

## CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2010–0080]

### Children's Products Containing Lead; Technological Feasibility of 100 ppm for Lead Content; Request for Comments and Information

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice

**SUMMARY:** Section 101(a) of the Consumer Product Safety Improvement Act ("CPSIA") provides that, as of August 11, 2011, children's products may not contain more than 100 parts per million ("ppm") of lead, unless the Consumer Product Safety Commission ("CPSC" or "Commission"), determines that it is not technologically feasible, after notice and a hearing and after analyzing the public health protections associated with substantially reducing lead in children's products. The reduction can be for a product or product category. This notice requests comment and information on the technological feasibility of meeting the 100 ppm lead content limit for children's products.

**DATES:** Written comments and submissions in response to this notice must be received by September 27, 2010.

**ADDRESSES:** You may submit comments, identified by Docket No. CPSC–2010–0080, by any of the following methods:

#### Electronic Submissions

Submit electronic comments in the following way: *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the instructions for submitting comments. To ensure timely processing of comments, the Commission is no longer accepting comments submitted by electronic mail (e-mail) except through <http://www.regulations.gov>.

#### Written Submissions

Submit written submissions in the following way: *Mail/Hand delivery/Courier (for paper, disk, or CD-ROM submissions), preferably in five copies, to:* Office of the Secretary, Consumer Product Safety Commission, Room 502, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

*Instructions:* All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to <http://www.regulations.gov>. Do not

submit confidential business information, trade secret information, or other sensitive or protected information electronically. Such information should be submitted in writing.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Kristina Hatlelid, PhD, M.P.H., Directorate for Health Sciences, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, Maryland 20814; e-mail [khathelid@cpsc.gov](mailto:khathelid@cpsc.gov); telephone (301) 504–7254.

#### SUPPLEMENTARY INFORMATION:

Section 101(a) of the CPSIA (15 U.S.C. 1278a(a)) provides that, for products designed or intended primarily for children 12 years old and younger, the total lead content limit by weight in any part of a children's product is limited to 300 ppm as of August 14, 2009, and 100 ppm of lead as of August 14, 2011, unless the Commission determines that it is not technologically feasible to have this lower limit for a product or product category. The Commission may make such a determination only after notice and a hearing and after analyzing the public health protections associated with substantially reducing lead in children's products. If the Commission determines that the 100 ppm lead content limit is not technologically feasible for a product or product category, the Commission shall, by regulation, establish the lowest amount below 300 ppm that it determines is technologically feasible.

Unless granted a specific exclusion or determination under the Commission's regulations at 16 CFR 1500.87 through 1500.91, children's products, including the components parts of children's products, are subject to the lead limits and also to the testing and certification requirements of section 14(a)(2) of the Consumer Product Safety Act ("CPSA"). (15 U.S.C. 2063(a)(2)).

Through this notice, the Commission invites comment and seeks information concerning the technological feasibility of meeting the 100 ppm lead content limit for children's products that are not otherwise excluded from the lead limits. Section 101(d) of the CPSIA (15 U.S.C. 1278a(d)) provides that a lead limit shall be deemed technologically feasible with regard to a product or product category if:

- (1) a product that complies with the limit is commercially available in the product category;
- (2) technology to comply with the limit is commercially available to manufacturers or is

otherwise available within the common meaning of the term;

(3) industrial strategies or devices have been developed that are capable or will be capable of achieving such a limit by the effective date of the limit and that companies, acting in good faith, are generally capable of adopting; or

(4) alternative practices, best practices, or other operational changes would allow the manufacturer to comply with the limit.

#### Request for Comments and Information

The Commission requests information on the technological feasibility for manufacturers to meet the 100 ppm lead content limit for specific children's products or product categories. The comments should address products or materials that currently comply with 300 ppm lead content limit which are required to meet the 100 ppm lead content limit effective August 14, 2011. Specifically, information is requested on the following:

1. For products and materials that currently meet the 100 ppm lead content limit, provide:

(i) information and test data regarding products or materials, including metals, plastics, glass, or recycled materials that are at or below the 100 ppm lead content limit (specify which materials were tested, the number of tests conducted for each material and, for each material, the percentage of tests that exceed 100 ppm, if any);

(ii) information and data on industrial strategies or devices, if any, that have enabled the manufacturer to comply with the 100 ppm lead content limit (specify the methodologies used for each material);

(iii) information and data on the impact, if any, the use of materials that are compliant with the 100 ppm lead content limit, has on the functional or safety requirements specified for the product or product category (specify which materials were used); and

2. For products and materials that currently do not meet the 100 ppm lead content limit, but do meet the 300 ppm lead content limit, provide:

(i) information and test data showing the lead content of such products or materials, including metals, plastics, glass, or recycled materials (specify which materials were tested, the number of tests conducted for each material and, for each material, the lead content of the material, and the percentage of tests that are at or below 100 ppm, if any);

(ii) information and data on whether such products or materials could be made compliant with the 100 ppm lead content limit through the use of different products or materials;

(iii) information and data on the strategies or devices, alternative practices, best practices, or other operational changes that may be used to enable the manufacturer to comply with the 100 ppm lead content limit;

(iv) information and data on the lowest lead content limit under 300 ppm that is technologically feasible for such products or materials; and

(v) the date(s) by which such products and materials could be expected to meet the 100 ppm lead content limits.

The Commission also seeks comment on any other factors that could affect compliance with this requirement.

Dated: July 21, 2010.

**Todd A. Stevenson,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 2010-18361 Filed 7-26-10; 8:45 am]

**BILLING CODE 6355-01-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Defense Science Board; Task Force on Nuclear Treaty Monitoring and Verification

**AGENCY:** Department of Defense (DoD).

**ACTION:** Notice of advisory committee meetings.

**SUMMARY:** The Defense Science Board Task Force on Nuclear Treaty Monitoring and Verification will meet in closed session September 13-14, and 25-26, 2010, in Arlington, VA.

**DATES:** The meetings will be held September 13-14, and 25-26, 2010.

**ADDRESSES:** The meetings will be held at Science Applications International Corporation, 4001 North Fairfax Drive, Suite 300, Arlington, VA.

**FOR FURTHER INFORMATION CONTACT:** Maj. Michael Warner, USAF Military Assistant, Defense Science Board, 3140 Defense Pentagon, Room 3B888A, Washington, DC 20301-3140, via e-mail at [michael.warner@osd.mil](mailto:michael.warner@osd.mil), or via phone at (703) 571-0081.

**SUPPLEMENTARY INFORMATION:** The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology & Logistics on scientific and technical matters as they affect the perceived needs of the Department of Defense. These meetings will research and summarize anticipated directions in nonproliferation and arms control agreements and the environments in which they might be implemented.

The task force's findings and recommendations, pursuant to 41 CFR

102-3.140 through 102-3.165, will be presented and discussed by the membership of the Defense Science Board prior to being presented to the Government's decision maker.

Pursuant to 41 CFR 102-3.120 and 102-3.150, the Designated Federal Officer for the Defense Science Board will determine and announce in the **Federal Register** when the findings and recommendations of the September 13-14 and 25 and 26 meetings are deliberated by the Defense Science Board.

Interested persons may submit a written statement for consideration by the Defense Science Board. Individuals submitting a written statement must submit their statement to the Designated Federal Official (*see FOR FURTHER INFORMATION CONTACT*), at any point, however, if a written statement is not received at least 10 calendar days prior to the meeting, which is the subject of this notice, then it may not be provided to or considered by the Defense Science Board. The Designated Federal Official will review all timely submissions with the Defense Science Board Chairperson, and ensure they are provided to members of the Defense Science Board before the meeting that is the subject of this notice.

Dated: July 22, 2010.

**Mitchell S. Bryman,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2010-18315 Filed 7-26-10; 8:45 am]

**BILLING CODE 5001-06-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Defense Science Board; Task Force on Counter Insurgency (COIN) Intelligence, Surveillance and Reconnaissance (ISR) Operations

**AGENCY:** Department of Defense (DoD).

**ACTION:** Notice of advisory committee meetings.

**SUMMARY:** The Defense Science Board Task Force on Counter Insurgency (COIN) Intelligence, Surveillance and Reconnaissance (ISR) Operations will meet in closed session on August 24-26, and September 21-23, 2010, in Arlington, VA.

**DATES:** The meetings will be held August 24-26, and September 21-23, 2010.

**ADDRESSES:** The meetings will be held at Science Applications International Corporation, 4001 North Fairfax Drive, Suite 300, Arlington, VA.

**FOR FURTHER INFORMATION CONTACT:** Maj. Michael Warner, USAF Military Assistant, Defense Science Board, 3140 Defense Pentagon, Room 3B888A, Washington, DC 20301-3140, via e-mail at [michael.warner@osd.mil](mailto:michael.warner@osd.mil), or via phone at (703) 571-0081.

**SUPPLEMENTARY INFORMATION:** The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology & Logistics on scientific and technical matters as they affect the perceived needs of the Department of Defense. These meetings will identify how DoD intelligence can most effectively support COIN operations and what emerging science and technology would have the greatest intelligence potential in this type of warfare.

The task force's findings and recommendations, pursuant to 41 CFR 102-3.140 through 102-3.165, will be presented and discussed by the membership of the Defense Science Board prior to being presented to the Government's decision maker.

Pursuant to 41 CFR 102-3.120 and 102-3.150, the Designated Federal Officer for the Defense Science Board will determine and announce in the **Federal Register** when the findings and recommendations of the August 24-26 and September 21-23 meetings are deliberated by the Defense Science Board.

Interested persons may submit a written statement for consideration by the Defense Science Board. Individuals submitting a written statement must submit their statement to the Designated Federal Official (*see FOR FURTHER INFORMATION CONTACT*), at any point, however, if a written statement is not received at least 10 calendar days prior to the meeting, which is the subject of this notice, then it may not be provided to or considered by the Defense Science Board. The Designated Federal Official will review all timely submissions with the Defense Science Board Chairperson, and ensure they are provided to members of the Defense Science Board before the meeting that is the subject of this notice.

Dated: July 22, 2010.

**Mitchell S. Bryman,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2010-18316 Filed 7-26-10; 8:45 am]

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