

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OW-2002-0059; FRL-8973-8; EPA ICR No. 1803.06; OMB Control No. 2040-0185]

**Agency Information Collection Activities; Proposed Collection; Comment Request; Safe Drinking Water Act State Revolving Fund Program**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on February 28, 2010. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before December 28, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OW-2002-0059 by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

- *E-mail:* [OW-Docket@epa.gov](mailto:OW-Docket@epa.gov).

- *Mail:* Water Docket, Environmental Protection Agency, Mailcode: 4101T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

- *Hand Delivery:* Water Docket, EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave, NW., Washington, DC 20004. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-OW-2002-0059. EPA's policy is that all comments received will be included in the public docket without change and may be made available online 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 <http://www.regulations.gov> or e-mail. The

<http://www.regulations.gov> Web site 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 <http://www.regulations.gov> your e-mail address will be automatically captured and included as part of the comment that is placed in the public 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>.

**FOR FURTHER INFORMATION CONTACT:**

Howard Rubin, Mail Code 4606M, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; *telephone number:* (202) 564-2051; *fax number:* (202) 564-3757; *e-mail address:* [Rubin.HowardE@epa.gov](mailto:Rubin.HowardE@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**How Can I Access the Docket and/or Submit Comments?**

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OW-2002-0059, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC 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 Reading Room is 202-566-1744, and the telephone number for the Water Docket is 202-566-2426.

Use <http://www.regulations.gov> to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified in this document.

**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:

- (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

- (ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- (iii) Enhance the quality, utility, and clarity of the information to be collected; and

- (iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

**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 and provide specific examples.
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. Offer alternative ways to improve the collection activity.

6. Make sure to submit your comments by the deadline identified under **DATES**.

7. 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.

**What Information Collection Activity or ICR Does This Apply to?**

**Affected entities:** Entities potentially affected by this action are the 50 States, Puerto Rico, and the recipients of assistance in each of these jurisdictions.

*Title:* Safe Drinking Water Act State Revolving Fund Program

*ICR numbers:* EPA ICR No. 1803.06, OMB Control No. 2040-0185.

*ICR status:* This ICR is currently scheduled to expire on February 28, 2010. 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 for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, and 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 in certain EPA regulations is consolidated in 40 CFR part 9.

*Abstract:* The Safe Drinking Water Act (SDWA) Amendments of 1996 (Pub. L. 104-182) authorized the creation of the Drinking Water State Revolving Fund (DWSRF; the Fund) program in each State and Puerto Rico to assist public water systems to finance the costs of infrastructure needed to achieve or maintain compliance with SDWA requirements and to protect public health. Section 1452 authorizes the Administrator of the EPA to award capitalization grants to the States and Puerto Rico which, in turn, provide low-cost loans and other types of assistance to eligible drinking water systems. States can also reserve a portion of their grants to conduct various set-aside activities. The information collection activities will occur primarily at the program level through the (1) Capitalization Grant Application and Agreement/State Intended Use Plan; (2) Biennial Report; (3) Annual Audit; and (4) Assistance Application Review. Information collected is needed for input into the DWSRF National Information Management System.

(1) *Capitalization Grant Application and Agreement/State Intended Use Plan:* The State must prepare a Capitalization Grant Application that includes an Intended Use Plan (IUP) outlining in detail how it will use all the funds covered by the capitalization grant. The State may, as an alternative, develop the IUP in a two part process with one part identifying the distribution and uses of the funds among the various set-asides in the DWSRF program and the other part dealing with project assistance from the Fund.

(2) *Biennial Report:* The State must agree to complete and submit a Biennial Report on the uses of the capitalization grant. The scope of the report must

cover assistance provided by the Fund and all other set-aside activities included under the Capital Grant Agreement. States which jointly administer DWSRF and Clean Water State Revolving Fund (CWSRF) programs, in accordance with section 1452(g)(1), may submit reports (according to the schedule specified for each program) which cover both programs.

(3) *Annual Audit:* A State must comply with the provisions of the Single Audit Act Amendments of 1996. Best management practices suggest and EPA recommends that a State conduct an annual independent audit of its DWSRF program. The scope of the report must cover the DWSRF Fund and all other set-aside activities included in the Capitalization Grant Agreement. States which jointly administer DWSRF and CWSRF programs, in accordance with section 1452(g)(1), may submit audits that cover both programs but which report financial information for each program separately.

(4) *Assistance Application Review:* Local applicants seeking financial assistance must prepare and submit DWSRF loan applications. States then review completed loan applications and verify that proposed projects will comply with applicable Federal and State requirements.

As a result of the American Recovery and Reinvestment Act signed by the President on February 17, 2009, the Drinking Water State Revolving Fund received an additional \$2 billion in funding for assistance agreements for projects to be under contract or construction by February 17, 2010. EPA expects an estimated two-fold increase of respondents (in some years) due to this additional funding.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to be an average of 131 hours per response. 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 which have subsequently changed; 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 the Agency's estimate, which is only briefly summarized here:

*DWSRF—Base Program*

Estimate total number of potential respondents: 1505 respondents per year, at a cost of \$4,565.35 average annual burden per response.

*Frequency of response:* For Capitalization Grants and Audits responses are annual, for Biennial reports and Loan Applications, responses are on occasion.

*Estimated total average number of responses for each respondent:* This ICR estimates one annual response per respondent.

*Estimated total annual burden hours per response:* Approximately 131 hrs. (197,155 hrs./1505 respondents)

*Estimated total annual burden hours:* Respondent burden is estimated at 197,155 hrs. annually.

Estimated total annual costs: Respondent total cost is estimated at \$6,870,852 annually.

*DWSRF—American Recovery and Reinvestment Act of 2009*

Estimate total number of potential respondents: 1505 respondents per year at a cost of \$3,849.40 average annual burden per response.

*Frequency of response:* For Capitalization Grants and Audits responses are annual, for Biennial reports and Loan Applications, responses are on occasion.

*Estimated total average number of responses for each respondent:* This ICR estimates one annual response per respondent.

*Estimated total annual burden hours per response:* Approximately 97 hrs. (146,550 hrs./1505 respondents)

*Estimated total annual burden hours:* Respondent burden is estimated at 146,550 hrs. annually.

*Estimated total annual costs:* Respondent total cost is estimated at \$5,793,489 annually.

**SUMMARY: ANNUAL BURDEN FOR ASSISTANCE RECIPIENTS RECEIVING DWSRF LOANS**

Program	Hours	Cost
DWSRF—Base .....	197,155	\$6,870,852
DWSRF—ARRA ...	146,550	5,793,489
Total .....	343,705	12,664,341

### Are There Changes in the Estimates From the Last Approval?

There is an increase of 197,155 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This reflects EPA's calculation of the burden hours resulting from a possible two-fold increase in respondents due to additional funds from the American Reinvestment and Recovery Act.

### 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. At that time, 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 technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: October 20, 2009.

**Cynthia C. Dougherty,**

*Director, Office of Ground Water & Drinking Water.*

[FR Doc. E9-25738 Filed 10-23-09; 8:45 am]

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-8973-9]

#### Science Advisory Board Staff Office; Notification of a Public Teleconference of the Science Advisory Board Drinking Water Committee

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

**ACTION:** Notice.

**SUMMARY:** The EPA Science Advisory Board (SAB) Staff Office announces a public teleconference of the SAB Drinking Water Committee (DWC) to finalize its draft advisory report on EPA's *Microbial Risk Assessment Protocol to Support Human Health Protection for Water-Based Media*.

**DATES:** The SAB DWC will conduct a public teleconference on November 19, 2009. The teleconference will begin at 1 p.m. and end at 4 p.m. (Eastern Time).

**ADDRESSES:** The teleconference will be conducted by telephone only.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing to obtain general information concerning the

public teleconference may contact Mr. Aaron Yeow, Designated Federal Officer (DFO), via telephone at (202) 343-9878 or e-mail at [yeow.aaron@epa.gov](mailto:yeow.aaron@epa.gov). General information concerning the EPA Science Advisory Board can be found on the EPA Web site at <http://www.epa.gov/sab>.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C., App. 2 (FACA), notice is hereby given that the SAB Drinking Water Committee will hold a public teleconference to discuss and finalize their draft advisory report on EPA's *Microbial Risk Assessment Protocol to Support Human Health Protection for Water-Based Media*. The SAB was established pursuant to 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 FACA. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

*Background:* EPA's Office of Water conducts microbial risk assessments as part of its responsibility for protecting human health and the environment from contaminants in water. The Office of Water has developed a draft document, *Microbial Risk Assessment Protocol to Support Human Health Risk Assessment for Water-Based Media* to provide guidance for performing these assessments. The Office of Water has requested that the SAB provide advice on the draft protocol, including recommendations on how to improve the overall approach, the applicability of the protocol, the reasonableness of the protocol, the clarity of the protocol, the completeness and robustness of the protocol, and the ease of use of the protocol for conducting water-based microbial risk assessments.

The SAB DWC met on September 21-22, 2009 to review the EPA document [see **Federal Register** Notice dated August 18, 2009 (74 FR 41697-41698)]. Materials from the September meeting are posted on the SAB Web site at <http://yosemite.epa.gov/sab/SABPRODUCT.NSF/MeetingCal/67921B908251CE9C8525760A004C1F87?OpenDocument>. The purpose of this upcoming teleconference is for the DWC to complete its draft report. The draft Committee report will be submitted to the chartered SAB for their consideration and approval. 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:* Agendas and materials in support of the teleconference will be placed on the SAB Web site at <http://www.epa.gov/sab> in advance of the teleconference. For technical questions and information concerning EPA's draft document, please contact Dr. Stephen Schaub at (202) 566-1126, or [schaub.stephen@epa.gov](mailto:schaub.stephen@epa.gov).

*Procedures for Providing Public Input:* Interested members of the public may submit relevant written or oral information for the SAB DWC to consider during the advisory process. *Oral Statements:* In general, individuals or groups requesting an oral presentation at a public teleconference will be limited to three minutes per speaker, with no more than a total of one hour for all speakers. Each person making an oral statement should consider providing written comments as well as their oral statement so that the points presented orally can be expanded upon in writing. Interested parties should contact the DFO, in writing (preferably via e-mail) at the contact information noted above, by November 13, 2009 to be placed on the list of public speakers for the meeting. *Written Statements:* Written statements should be received in the SAB Staff Office by November 13, 2009 so that the information may be made available to the Committee members for their consideration. Written statements should be supplied to the DFO in the following formats: One hard copy with original signature, and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, MS Word, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format). Submitters are requested to provide versions of each document submitted with and without signatures, because the SAB Staff Office does not publish documents with signatures on its Web sites.

*Accessibility:* For information on access or services for individuals with disabilities, please contact Mr. Aaron Yeow at (202) 343-9878 or [yeow.aaron@epa.gov](mailto:yeow.aaron@epa.gov). To request accommodation of a disability, please contact Mr. Yeow preferably at least ten days prior to the teleconference to give EPA as much time as possible to process your request.

Dated: October 20, 2009.

**Anthony Maciorowski,**

*Deputy Director, EPA Science Advisory Staff Office.*

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