be conducted by 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. Angela Nugent, Designated Federal Officer (DFO), EPA Science Advisory Board (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; via telephone/voice mail (202) 343-9981; fax (202) 233-0643; or e-mail at [nugent.angela@epa.gov](mailto:nugent.angela@epa.gov). General information concerning the CASAC and the CASAC documents cited below can be found on the EPA Web site at <http://www.epa.gov/casac>.

#### SUPPLEMENTARY INFORMATION:

**Background:** The Clean Air Scientific Advisory Committee (CASAC) was established under section 109(d)(2) of the Clean Air Act (CAA or Act) (42 U.S.C. 7409) as an independent scientific advisory committee. CASAC provides advice, information and recommendations on the scientific and technical aspects of air quality criteria and national ambient air quality standards (NAAQS) under sections 108 and 109 of the Act. The CASAC is a Federal advisory committee chartered under the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. The Panel will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

Section 109(d)(1) of the CAA requires that the Agency periodically review and revise, as appropriate, the air quality criteria and the NAAQS for the six "criteria" air pollutants, including oxides of nitrogen (NO<sub>x</sub>). EPA is in the process of reviewing the primary NAAQS for nitrogen dioxide (NO<sub>2</sub>), an indicator for NO<sub>x</sub>. Primary standards set limits to protect public health, including the health of "sensitive" populations such as asthmatics, children, and the elderly.

As part of its scientific advice to support EPA's review of the primary NAAQS for nitrogen dioxide (NO<sub>2</sub>), CASAC met on September 9-10, 2008 to