

either call. Individuals or groups wishing to make brief oral comments to the HSRB on January 12–13, 2016 are strongly advised to submit their request (preferably via email) to Jim Downing, listed under **FOR FURTHER INFORMATION CONTACT** no later than noon, Eastern Time, Wednesday, January 6, 2016 in order to be included on the meeting agenda and to provide sufficient time for the HSRB Chair and HSRB Designated Federal Official to review the meeting agenda to provide an appropriate public comment period. Individuals or groups wishing to make brief oral comments to the HSRB during the March 30, 2016 teleconference should submit their request by Noon Eastern Time on Wednesday, March 23, 2016. The request should identify the name of the individual making the presentation and the organization (if any) the individual will represent. Oral comments before the HSRB are generally limited to five minutes per individual or organization. Please note that this includes all individuals appearing either as part of, or on behalf of, an organization. While it is our intent to hear a full range of oral comments on the science and ethics issues under discussion, it is not our intent to permit organizations to expand the time limitations by having numerous individuals sign up separately to speak on their behalf. If additional time is available, further public comments may be possible.

*2. Written comments.* Submit your written comments prior to the meetings. For the Board to have the best opportunity to review and consider your comments as it deliberates, you should submit your comments by Noon Eastern Time on Wednesday, January 6, 2016 for the January 12–13, 2016 meeting, and by noon Eastern Time on Wednesday, March 23, 2016 for the March 30, 2016 teleconference. If you submit comments after these dates, those comments will be provided to the HSRB members, but you should recognize that the HSRB members may not have adequate time to consider your comments prior to their discussion. You should submit your comments using the instructions in Section I., under subsection C., “What Should I Consider as I Prepare My Comments for the EPA?” In addition, the agency also requests that persons submitting comments directly to the docket also provide a copy of their comments to Jim Downing listed under **FOR FURTHER INFORMATION CONTACT**. There is no limit on the length of written comments for consideration by the HSRB.

### *E. Background*

The HSRB is a Federal advisory committee operating in accordance with the Federal Advisory Committee Act 5 U.S.C. App.2 9. The HSRB provides advice, information, and recommendations to the EPA on issues related to scientific and ethical aspects of human subjects research. The major objectives of the HSRB are to provide advice and recommendations on: (1) Research proposals and protocols; (2) reports of completed research with human subjects; and (3) how to strengthen EPA’s programs for protection of human subjects of research. The HSRB reports to the EPA Administrator through the Agency’s Science Advisor.

*1. Topics for discussion.* On Tuesday, January 12–13, 2016, EPA’s Human Studies Review Board will consider seven scientific and ethical topics: (1) Assessing intermittent pesticide exposure from flea control collars containing the organophosphorus insecticide tetrachlorvinphos, authored by M. Keith Davis, J. Scott Boone, John E. Moran, John W. Tyler, and Janice E. Chambers. *Journal of Exposure Science and Environmental Epidemiology* (2008) 18, 564–570; (2) Field Testing of SC Johnson Personal Mosquito Repellent Products to Support their Use of the EPA Repellency Awareness Graphic, GLP Study Number 865E1, J. Palm, September 24, 2015. Test Substance: MARK–3 OFF! Deep Woods Sportsmen Insect Repellent I (Maximum Strength Pump Spray Deep Woods OFF! EPA Reg. No. 4822–276); (3) Field Testing of SC Johnson Personal Mosquito Repellent Products to Support their Use of the EPA Repellency Awareness Graphic, GLP Study Number 864E1, J. Palm, September 24, 2015. Test Substance: MARK–2 OFF! Deep Woods Sportsmen Insect Repellent II (UNSCENTED DEEP WOODS OFF! EPA Reg. No. 4822–397); (4) Field Testing of SC Johnson Personal Mosquito Repellent Products to Support their Use of the EPA Repellency Awareness Graphic, GLP Study Number 867E1, E. Laznicka, October 21, 2015. Test Substance: MARK–5 OFF! Family Care Insect Repellent IV (Unscented) (UNSCENTED OFF! SKINTASTIC SPRAY INSECT REPELLENT, EPA Reg. No. 4822–395); (5) Field Testing of SC Johnson Personal Mosquito Repellent Products to Support their Use of the EPA Repellency Awareness Graphic, GLP Study Number 866E1, E. Laznicka, October 21, 2015. Test Substance: MARK–4 OFF! Active Insect Repellent I (Unscented OFF! Insect Repellent, EPA Reg. No. 4822–380); (6.) Field Testing of

SC Johnson Personal Mosquito Repellent Products to Support their Use of the EPA Repellency Awareness Graphic, GLP Study Number 873E1, C. Talbert, October 21, 2015. Test Substance: MARK–8 OFF! Deep Woods Insect Repellent V (OFF! Insect Repellent Formula, EPA Reg. No. 4822–167)

On Wednesday, March 30, 2016 the HSRB will approve its Final Report of the January 12–13, 2016 meeting.

*2. Meeting minutes and reports.* Minutes of these meetings, summarizing the matters discussed and recommendations, if any, made by the advisory committee regarding such matters, will be released within 90 calendar days of the meeting. Such minutes will be available at <http://www2.epa.gov/osa/human-studies-review-board> and <http://www.regulations.gov>. In addition, information regarding the HSRB’s Final Report, will be found at <http://www2.epa.gov/osa/human-studies-review-board> or from the person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: December 14, 2015.

**Thomas A. Burke,**

*EPA Science Advisor.*

[FR Doc. 2015–32021 Filed 12–18–15; 8:45 am]

**BILLING CODE P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FLR–9940–43–Region 10]

### **Proposed Reissuance of NPDES General Permit for Discharges From Federal Aquaculture Facilities and Aquaculture Facilities Located in Indian Country Within the Boundaries of Washington State (Permit Number WAG130000)**

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

**ACTION:** Notice of proposed reissuance of NPDES General Permit and request for public comment.

**SUMMARY:** The Director, Office of Water and Watersheds, Environmental Protection Agency (EPA) Region 10, is proposing to reissue a National Pollutant Discharge Elimination System (NPDES) General Permit for Federal Aquaculture Facilities and Aquaculture Facilities Located in Indian Country within the Boundaries of Washington State (General Permit). The draft General Permit contains effluent limitations, along with administrative reporting and monitoring requirements, as well as standard conditions,

prohibitions, and management practices. A fact sheet is available that explains the draft General Permit in detail.

Section 401 of the Clean Water Act, 33 U.S.C. 1341, requires EPA to seek a certification from the State of Washington, and Indian Tribes with Treatment as a State for Water Quality Standards, that the conditions of the General Permit are stringent enough to comply with State water quality standards. The Washington Department of Ecology (Ecology) and the Lummi, Makah, Spokane, and Tulalip Tribes have provided draft certification that the draft General Permit complies with applicable Water Quality Standards. EPA will seek final certification from Ecology and tribes prior to issuing the General Permit. This is also notice of the draft § 401 certification provided by Ecology and tribes. Persons wishing to comment on the draft § 401 certifications should send written comments to the contacts in the fact sheet.

**DATES:** The public comment period for the draft General Permit will be from the date of publication of this Notice until March 31, 2016. Comments must be received or postmarked by no later than midnight Pacific Standard Time on March 31, 2016. All comments related to the draft General Permit and Fact Sheet received by EPA Region 10 by the comment deadline will be considered prior to issuing the General Permit.

**Submitting Comments:** You may submit comments by any of the following methods. All comments must include the name, address, and telephone number of the commenter.

**Mail:** Send paper comments to Catherine Gockel, Office of Water and Watersheds; USEPA Region 10; 1200 6th Ave., Suite 900, OWW-191; Seattle, Washington 98101.

**Email:** Send electronic comments to [gockel.catherine@epa.gov](mailto:gockel.catherine@epa.gov). Write "Comments on the Draft Aquaculture General Permit" in the subject line.

**Fax:** Fax comments to the attention of Catherine Gockel at (206) 553-1280.

**Hand Delivery/Courier:** Deliver comments to Catherine Gockel, EPA Region 10, Office of Water and Watersheds, Mail Stop OWW-191, 1200 6th Avenue, Suite 900, Seattle, WA 98101-3140. Call (206) 553-0523 before delivery to verify business hours.

**Viewing and/or Obtaining Copies of Documents.** A copy of the draft General Permit and the Fact Sheet, which explains the proposal in detail, may be obtained by contacting EPA at 1 (800) 424-4372.

Copies of the documents are also available for viewing and downloading

at: <http://yosemite.epa.gov/R10/WATER.NSF/NPDES+Permits/General+NPDES+Permits#WA>. Requests may also be made to Audrey Washington at (206) 553-0523 or [washington.audrey@epa.gov](mailto:washington.audrey@epa.gov).

**Public Hearing:** Persons wishing to request a public hearing should submit their written request by March 31, 2016 stating the nature of the issues to be raised as well as the requester's name, address, and telephone number to Catherine Gockel at the address above. If a public hearing is scheduled, notice will be published in the **Federal Register**. Notice will also be posted on the Region 10 Web site, and will be mailed to all interested persons receiving letters of the availability of the draft General Permit.

**FOR FURTHER INFORMATION CONTACT:** Additional information can be obtained by contacting Catherine Gockel, Office of Water and Watersheds, U.S. Environmental Protection Agency, Region 10. Contact information is included above.

#### Other Legal Requirements

**Endangered Species Act [16 U.S.C. 1531 et al.].** Section 7 of the Endangered Species Act (ESA) requires Federal agencies to consult with NOAA Fisheries (NMFS) and the U.S. Fish and Wildlife Service (USFWS) (the Services) if their actions have the potential to either beneficially or adversely affect any threatened or endangered species. EPA has analyzed the discharges proposed to be authorized by the draft General Permit, and their potential to adversely affect any of the threatened or endangered species or their designated critical habitat areas in the vicinity of the discharges. Based on this analysis, EPA has determined that the issuance of this permit is not likely to adversely affect any threatened or endangered species in the vicinity of the discharge.

**National Environmental Policy Act (NEPA) [42 U.S.C. 4321 et seq.] and Other Federal Requirements.** Regulations at 40 CFR 122.49, list the federal laws that may apply to the issuance of permits *i.e.*, ESA, National Historic Preservation Act, the Coastal Zone Act Reauthorization Amendments (CZARA), NEPA, and Executive Orders, among others. The NEPA compliance program requires analysis of information regarding potential impacts, development and analysis of options to avoid or minimize impacts; and development and analysis of measures to mitigate adverse impacts. EPA determined that no Environmental Assessments (EAs) or Environmental Impact Statements (EISs) are required

under NEPA. EPA also determined that CZARA does not apply.

**Essential Fish Habitat (EFH).** The Magnuson-Stevens Fishery Management and Conservation Act requires EPA to consult with NOAA-NMFS when a proposed discharge has the potential to adversely affect a designated EFH. The EFH regulations define an adverse effect as "any impact which reduces quality and/or quantity of EFH . . . [and] may include direct (*e.g.* contamination or physical disruption), indirect (*e.g.* loss of prey, reduction in species' fecundity), site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions." NMFS may recommend measures for attachment to the federal action to protect EFH; however, such recommendations are advisory, and not prescriptive in nature. EPA has evaluated the Draft General Permit and has made the determination that issuance of the General Permit will be not likely to adversely affect EFH.

**Executive Order 12866:** The Office of Management and Budget (OMB) exempts this action from the review requirements of Executive Order 12866 pursuant to Section 6 of that order.

**Economic Impact [Executive Order 12291]:** The EPA has reviewed the effect of Executive Order 12291 on this Draft General Permit and has determined that it is not a major rule pursuant to that Order.

**Paperwork Reduction Act [44 U.S.C. 3501 et seq.]** The EPA has reviewed the requirements imposed on regulated facilities in the Draft General Permit and finds them consistent with the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq.

**Regulatory Flexibility Act [5 U.S.C. 601 et seq.]** The Regulatory Flexibility Act (RFA) requires that EPA prepare an initial regulatory flexibility analysis for rules subject to the requirements of the Administrative Procedures Act [APA, 5 U.S.C. 553] that have a significant impact on a substantial number of small entities. However, EPA has concluded that NPDES General Permits are not rulemakings under the APA, and thus not subject to APA rulemaking requirements or the RFA.

#### Unfunded Mandates Reform Act

Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104-4, generally requires Federal agencies to assess the effects of their regulatory actions (defined to be the same as rules subject to the RFA) on tribal, state, and local governments, and the private sector. However, General NPDES Permits are not rules subject to

the requirements of the APA, and are, therefore, not subject to the UMRA.

**Authority:** This action is taken under the authority of Section 402 of the Clean Water Act as amended, 42 U.S.C. 1342. I hereby provide public notice of the Draft General Permit for Federal Aquaculture Facilities and Aquaculture Facilities Located in Indian Country within the Boundaries of Washington State in accordance with 40 CFR 124.10.

Dated: December 14, 2015.

**Daniel D. Opalski,**

*Director, Office of Water and Watersheds, Region 10.*

[FR Doc. 2015-32026 Filed 12-18-15; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2015-0780; FRL-9939-68]

### Lead; Renovation, Repair and Painting Program; Lead Test Kit; Notice of Opening of Comment Period

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

**ACTION:** Notice.

**SUMMARY:** EPA is opening a comment period to allow for further public comment on lead test kits and other field testing options as suggested in EPA's Fiscal Year 2015 Appropriations Act policy rider. Among other things, the 2008 Lead Renovation, Repair, and Painting rule (RRP) established performance recognition criteria for lead test kits for use as an option to determine if regulated lead-based paint is not present in target housing and child-occupied facilities. The use of an EPA-recognized lead test kit, when used by a trained professional, can reliably determine that regulated lead-based paint is not present by virtue of a negative result. The RRP rule also established negative response and positive response criteria for lead test kits recognized by EPA. No lead test kit has been developed that meets the positive response criterion. On June 4, 2015, EPA hosted a public meeting and webinar to solicit input from stakeholders in an effort to understand the current state of the science for lead test kits and lead-based paint field testing alternatives, as well as the existing market and potential availability of additional lead test kits. To date, no company's lead test kit has met both the negative response and positive response criteria outlined in the RRP rule. Based on stakeholder input, EPA is unaware of any lead test kit available now or in the foreseeable

future that would meet both of the performance criteria.

**DATES:** Comments must be received on or before February 19, 2016.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPPT-2015-0780, by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- **Mail:** Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001.

- **Hand Delivery:** To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>. The docket for this action will remain open until February 19, 2016.

**FOR FURTHER INFORMATION CONTACT:** For technical information contact:

The Agency's lead information Contact Us form at <http://www2.epa.gov/lead/forms/contact-us> or visit [www2.epa.gov/lead](http://www2.epa.gov/lead). You may also contact Toiya Goodlow, National Program Chemicals Division (7404M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 566-2305; email address: [goodlow.toiya@epa.gov](mailto:goodlow.toiya@epa.gov).

For general information contact: The National Lead Information Center, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: 1-800-424-LEAD (5323); online information request form: <http://www2.epa.gov/lead/forms/lead-hotline-national-lead-information-center>.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this action apply to me?

This document is directed to stakeholders that develop, manufacture and/or sell lead test kits or other lead-based paint field testing instruments. You may be potentially affected by this action if you manufacture or sell lead test kits, or if you use lead test kits to determine if lead-safe work practices are

required under the RRP rule to perform renovations for compensation in target housing or child-occupied facilities. Examples of child-occupied facilities are day-care centers, preschools, and kindergarten classrooms.

*B. What should I consider as I prepare my comments for EPA?*

1. **Submitting CBI.** Do not submit this information to EPA through [www.regulations.gov](http://www.regulations.gov) or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, 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 claimed as CBI. In addition to one complete version of the comment that includes 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. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. **Tips for preparing your comments.** When preparing and submitting your comments, see the commenting tips at <http://www.epa.gov/dockets/comments.html>.

##### II. What action is the Agency taking?

On April 22, 2008, EPA published the Lead Renovation, Repair, and Painting rule. It requires contractors to use lead-safe work practices during renovation, repair, and painting activities that disturb lead-based paint in target housing and child-occupied facilities built before 1978 unless a determination can be made that no lead-based paint would be disturbed during the renovation or repair (Ref. 1). The use of an EPA-recognized lead test kit, when used by a trained professional, can reliably determine that regulated lead-based paint is not present by virtue of a negative result. The federal standards for lead-based paint in target housing and child-occupied facilities is a lead content in paint that equals or exceeds a level of 1.0 milligram per square centimeter (mg/cm<sup>2</sup>) or 0.5 percent by weight. If regulated lead-based paint is not present, there is no requirement to employ lead-safe work practices under the RRP rule.

The RRP rule established negative response and positive response criteria outlined in 40 CFR 745.88(c) for lead test kits recognized by EPA. Lead test kits recognized before September 1, 2010, must meet only the negative response criterion outlined in 40 CFR 745.88(c)(1). The negative response