

complete and review the collection of information; and transmit or otherwise disclose the information.

Dated: August 30, 1999.

**Cynthia C. Dougherty,**

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

[FR Doc. 99-23193 Filed 9-3-99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-00610A; FRL-6099-7]

### Pesticides: Science Policy Issues Related to the Food Quality Protection Act; Extension of Comment Period

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

**ACTION:** Notice; extension of comment period.

**SUMMARY:** On July 8, 1999, EPA issued a notice of availability for four draft

science policy papers entitled "Toxicology Data Requirements for Assessing Risks of Pesticide Exposure to Children's Health," "Exposure Data Requirement for Assessing Risks of Pesticide Exposure to Children," "The Office of Pesticide Programs' Policy on Determination of the Appropriate FQPA Safety Factor(s) for Use in the Tolerance-Setting Process," and "Standard Operating Procedures (SOP) for Determining the Appropriate FQPA Safety Factor(s) for Use in Tolerance Assessment." The comment period would have ended September 7, 1999. Due to the length and complexity of these papers, and the importance of this issue to the protection of the health of children, EPA has decided to extend the comment period by 30 days.

**DATES:** Comments, identified by docket control number OPP-00610, must be received on or before October 7, 1999.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in

person. Please follow the detailed instructions for each method as provided in Unit I.C. of the "SUPPLEMENTARY INFORMATION." To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-00610 in the subject line on the first page of your response.

#### FOR FURTHER INFORMATION CONTACT:

Penelope A. Fenner-Crisp, Environmental Protection Agency (7505C), 401 M St., SW., Washington, DC 20460; telephone number: (703) 605-0654; fax: (703) 305-4776; e-mail: fenner-crisp.penelope@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

You may be potentially affected by this action if you manufacture or formulate pesticides. Potentially affected categories and entities may include, but are not limited to:

| Categories          | NAICS | Examples of potentially affected entities        |
|---------------------|-------|--|
| Pesticide Producers | 32532 | Pesticide manufacturers<br>Pesticide formulators |

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action affects certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in the "FOR FURTHER INFORMATION CONTACT."

##### B. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "Federal Register—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

You may also obtain electronic copies of this document and the four draft

science policy papers from the Office of Pesticide Programs Home Page at <http://www.epa.gov/pesticides/>. On the Office of Pesticide Programs Home Page select "TRAC" and then look up the entry for this document.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-00610. The official record consists of the documents specifically referenced in this action, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

##### C. How and to Whom Do I Submit Comments?

As described in Unit I.C. of the June 8, 1999, **Federal Register** notice (64 FR 37001) (FRL-6088-7), you may submit comments through the mail, in person, or electronically. Please follow the instructions that are provided in the June 8, 1999, notice. Do not submit any information electronically that you consider to be CBI. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-00610 in the subject line on the first page of your response.

##### II. What Action is the Agency Taking?

The Agency has issued the four documents listed in the "SUMMARY" and solicited comments on them. The background on these documents can be found in the previous **Federal Register** notice published on July 8, 1999 (64 FR 37001). A time extension of 30 days is being provided such that the comment period will now end on October 7, 1999.

##### List of Subjects

Environmental protection, Administrative practice and procedure, Agricultural commodities, pesticides and pests.

Dated: August 30, 1999.

**Susan H. Wayland,**

*Deputy Assistant Administrator for  
Prevention, Pesticides and Toxic Substances.*

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## ENVIRONMENTAL PROTECTION AGENCY

[PB-402404-CO/A; FRL-6099-1]

### **Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; State of Colorado Interim Approval of Lead-Based Paint Activities Program**

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

**ACTION:** Notice; interim approval of the  
Colorado TSCA Section 402/404 Lead-  
Based Paint Accreditation and  
Certification Program.

**SUMMARY:** On December 21, 1998, the State of Colorado submitted an application for EPA approval to administer and enforce training and certification requirements, training program accreditation requirements, and work practice standards for lead-based paint activities in target housing and child-occupied facilities under section 402 of the Toxic Substances Control Act (TSCA). Colorado provided a self-certification letter stating that its program is at least as protective of human health and the environment as the Federal program and it has the legal authority and ability to implement the appropriate elements necessary to receive interim enforcement approval. On April 13, 1999, EPA published in the **Federal Register** (64 FR 18017) (FRL-6060-6) a notice announcing receipt of the State's application and requesting public comment and/or opportunity for a public hearing on the State's application. The Agency did not receive any comments regarding any aspect of Colorado's program and/or application. Today's notice announces the approval of Colorado's application, and the authorization of the Colorado Department of Public Health and Environment, Air Pollution Control Division's Lead-Based Paint Activities Program to apply in the State of Colorado effective December 21, 1998, in lieu of the corresponding Federal program under section 402 of TSCA. This authorization provides interim approval for the compliance and enforcement program portion of Colorado's lead-based paint program. All elements for final compliance and enforcement program approval must be

fully implemented no later than  
December 21, 2001.

**DATES:** Based upon the State's self-  
certification, Lead-Based Paint  
Activities Program authorization was  
granted to the State of Colorado effective  
on December 21, 1998. Interim approval  
for the compliance and enforcement  
portion of the program will expire on  
December 21, 2001.

**FOR FURTHER INFORMATION CONTACT:**  
Dave Combs, Regional Toxics Team  
Leader, Environmental Protection  
Agency, Region VIII, 999 18th St., Suite  
500, 8P-P3-T, Denver, CO 80202-2466.  
Telephone: 303-312-6021; e-mail  
address: combs.dave@epa.gov.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On October 28, 1992, the Housing and Community Development Act of 1992, Public Law 102-550, became law. Title X of that statute was the Residential Lead-Based Paint Hazard Reduction Act of 1992. That Act amended TSCA (15 U.S.C. 2601 *et seq.*) by adding Title IV (15 U.S.C. 2681-92), entitled *Lead Exposure Reduction*.

Section 402 of TSCA (15 U.S.C. 2682) authorizes and directs EPA to promulgate final regulations governing lead-based paint activities in target housing, public and commercial buildings, bridges and other structures. Under section 404 (15 U.S.C. 2684), a State may seek authorization from EPA to administer and enforce its own lead-based paint activities program.

On August 29, 1996 (61 FR 45777) (FRL-5389-9), EPA promulgated final TSCA section 402/404 regulations (40 CFR part 745) governing lead-based paint activities in target housing and child-occupied facilities. States and Tribes that choose to apply for program authorization must submit a complete application to the appropriate Regional EPA Office for review. To receive EPA approval, a State or Tribe must demonstrate that its program is at least as protective of human health and the environment as the Federal program, and provides for adequate enforcement (section 404(b) of TSCA, 15 U.S.C. 2684(b)). EPA's regulations (40 CFR part 745, Subpart Q) provide the detailed requirements a State or Tribal program must meet in order to obtain EPA approval.

Under these regulations with regard to interim compliance and enforcement approval (40 CFR 745.327(a)(1)), a State must demonstrate that it has the legal authority and ability to immediately implement certain elements, including legal authority for accrediting training providers, certification of individuals,

work practice standards and pre-renovation notification, authority to enter, and flexible remedies. In order to receive final approval, the state must be able to demonstrate that it is able to immediately implement the remaining performance elements, including training, compliance assistance, sampling techniques, tracking tips and complaints, targeting inspections, follow up to inspection reports and compliance monitoring and enforcement.

The State of Colorado's environmental audit privilege and penalty immunity statute, sometimes known as S.B. 94-139 (codified at sections 13-25-126.5, 13-90-107(1)(j), and 25-1-114-5, C.R.S.) may impair the State's ability to fully administer and enforce the lead-based paint program. Interim compliance and enforcement approval will provide the State the opportunity to address problems and issues associated with the State's environmental audit privilege and penalty immunity law as well as the development and implementation of required performance elements under 40 CFR part 745.327(c). EPA will work with the State during this interim approval period to remedy any deficiencies in its laws or implementation of the required performance elements. Interim approval of the compliance and enforcement program portion of the State's program may be granted only once. EPA's interim approval of the compliance and enforcement program portion of the State's program expires on December 21, 2001.

If the State does not meet the requirements for final approval of its compliance and enforcement program by December 21, 2001, EPA may be compelled to initiate the process to withdraw Colorado's interim authorization pursuant to 40 CFR part 745.324(i). If Colorado has made modifications to its Audit Law necessary to meet the minimum requirements of its Federally authorized environmental programs, this law will no longer present a barrier to final approval of its lead-based paint activities program.

In order to maintain authorization, all program and enforcement elements, including all reporting requirements, must be met pursuant to the terms identified in Colorado's application. This approval does not authorize the State of Colorado to implement and/or enforce a lead-based paint activities program in Indian Country.

##### **II. Federal Overfiling**

TSCA section 404(b), makes it unlawful for any person to violate, or