

## **APPENDIX A**

### Relevant Sections of Statutes, Regulations, or Judicial/Administrative Decrees Enabling the Collection of Information for the National Listing of Advisories

#### **Clean Water Act 104, as printed in**

([http://www.law.cornell.edu/uscode/html/uscode33/usc\\_sec\\_33\\_00001254----000-.html](http://www.law.cornell.edu/uscode/html/uscode33/usc_sec_33_00001254----000-.html))

Title 33: Navigation and Navigable Waters

Chapter 26: Water Pollution Prevention and Control

Subchapter 1: Research and Related Programs

Section 1254: Research, investigations, training, and information

#### **EPA's Clean Water Action Plan - Fish Consumption Advisories**



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### § 1254. Research, investigations, training, and information

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#### (a) Establishment of national programs; cooperation; investigations; water quality surveillance system; reports

The Administrator shall establish national programs for the prevention, reduction, and elimination of pollution and as part of such programs shall—

- (1) in cooperation with other Federal, State, and local agencies, conduct and promote the coordination and acceleration of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution;
- (2) encourage, cooperate with, and render technical services to pollution control agencies and other appropriate public or private agencies, institutions, and organizations, and individuals, including the general public, in the conduct of activities referred to in paragraph (1) of this subsection;
- (3) conduct, in cooperation with State water pollution control agencies and other interested agencies, organizations and persons, public investigations concerning the pollution of any navigable waters, and report on the results of such investigations;
- (4) establish advisory committees composed of recognized experts in various aspects of pollution and representatives of the public to assist in the examination and evaluation of research progress and proposals and to avoid duplication of research;
- (5) in cooperation with the States, and their political subdivisions, and other Federal agencies establish, equip, and maintain a water quality surveillance system for the purpose of monitoring the quality of the navigable waters and ground waters and the contiguous zone and the oceans and the Administrator shall, to the extent practicable, conduct such surveillance by utilizing the resources of the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration, the United States Geological Survey, and the Coast Guard, and shall report on such quality in the report required under subsection (a) of section 1375 of this title; and
- (6) initiate and promote the coordination and acceleration of research designed to develop the most effective practicable tools and techniques for measuring the social and economic costs and benefits of activities which are subject to regulation under this chapter; and shall transmit a report on the results of such research to the Congress not later than January 1, 1974.

#### (b) Authorized activities of Administrator

In carrying out the provisions of subsection (a) of this section the Administrator is authorized to—

- (1) collect and make available, through publications and other appropriate

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means, the results of and other information, including appropriate recommendations by him in connection therewith, pertaining to such research and other activities referred to in paragraph (1) of subsection (a) of this section;

(2) cooperate with other Federal departments and agencies, State water pollution control agencies, interstate agencies, other public and private agencies, institutions, organizations, industries involved, and individuals, in the preparation and conduct of such research and other activities referred to in paragraph (1) of subsection (a) of this section;

(3) make grants to State water pollution control agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals, for purposes stated in paragraph (1) of subsection (a) of this section;

(4) contract with public or private agencies, institutions, organizations, and individuals, without regard to section 3324 (a) and (b) of title 31 and section 5 of title 41, referred to in paragraph (1) of subsection (a) of this section;

(5) establish and maintain research fellowships at public or nonprofit private educational institutions or research organizations;

(6) collect and disseminate, in cooperation with other Federal departments and agencies, and with other public or private agencies, institutions, and organizations having related responsibilities, basic data on chemical, physical, and biological effects of varying water quality and other information pertaining to pollution and the prevention, reduction, and elimination thereof; and

(7) develop effective and practical processes, methods, and prototype devices for the prevention, reduction, and elimination of pollution.

**(c) Research and studies on harmful effects of pollutants; cooperation with Secretary of Health and Human Services**

In carrying out the provisions of subsection (a) of this section the Administrator shall conduct research on, and survey the results of other scientific studies on, the harmful effects on the health or welfare of persons caused by pollutants. In order to avoid duplication of effort, the Administrator shall, to the extent practicable, conduct such research in cooperation with and through the facilities of the Secretary of Health and Human Services.

**(d) Sewage treatment; identification and measurement of effects of pollutants; augmented streamflow**

In carrying out the provisions of this section the Administrator shall develop and demonstrate under varied conditions (including conducting such basic and applied research, studies, and experiments as may be necessary):

(1) Practicable means of treating municipal sewage, and other waterborne wastes to implement the requirements of section 1281 of this title;

(2) Improved methods and procedures to identify and measure the effects of pollutants, including those pollutants created by new technological developments; and

(3) Methods and procedures for evaluating the effects on water quality of augmented streamflows to control pollution not susceptible to other means of prevention, reduction, or elimination.

**(e) Field laboratory and research facilities**

The Administrator shall establish, equip, and maintain field laboratory and research facilities, including, but not limited to, one to be located in the

northeastern area of the United States, one in the Middle Atlantic area, one in the southeastern area, one in the midwestern area, one in the southwestern area, one in the Pacific Northwest, and one in the State of Alaska, for the conduct of research, investigations, experiments, field demonstrations and studies, and training relating to the prevention, reduction and elimination of pollution. Insofar as practicable, each such facility shall be located near institutions of higher learning in which graduate training in such research might be carried out. In conjunction with the development of criteria under section 1343 of this title, the Administrator shall construct the facilities authorized for the National Marine Water Quality Laboratory established under this subsection.

**(f) Great Lakes water quality research**

The Administrator shall conduct research and technical development work, and make studies, with respect to the quality of the waters of the Great Lakes, including an analysis of the present and projected future water quality of the Great Lakes under varying conditions of waste treatment and disposal, an evaluation of the water quality needs of those to be served by such waters, an evaluation of municipal, industrial, and vessel waste treatment and disposal practices with respect to such waters, and a study of alternate means of solving pollution problems (including additional waste treatment measures) with respect to such waters.

**(g) Treatment works pilot training programs; employment needs forecasting; training projects and grants; research fellowships; technical training; report to the President and transmittal to Congress**

(1) For the purpose of providing an adequate supply of trained personnel to operate and maintain existing and future treatment works and related activities, and for the purpose of enhancing substantially the proficiency of those engaged in such activities, the Administrator shall finance pilot programs, in cooperation with State and interstate agencies, municipalities, educational institutions, and other organizations and individuals, of manpower development and training and retraining of persons in, on entering into, the field of operation and maintenance of treatment works and related activities. Such program and any funds expended for such a program shall supplement, not supplant, other manpower and training programs and funds available for the purposes of this paragraph. The Administrator is authorized, under such terms and conditions as he deems appropriate, to enter into agreements with one or more States, acting jointly or severally, or with other public or private agencies or institutions for the development and implementation of such a program.

(2) The Administrator is authorized to enter into agreements with public and private agencies and institutions, and individuals to develop and maintain an effective system for forecasting the supply of, and demand for, various professional and other occupational categories needed for the prevention, reduction, and elimination of pollution in each region, State, or area of the United States and, from time to time, to publish the results of such forecasts.

(3) In furtherance of the purposes of this chapter, the Administrator is authorized to—

(A) make grants to public or private agencies and institutions and to individuals for training projects, and provide for the conduct of training by contract with public or private agencies and institutions and with individuals without regard to section 3324 (a) and (b) of title 31 and section 5 of title 41;

(B) establish and maintain research fellowships in the Environmental Protection Agency with such stipends and allowances, including traveling and subsistence expenses, as he may deem necessary to

procure the assistance of the most promising research fellows; and

(C) provide, in addition to the program established under paragraph (1) of this subsection, training in technical matters relating to the causes, prevention, reduction, and elimination of pollution for personnel of public agencies and other persons with suitable qualifications.

(4) The Administrator shall submit, through the President, a report to the Congress not later than December 31, 1973, summarizing the actions taken under this subsection and the effectiveness of such actions, and setting forth the number of persons trained, the occupational categories for which training was provided, the effectiveness of other Federal, State, and local training programs in this field, together with estimates of future needs, recommendations on improving training programs, and such other information and recommendations, including legislative recommendations, as he deems appropriate.

**(h) Lake pollution**

The Administrator is authorized to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for

(A) the purpose of developing and demonstrating new or improved methods for the prevention, removal, reduction, and elimination of pollution in lakes, including the undesirable effects of nutrients and vegetation, and

(B) the construction of publicly owned research facilities for such purpose.

**(i) Oil pollution control studies**

The Administrator, in cooperation with the Secretary of the Department in which the Coast Guard is operating, shall—

(1) engage in such research, studies, experiments, and demonstrations as he deems appropriate, relative to the removal of oil from any waters and to the prevention, control, and elimination of oil and hazardous substances pollution;

(2) publish from time to time the results of such activities; and

(3) from time to time, develop and publish in the Federal Register specifications and other technical information on the various chemical compounds used in the control of oil and hazardous substances spills.

In carrying out this subsection, the Administrator may enter into contracts with, or make grants to, public or private agencies and organizations and individuals.

**(j) Solid waste disposal equipment for vessels**

The Secretary of the department in which the Coast Guard is operating shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to equipment which is to be installed on board a vessel and is designed to receive, retain, treat, or discharge human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes with particular emphasis on equipment to be installed on small recreational vessels. The Secretary of the department in which the Coast Guard is operating shall report to Congress the results of such research, studies, experiments, and demonstrations prior to the effective date of any regulations established under section 1322 of this title. In carrying out this subsection the Secretary of the department in which the Coast Guard is operating may enter into contracts with, or make grants to, public or private organizations and

individuals.

**(k) Land acquisition**

In carrying out the provisions of this section relating to the conduct by the Administrator of demonstration projects and the development of field laboratories and research facilities, the Administrator may acquire land and interests therein by purchase, with appropriated or donated funds, by donation, or by exchange for acquired or public lands under his jurisdiction which he classifies as suitable for disposition. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Administrator as the circumstances require.

**(l) Collection and dissemination of scientific knowledge on effects and control of pesticides in water**

(1) The Administrator shall, after consultation with appropriate local, State, and Federal agencies, public and private organizations, and interested individuals, as soon as practicable but not later than January 1, 1973, develop and issue to the States for the purpose of carrying out this chapter the latest scientific knowledge available in indicating the kind and extent of effects on health and welfare which may be expected from the presence of pesticides in the water in varying quantities. He shall revise and add to such information whenever necessary to reflect developing scientific knowledge.

(2) The President shall, in consultation with appropriate local, State, and Federal agencies, public and private organizations, and interested individuals, conduct studies and investigations of methods to control the release of pesticides into the environment which study shall include examination of the persistency of pesticides in the water environment and alternatives thereto. The President shall submit reports, from time to time, on such investigations to Congress together with his recommendations for any necessary legislation.

**(m) Waste oil disposal study**

(1) The Administrator shall, in an effort to prevent degradation of the environment from the disposal of waste oil, conduct a study of

(A) the generation of used engine, machine, cooling, and similar waste oil, including quantities generated, the nature and quality of such oil, present collecting methods and disposal practices, and alternate uses of such oil;

(B) the long-term, chronic biological effects of the disposal of such waste oil; and

(C) the potential market for such oils, including the economic and legal factors relating to the sale of products made from such oils, the level of subsidy, if any, needed to encourage the purchase by public and private nonprofit agencies of products from such oil, and the practicability of Federal procurement, on a priority basis, of products made from such oil. In conducting such study, the Administrator shall consult with affected industries and other persons.

(2) The Administrator shall report the preliminary results of such study to Congress within six months after October 18, 1972, and shall submit a final report to Congress within 18 months after such date.

**(n) Comprehensive studies of effects of pollution on estuaries and estuarine zones**

(1) The Administrator shall, in cooperation with the Secretary of the Army, the Secretary of Agriculture, the Water Resources Council, and with other appropriate Federal, State, interstate, or local public bodies and private organizations, institutions, and individuals, conduct and promote, and encourage contributions to, continuing comprehensive studies of the effects of pollution, including sedimentation, in the estuaries and estuarine zones of the United States on fish and wildlife, on sport and commercial fishing, on recreation, on water supply and water power, and on other beneficial purposes. Such studies shall also consider the effect of demographic trends, the exploitation of mineral resources and fossil fuels, land and industrial development, navigation, flood and erosion control, and other uses of estuaries and estuarine zones upon the pollution of the waters therein.

(2) In conducting such studies, the Administrator shall assemble, coordinate, and organize all existing pertinent information on the Nation's estuaries and estuarine zones; carry out a program of investigations and surveys to supplement existing information in representative estuaries and estuarine zones; and identify the problems and areas where further research and study are required.

(3) The Administrator shall submit to Congress, from time to time, reports of the studies authorized by this subsection but at least one such report during any six-year period. Copies of each such report shall be made available to all interested parties, public and private.

(4) For the purpose of this subsection, the term "estuarine zones" means an environmental system consisting of an estuary and those transitional areas which are consistently influenced or affected by water from an estuary such as, but not limited to, salt marshes, coastal and intertidal areas, bays, harbors, lagoons, inshore waters, and channels, and the term "estuary" means all or part of the mouth of a river or stream or other body of water having unimpaired natural connection with open sea and within which the sea water is measurably diluted with fresh water derived from land drainage.

**(o) Methods of reducing total flow of sewage and unnecessary water consumption; reports**

(1) The Administrator shall conduct research and investigations on devices, systems, incentives, pricing policy, and other methods of reducing the total flow of sewage, including, but not limited to, unnecessary water consumption in order to reduce the requirements for, and the costs of, sewage and waste treatment services. Such research and investigations shall be directed to develop devices, systems, policies, and methods capable of achieving the maximum reduction of unnecessary water consumption.

(2) The Administrator shall report the preliminary results of such studies and investigations to the Congress within one year after October 18, 1972, and annually thereafter in the report required under subsection (a) of section 1375 of this title. Such report shall include recommendations for any legislation that may be required to provide for the adoption and use of devices, systems, policies, or other methods of reducing water consumption and reducing the total flow of sewage. Such report shall include an estimate of the benefits to be derived from adoption and use of such devices, systems, policies, or other methods and also shall reflect estimates of any increase in private, public, or other cost that would be occasioned thereby.

**(p) Agricultural pollution**

In carrying out the provisions of subsection (a) of this section the Administrator shall, in cooperation with the Secretary of Agriculture, other Federal agencies, and the States, carry out a comprehensive study and research program to determine new and improved methods and the better application of existing methods of preventing, reducing, and eliminating pollution from agriculture,

including the legal, economic, and other implications of the use of such methods.

**(q) Sewage in rural areas; national clearinghouse for alternative treatment information; clearinghouse on small flows**

(1) The Administrator shall conduct a comprehensive program of research and investigation and pilot project implementation into new and improved methods of preventing, reducing, storing, collecting, treating, or otherwise eliminating pollution from sewage in rural and other areas where collection of sewage in conventional, communitywide sewage collection systems is impractical, uneconomical, or otherwise infeasible, or where soil conditions or other factors preclude the use of septic tank and drainage field systems.

(2) The Administrator shall conduct a comprehensive program of research and investigation and pilot project implementation into new and improved methods for the collection and treatment of sewage and other liquid wastes combined with the treatment and disposal of solid wastes.

(3) The Administrator shall establish, either within the Environmental Protection Agency, or through contract with an appropriate public or private non-profit organization, a national clearinghouse which shall

(A) receive reports and information resulting from research, demonstrations, and other projects funded under this chapter related to paragraph (1) of this subsection and to subsection (e)(2) of section 1255 of this title;

(B) coordinate and disseminate such reports and information for use by Federal and State agencies, municipalities, institutions, and persons in developing new and improved methods pursuant to this subsection; and

(C) provide for the collection and dissemination of reports and information relevant to this subsection from other Federal and State agencies, institutions, universities, and persons.

(4) **Small flows clearinghouse.**— Notwithstanding section 1285 (d) of this title, from amounts that are set aside for a fiscal year under section 1285 (i) of this title and are not obligated by the end of the 24-month period of availability for such amounts under section 1285 (d) of this title, the Administrator shall make available \$1,000,000 or such unobligated amount, whichever is less, to support a national clearinghouse within the Environmental Protection Agency to collect and disseminate information on small flows of sewage and innovative or alternative wastewater treatment processes and techniques, consistent with paragraph (3). This paragraph shall apply with respect to amounts set aside under section 1285 (i) of this title for which the 24-month period of availability referred to in the preceding sentence ends on or after September 30, 1986.

**(r) Research grants to colleges and universities**

The Administrator is authorized to make grants to colleges and universities to conduct basic research into the structure and function of freshwater aquatic ecosystems, and to improve understanding of the ecological characteristics necessary to the maintenance of the chemical, physical, and biological integrity of freshwater aquatic ecosystems.

**(s) River Study Centers**

The Administrator is authorized to make grants to one or more institutions of higher education (regionally located and to be designated as "River Study Centers") for the purpose of conducting and reporting on interdisciplinary studies on the nature of river systems, including hydrology, biology, ecology, economics,



the relationship between river uses and land uses, and the effects of development within river basins on river systems and on the value of water resources and water related activities. No such grant in any fiscal year shall exceed \$1,000,000.

**(t) Thermal discharges**

The Administrator shall, in cooperation with State and Federal agencies and public and private organizations, conduct continuing comprehensive studies of the effects and methods of control of thermal discharges. In evaluating alternative methods of control the studies shall consider

- (1) such data as are available on the latest available technology, economic feasibility including cost-effectiveness analysis, and
- (2) the total impact on the environment, considering not only water quality but also air quality, land use, and effective utilization and conservation of freshwater and other natural resources. Such studies shall consider methods of minimizing adverse effects and maximizing beneficial effects of thermal discharges. The results of these studies shall be reported by the Administrator as soon as practicable, but not later than 270 days after October 18, 1972, and shall be made available to the public and the States, and considered as they become available by the Administrator in carrying out section 1326 of this title and by the States in proposing thermal water quality standards.

**(u) Authorization of appropriations**

There is authorized to be appropriated

- (1) not to exceed \$100,000,000 per fiscal year for the fiscal year ending June 30, 1973, the fiscal year ending June 30, 1974, and the fiscal year ending June 30, 1975, not to exceed \$14,039,000 for the fiscal year ending September 30, 1980, not to exceed \$20,697,000 for the fiscal year ending September 30, 1981, not to exceed \$22,770,000 for the fiscal year ending September 30, 1982, such sums as may be necessary for fiscal years 1983 through 1985, and not to exceed \$22,770,000 per fiscal year for each of the fiscal years 1986 through 1990, for carrying out the provisions of this section, other than subsections (g)(1) and (2), (p), (r), and (t) of this section, except that such authorizations are not for any research, development, or demonstration activity pursuant to such provisions;
- (2) not to exceed \$7,500,000 for fiscal years 1973, 1974, and 1975, \$2,000,000 for fiscal year 1977, \$3,000,000 for fiscal year 1978, \$3,000,000 for fiscal year 1979, \$3,000,000 for fiscal year 1980, \$3,000,000 for fiscal year 1981, \$3,000,000 for fiscal year 1982, such sums as may be necessary for fiscal years 1983 through 1985, and \$3,000,000 per fiscal year for each of the fiscal years 1986 through 1990, for carrying out the provisions of subsection (g)(1) of this section;
- (3) not to exceed \$2,500,000 for fiscal years 1973, 1974, and 1975, \$1,000,000 for fiscal year 1977, \$1,500,000 for fiscal year 1978, \$1,500,000 for fiscal year 1979, \$1,500,000 for fiscal year 1980, \$1,500,000 for fiscal year 1981, \$1,500,000 for fiscal year 1982, such sums as may be necessary for fiscal years 1983 through 1985, and \$1,500,000 per fiscal year for each of the fiscal years 1986 through 1990, for carrying out the provisions of subsection (g)(2) of this section;
- (4) not to exceed \$10,000,000 for each of the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, for carrying out the provisions of subsection (p) of this section;
- (5) not to exceed \$15,000,000 per fiscal year for the fiscal years ending

June 30, 1973, June 30, 1974, and June 30, 1975, for carrying out the provisions of subsection (r) of this section; and

(6) not to exceed \$10,000,000 per fiscal year for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, for carrying out the provisions of subsection (t) of this section.

**(v) Studies concerning pathogen indicators in coastal recreation waters**

Not later than 18 months after October 10, 2000, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), the Administrator shall initiate, and, not later than 3 years after October 10, 2000, shall complete, in cooperation with the heads of other Federal agencies, studies to provide additional information for use in developing—

- (1) an assessment of potential human health risks resulting from exposure to pathogens in coastal recreation waters, including nongastrointestinal effects;
- (2) appropriate and effective indicators for improving detection in a timely manner in coastal recreation waters of the presence of pathogens that are harmful to human health;
- (3) appropriate, accurate, expeditious, and cost-effective methods (including predictive models) for detecting in a timely manner in coastal recreation waters the presence of pathogens that are harmful to human health; and
- (4) guidance for State application of the criteria for pathogens and pathogen indicators to be published under section 1314 (a)(9) of this title to account for the diversity of geographic and aquatic conditions.

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## overview

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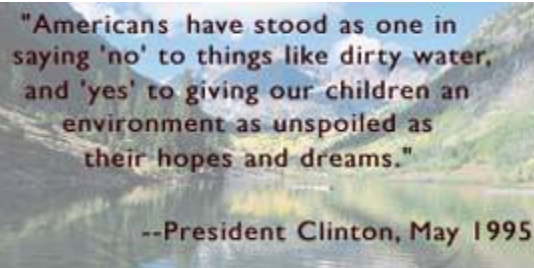
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## Clean Water--The Road Ahead



Over the past quarter century, America has made tremendous strides in cleaning up its rivers, lakes, and coastal waters. In 1972, the Potomac River was too dirty to swim in, Lake Erie was dying, and the Cuyahoga River was so polluted it burst into flames. Many rivers and beaches were little more than open sewers. The improvement in the health of the nation's waters is a direct result of a concerted effort to enhance stewardship of natural resources and to implement the environmental provisions of federal, state, tribal and local laws. In particular, the Clean Water Act has stopped billions of pounds of pollution from fouling the nation's water, doubling the number of waterways safe for fishing and swimming. Today, rivers, lakes, and coasts are thriving centers of healthy communities.



Despite tremendous progress, 40 percent of the nation's waterways assessed by states are still unsafe for fishing and swimming. Pollution from factories and sewage treatment plants, soil erosion, and wetland losses have been dramatically reduced. But runoff from city streets, rural areas, and other sources continues to degrade the environment and puts drinking water at risk. Fish in many waters still contain dangerous levels of mercury, polychlorinated biphenyls (PCBs), and other toxic contaminants.

### **Clean Water Program at a Crossroads**

After 25 years of progress, the nation's clean water program is at a crossroads. Implementation of the existing programs will not stop serious new threats to public health, living resources, and the nation's waterways, particularly from polluted runoff. These programs lack the strength, resources, and framework to finish the job of restoring rivers, lakes, and coastal areas. To fulfill the original goal of the Clean Water Act-- fishable and swimmable water for every American, the nation must chart a new course to address the

pollution problems of the next generation.

### **Charting a New Course**

In his 1998 State of the Union Address, President Clinton announced a major new Clean Water Initiative to speed the restoration of the nation's precious waterways. This new initiative aims to achieve clean water by strengthening public health protections, targeting community-based watershed protection efforts at high priority areas, and providing communities with new resources to control polluted runoff.

On October 18, 1997, the 25th anniversary of the Clean Water Act, Vice President Gore directed the Department of Agriculture (USDA) and the Environmental Protection Agency (EPA) to work with other federal agencies and the public to prepare an aggressive Action Plan to meet the promise of clean, safe water for all Americans. This Action Plan forms the core of President Clinton's Clean Water Initiative in which he proposed \$568 million in new resources in his FY 1999 budget to carry it out. The Action Plan builds on the solid foundation of existing clean water programs and proposes new actions to strengthen efforts to restore and protect water resources. In implementing this Action Plan, the federal government will:

- support locally led partnerships that include a broad array of federal agencies, states, tribes, communities, businesses, and citizens to meet clean water and public health goals;
- increase financial and technical assistance to states, tribes, local governments, farmers, and others; and
- help states and tribes restore and sustain the health of aquatic systems on a watershed basis.

## **Four Tools for Clean Water**

Federal, state, tribal, and local governments have many tools they can use to clean up and protect water resources. Regulation, economic incentives, technical assistance, research, education, and accurate information all have a role to play in meeting clean water goals. This Action Plan is built around four key tools to achieve clean water goals.

### **A Watershed Approach**

This Action Plan envisions a new collaborative effort by federal

state, tribal, and local governments; the public; and the private sector to restore and sustain the health of watersheds in the nation. The watershed approach is the key to setting priorities and taking action to clean up rivers, lakes, and coastal waters.

### **Strong Federal and State Standards**

This Action Plan calls for federal, state, and tribal agencies to revise standards where needed and make existing programs more effective. Effective standards are key to protecting public health, preventing polluted runoff, and ensuring accountability.

### **Natural Resource Stewardship**

Most of the land in the nation's watersheds is cropland, pasture, rangeland, or forests, and most of the water that ends up in rivers, lakes, and coastal waters falls on these lands first. Clean water depends on the conservation and stewardship of these natural resources. This Action Plan calls on federal natural resource and conservation agencies to apply their collective resources and technical expertise to state and local watershed restoration and protection.

### **Informed Citizens and Officials**

Clear, accurate, and timely information is the foundation of a sound and accountable water quality program. Informed citizens and officials make better decisions about their watersheds. This Action Plan calls on federal agencies to improve the information available to the public, governments, and others about the health of their watersheds and the safety of their beaches, drinking water, and fish.

## **A Watershed Approach-- The Key to the Future**

This Action Plan proposes a new collaborative effort by state, tribal, federal, and local governments, the private sector and the public to restore those watersheds not meeting clean water, natural resource, and public health goals and to sustain healthy conditions in other watersheds.

For the past 25 years, most water pollution control efforts relied on broadly applied national programs that reduced water pollution from individual sources, such as discharges from sewage treatment plants

and factories, and from polluted runoff. Today, there is growing recognition that clean water strategies built on this foundation and tailored to specific watershed conditions are the key to the future.

### **Why Watersheds?**

Clean water is the product of a healthy watershed--a watershed in which urban, agricultural, rangelands, forest lands, and all other parts of the landscape are well-managed to prevent pollution. Focusing on the whole watershed helps strike the best balance among efforts to control point source pollution and polluted runoff, and protect drinking water sources and sensitive natural resources such as wetlands. A watershed focus also helps identify the most cost-effective pollution control strategies to meet clean water goals.



*Skipjack under sail on the Chesapeake Bay. The Chesapeake Bay Program is an international model of interagency and intergovernmental cooperation on a large watershed scale. The Program sets goals for water quality and habitat restoration based on sound science and achieves them by developing consensus-driven strategies. For example, federal agencies are working with agricultural and forest landowners to develop farmland and riparian forest buffers, feedlot and animal strategies, and to provide technical support. Photo Credit: EPA*

Working at the watershed level encourages the public to get involved in efforts to restore and protect their water resources and is the foundation for building strong clean water partnerships. The watershed approach is the best way to bring state, tribal, federal, and local programs together to more effectively and efficiently clean up and protect waters. It is also the key to greater accountability and progress toward clean water goals.

## **Key Elements of the Watershed Approach**

This Action Plan proposes a watershed approach built on several key elements.

**Unified Watershed Assessments.** States, tribes, and federal agencies currently set priorities for watershed action in many different ways. For example, state water quality agencies are developing lists of impaired water bodies, defining source water protection areas for drinking water, identifying coastal protection priorities, and defining priority areas for agricultural assistance programs. Similarly, federal, state and tribal natural resource agencies set their priorities for watershed restoration and protection in various ways to meet their mandates for natural resource conservation. These processes are designed to meet valid objectives, but too often opportunities to work together to meet common goals are overlooked.

This Action Plan creates a strategic opportunity for states and tribes, in cooperation with federal land and resource managers on federal lands, to take the lead in unifying these various existing efforts and leveraging scarce resources to advance the pace of progress toward clean water. As a number of states and tribes have demonstrated, they can meet existing requirements more efficiently and develop more coordinated and comprehensive priorities on a watershed basis.

Unified watershed assessments are a vehicle to identify:

- watersheds that will be targeted to receive significant new resources from the President's FY 1999 budget and beyond to clean up waters that are not meeting water quality goals;
- pristine or sensitive watersheds on federal lands where core federal and state programs can be brought together to prevent degradation of water quality; and
- threatened watersheds that need an extra measure of protection and attention.

**Watershed Restoration Action Strategies.** The Action Plan encourages states and tribes to work with local communities, the public, and federal environmental, natural resource, and land management agencies to develop strategies to restore watersheds that are not meeting clean water and natural resource goals. Watershed Restoration Action Strategies will spell out the most important causes of water pollution and resource degradation, detail the actions that all parties need to take to solve those problems, and set milestones by which to measure progress. Funds made available to

federal agencies through the FY 1999 Clean Water and Watershed Restoration Budget Initiative will be used to help states implement these strategies.

**Watershed Pollution Prevention.** Protecting pristine or sensitive waters and taking preventive action when clean water is threatened by new activities in the watershed can be the most cost-effective approach to meeting clean water goals. This Action Plan encourages states, tribal, and federal agencies to bring core programs and existing resources together to support watershed pollution prevention strategies to keep clean waters clean.

**Watershed Assistance Grants.** Federal agencies will provide small grants to local organizations that want to take a leadership role in building local efforts to restore and protect watersheds. These grants will ensure that local communities and stakeholders can effectively engage in the process of setting goals and devising solutions to restore their watersheds.

## Strong Federal and State Standards

This Action Plan calls on federal, state, and tribal governments to strengthen existing programs to support an accelerated effort to attack the nation's remaining water quality problems. Federal, state, and tribal standards for water quality and polluted runoff are key tools for protecting public health, preventing polluted runoff, and ensuring accountability. Some of the specific actions called for in this Action Plan are identified below.

### **Improve Assurance that Fish and Shellfish are Safe to Eat**

Federal agencies will work with states and tribes to expand programs to reduce contaminants that can make locally caught fish and shellfish unsafe to eat, particularly mercury and other persistent, bio-accumulative toxic pollutants, and to ensure that the public gets clear notice of fish consumption risks.

### **Ensure Safe Beaches**

Federal, state, and local governments will work to improve the capacity to monitor water quality at beaches, develop new standards, and use new technologies such as the Internet to report public health risks to recreational swimmers.

### **Expand Control of Storm Water Runoff**



EPA will publish final Phase II storm water regulations for smaller cities and construction sites in 1999. EPA will also work with its partners to make sure that existing storm water control requirements for large urban and industrial areas are implemented.

### **Improve State and Tribal Enforceable Authorities to Address Polluted Runoff**

Federal agencies will work with states and tribes to promote the establishment of state and tribal enforceable authorities to ensure the implementation of polluted runoff controls by the year 2000.

### **Define Nutrient Reduction Goals**

EPA will establish by the year 2000 numeric criteria for nutrients (i.e., nitrogen and phosphorus) that reflect the different types of water bodies (e.g., lakes, rivers, and estuaries) and different ecoregions of the country and will assist states and tribes in adopting numeric water quality standards based on these criteria.

### **Reduce Pollution from Animal Feeding Operations**

EPA will publish and, after public comment, implement an Animal Feeding Operations Strategy for important and necessary actions on standards and permits. In addition, by November 1998, EPA and USDA will jointly develop a broad, unified national strategy to minimize the environmental and public health impacts of Animal Feeding Operations.

## **Natural Resource Stewardship**

Nearly 70 percent of the United States, exclusive of Alaska, is held in private ownership by millions of individuals. Fifty percent, or 907 million acres, is owned by farmers, ranchers, and their families. Another 400 million acres are federal lands. Most of the rainfall in the country falls on these lands before it enters rivers, lakes, and coastal waters. Effective management of these croplands, pastures, forests, wetlands, rangelands, and other resources is key to keeping clean water clean and restoring watersheds where water quality is impaired.

This Action Plan commits all federal natural resource conservation and environmental agencies to focus their expertise and resources to support the watershed approach described above. In addition, these agencies will work with states, tribes, and others to enhance critical

natural resources essential to clean water.

### **Federal Land Stewardship**

More than 800 million acres of the United States, including Alaska, is federal land. These lands contain an immense diversity and wealth of natural resources, including significant sources of drinking water and public recreation opportunities.

By 1999, the U.S. Department of the Interior (DOI) and USDA will take the lead in developing a Unified Federal Policy to enhance watershed management for the protection of water quality and the health of aquatic systems on federal lands and for federal resource management. Federal land managers will improve water quality protection for over 2,000 miles of roads and trails each year through 2005 and decommission 5,000 miles each year by 2002. Federal land managers will also accelerate the cleanup rate of watersheds affected by abandoned mines and will implement an accelerated riparian stewardship program to improve or restore 25,000 miles of stream corridors by 2005.

### **Protect and Restore Wetlands**

This Action Plan sets a goal of attaining a net increase of 100,000 wetland acres per year by the year 2005. This goal will be achieved by ensuring that existing wetland programs continue to slow the rate of wetland losses, improving federal restoration programs, and by expanding incentives to landowners to restore wetlands.

### **Protect Coastal Waters**

Federal agencies, led by the National Oceanic and Atmospheric Administration (NOAA), will work in partnership to improve the monitoring of coastal waters, expand research of emerging problems like Pfiesteria, amend Fishery Management Plans to address water quality issues, and ensure the implementation of strong programs to reduce polluted runoff to coastal waters.

### **Provide Incentives for Private Land Stewardship**

This Action Plan relies on a substantial increase in the technical and financial assistance available to private landowners as the primary means of accelerating progress toward reducing polluted runoff from agricultural, range, and forest lands.

USDA, working with federal, state, tribal, and private partners, will establish by 2002 two million miles of conservation buffers to reduce polluted runoff and protect watersheds, direct new funding for the Environmental Quality Incentives Program to support watershed restoration, and develop as many new agreements with states as practicable to use the Conservation Reserve Enhancement Program to improve watersheds. The Plan also envisions new and innovative methods to provide incentives for private landowners to implement pollution prevention plans, including risk management protection for adoption of new pollution prevention technologies and market recognition for producers that meet environmental goals.

In addition, DOI will expand its existing Partners for Wildlife Program, which restores degraded fish and wildlife habitats and improves water quality through partnerships with landowners. The program provides technical and financial assistance, and gives priority to threatened and endangered species.

## Informed Citizens and Officials

Effective management of water resources requires reliable information about water quality conditions and new tools to communicate information to the public. Federal agencies, led by the U.S. Geological Survey (USGS), will work with states and tribes to improve monitoring and assessment of water quality, focusing on nutrients and related pollutants. Federal agencies will also work with states and tribes to develop and use state-of-the-art systems, such as EPA's Index of Watershed Indicators on the Internet, to communicate meaningful information to the public about water quality conditions in their communities.



*Improvements in Connecticut River water quality have led to a resurgence in recreational fishing, especially in urban areas like Hartford, which has been the site of major fishing tournaments in recent years. Photo Credit: Riverfront Recapture*

# Clean Water and Watershed Restoration Budget Initiative

To support the new and expanded efforts to restore and protect the nation's waters as proposed in this Clean Water Action Plan, the President's FY 1999 budget proposes a Clean Water and Watershed Restoration Budget Initiative. The funding provided in this budget initiative will dramatically increase federal financial support for clean water programs in FY 1999 and beyond. Specifically, the Clean Water and Watershed Restoration Budget Initiative will:

- increase direct support to states and tribes to carry out a watershed approach to clean water;
- increase technical and financial assistance to farmers, ranchers, and foresters to reduce polluted runoff and enhance the natural resources on their lands;
- fund watershed assistance programs and grants to engage local communities and citizens in leadership roles in restoring their watersheds;
- accelerate progress in addressing critical water quality problems on federal lands, including those related to roads, abandoned mines, riparian areas, and rangelands;
- expand and coordinate water quality monitoring programs; and
- increase efforts to restore nationally significant watersheds, such as the Florida Everglades and the San Francisco Bay-Delta.

## Clean Water and Watershed Restoration Budget

### Funding Summary

Percent Increase 1999 over 1998	35%
Total Increase 1999-2003	2,338
Total Spending 1999-2003	10,516

Total Spending 1999-2003	10,516
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<b>Funding by Agency</b>	<b>1998 Enacted</b>	<b>1999 Budget</b>
<i>Environmental Protection Agency:</i>		
State Grant Assistance		
Polluted runoff control grants (Sec. 319)	105	200
State program management grants (Sec. 106)	96	116
Wetlands protection grants	15	15
Water quality cooperative agreements	20	19
Water quality program management	248	279
Total, EPA	484	629
<i>Department of Agriculture:</i>		
Natural Resources Conservation Service:Environmental Quality Incentives Program	200*	300*
Natural Resources Conservation Service:Locally led conservation	0	20
Natural Resources Conservation Service:Watershed health monitoring	0	3
Forest Service:Improve water quality on federal lands	239	308
Agriculture Research Service:Watershed health research	0	2
Total, USDA	439	633
<i>Department of the Interior:</i>		
Bureau of Land Management:Improve water quality on federal lands	133	157
Office of Surface Mining:Clean streams	5	7
U.S. Geological Survey:Water monitoring and assessment	125	147
Fish and Wildlife Service:Wetlands restoration	36	42
Bureau of Indian Affairs:Improve water quality on tribal lands	0	5
Total, DOI	299	358
<i>National Oceanographic and Atmospheric Administration:</i>		
Polluted runoff and toxic contaminants	0	13
Harmful algal blooms	0	9
Total, NOAA	0	22

<i>Army Corps of Engineers:</i>		
Wetlands program	106	117
Challenge 21:Floodplain restoration initiative	0	25
Total, ACE	106	142
<i>Interagency Projects:</i>		
Florida Everglades	228	282
California Bay Delta	85	143
Elimination of overlap between Everglades and other water programs listed above	-5	-5
Total,Interagency projects	308	420
<b>Total Clean Water and Watershed Restoration Initiative (with Mandatory Spending)</b>	1,636	2,204
*Indicates Mandatory Spending	Source:Office of Management and Budget	

## A Continuing Commitment to Clean Water

The publication of this Action Plan is just the beginning of a long-term effort. Many of the proposed actions will provide for later public review and comment and federal agencies are committed to working closely with states, tribes, and others to ensure successful implementation of specific actions.

In addition, regular reports will keep the public apprised of progress and remaining challenges. By the end of the year 2000 and periodically thereafter, status reports on progress in implementing watershed restoration plans and related programs will be provided to the President, the nation's governors, tribal leaders, and the public.



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<http://cleanwater.gov/action/overview.html>  
Revised August 10, 1998

## **APPENDIX B**

2004 Fish Advisory Fact Sheet  
(<http://www.epa.gov/waterscience/fish>)





## Fact Sheet

# 2004 National Listing of Fish Advisories

### Summary

Since 1993, EPA has made available to the public its compendium of information on locally issued fish advisories and safe eating guidelines. This information is provided to EPA annually by states, U.S. territories, tribes, and local governments, and EPA makes this information easily accessible to the public every summer on its Web site (<http://www.epa.gov/waterscience/fish/>). States, U.S. territories, tribes, and local governments issue fish consumption advisories and safe eating guidelines to inform people about the recommended level of consumption for fish caught in local waters. Fish advisories are advice to limit or avoid eating certain fish. Safe eating guidelines are designations of monitored waters where there is no restriction on eating fish. The **2004 National Listing of Fish Advisories** database shows that the number of safe eating guidelines issued continues to rise rapidly. Although states, U.S. territories, tribes, and local governments also continue to issue new fish advisories, most new fish advisories involve mercury and are a result of increased monitoring and assessment rather than increased U.S. releases of mercury. In fact, U.S. mercury emissions have declined by more than 45% since 1990. On March 15, 2005, EPA issued the Clean Air Mercury Rule to permanently cap and reduce mercury emissions from coal-fired power plants.

The national listing is available on the Internet at <http://www.epa.gov/waterscience/fish/>.

### Background

The states, District of Columbia, U.S. territories, tribes, and local governments (for simplicity, hereafter referred to as states) have primary responsibility for protecting their residents from the health risks of eating contaminated fish caught in local waters. Forty-eight states, the District of Columbia, the U.S. Territory of American Samoa, and three tribes have fish consumption advisories in place. The states have developed their own fish advisory programs over the years, and as a result there is variability among states in the scope and extent of monitoring, in how frequently previously tested waters are sampled again, in how decisions are made to place waters under advisory, and in the specific advice that is provided when contamination is found in fish. Because of this variability, it is difficult to draw national conclusions or to establish national trends in fish advisories; however, through this Technical Fact Sheet, EPA provides an annual summary of fish advisory information submitted by states.

A consumption advisory may include recommendations to limit or avoid eating certain fish and water-dependent wildlife species caught from specific waterbodies or, in some cases, from specific waterbody types (e.g., all lakes) due to contamination by one or more particular contaminants. An advisory may be issued for the general population (i.e., general public), including recreational and subsistence fishers, or it may be issued specifically for sensitive subpopulations, such as pregnant women, nursing mothers, and children. A consumption advisory is not a regulation, but rather a voluntary recommendation issued to help protect public health.

States typically issue five major types of advisories and bans to protect both the general population and specific subpopulations.

- **No-consumption advisory for the general population** – Issued when levels of chemical contamination in fish or wildlife pose a health risk to the general public. The general population is advised to avoid eating certain types of locally caught fish or wildlife.

- **No-consumption advisory for sensitive subpopulations** – Issued when contaminant levels in fish or wildlife pose a health risk to sensitive subpopulations (such as children and pregnant women). Sensitive subpopulations are advised to avoid eating certain types of locally caught fish or wildlife.
- **Restricted-consumption advisory for the general population** – Issued when contaminant levels in fish or wildlife may pose a health risk if too much fish or wildlife is consumed. The general population is advised to limit eating certain types of locally caught fish or wildlife.
- **Restricted-consumption advisory for sensitive subpopulations** – Issued when contaminant levels in fish or wildlife may pose a health risk if too much fish or wildlife is consumed. Sensitive subpopulations are advised to limit eating certain types of locally caught fish or wildlife.
- **Commercial fishing ban** – Issued when high levels of contamination are found in fish caught for commercial purposes. These bans prohibit the commercial harvest and sale of fish and shellfish from a designated waterbody.

In addition to the five major types of advisories, states are increasingly issuing notices of statewide advisories and safe eating guidelines. A statewide advisory is issued to warn the public of the potential human health risks from widespread chemical contamination of certain species of fish from particular types of waterbodies (e.g., lakes, rivers, and/or coastal waters) within the state. An advisory for each waterbody name or type of waterbody may be listed as one advisory, regardless of the number of fish affected or the number of chemical contaminants detected. In contrast, a safe eating guideline is issued to inform the public that fish from specific waterbodies have been tested for chemical contaminants, and the results have shown that specific species of fish from these waters are safe to eat without consumption restrictions. As states increase their monitoring activities, the quantity of available information increases, resulting in better public health protection.

## 2004 National Listing of Fish Advisories Web Site

The National Listing of Fish Advisories Web site provides information on fish advisories issued by the federal government, all 50 states, the District of Columbia, four U.S. territories, and three tribes. The 2004 National Listing of Fish Advisories Web site lists 3,221 advisories in 48 states, the District of Columbia, 1 territory, and 3 tribes. The Web site includes

- Information on species and size of fish or water-dependent wildlife under advisory
- Chemical contaminants identified in the advisory
- Geographic location of the waterbody
- Lake acreage or river miles under advisory
- Population for whom the advisory was issued
- Meal size and meal frequency (number of meals per week or month) by advisory
- Data on the concentrations of contaminants in fish tissue for 48 states and the District of Columbia
- State and tribal contact information.

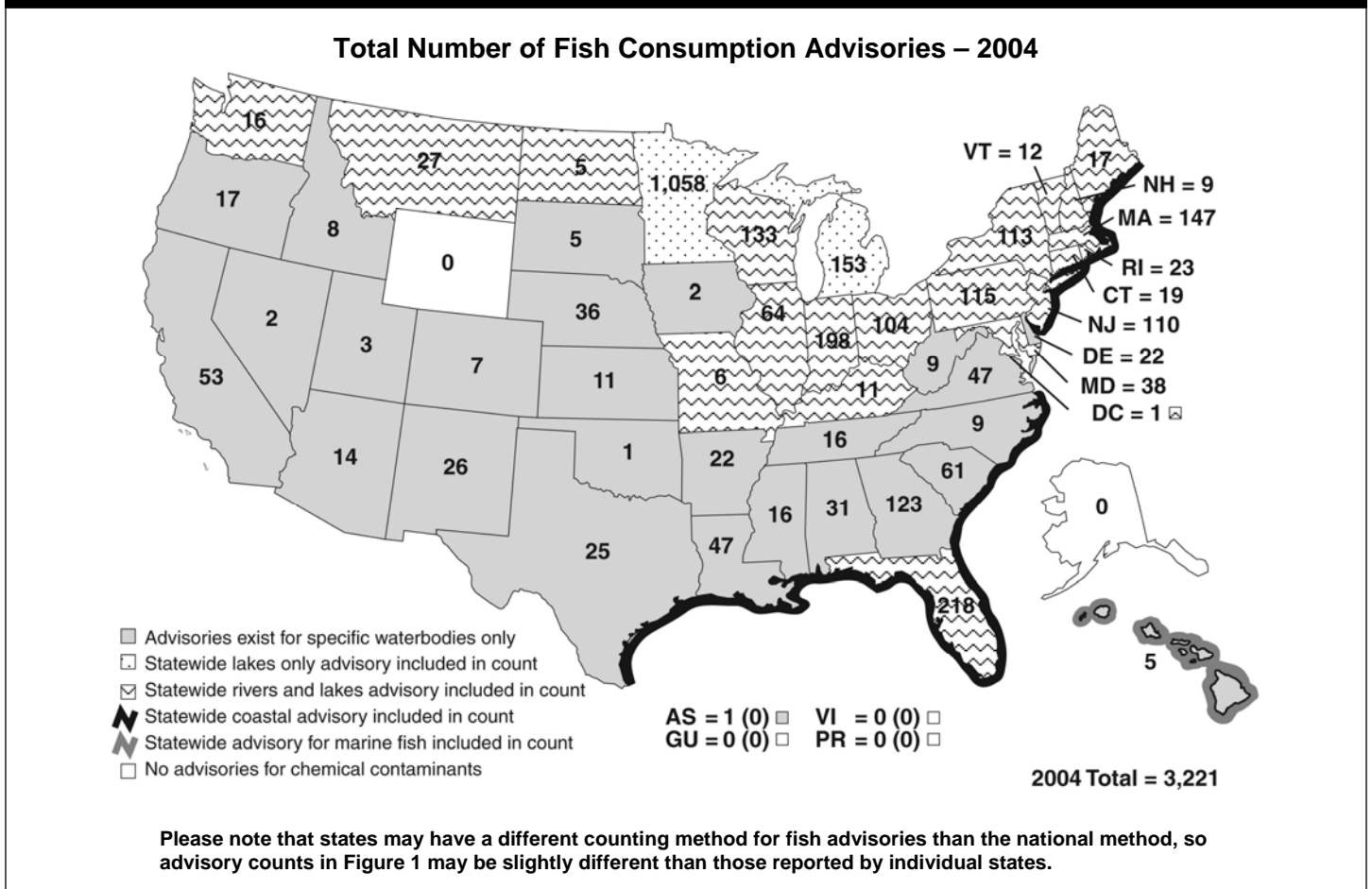
The Web site can generate national, regional, and state maps that summarize advisory information. The Web site also includes the names of each state contact, a phone number, a fax number, and an e-mail address.

## Synopsis of 2004 National Listing of Fish Advisories

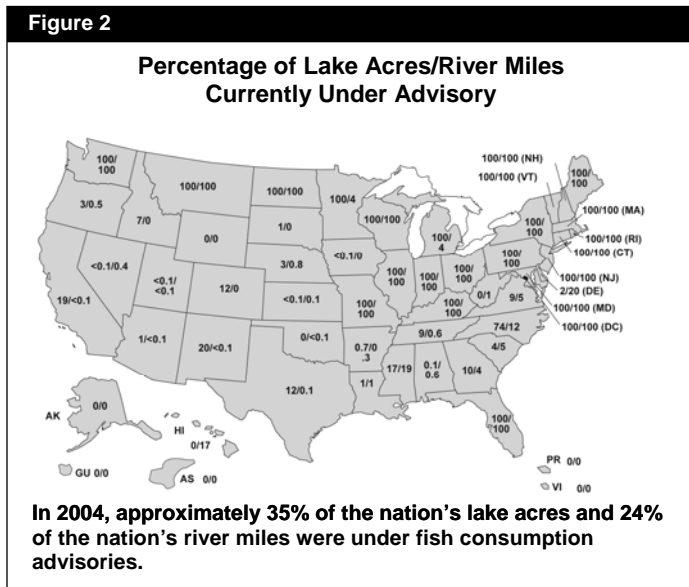
In past years, EPA has reported fish advisories based on the number of advisories in effect; however, this does not provide an indication of the geographic extent of the advisory. For example, a waterbody-specific advisory may be issued to cover a single waterbody (e.g., a 20-acre lake), whereas a single statewide lake advisory can cover all lake acres within the state's jurisdiction (up to 12,787,200 acres in one state). Because of the dramatic range in the geographic size of lake acres and river miles affected by a single advisory, the number of advisories does not tell the full story of the geographic extent of waters subject to state advice to limit fish consumption. Thus, EPA is providing information on the total lake acres and total river miles where advisories are currently in effect.

The EPA 2004 National Listing of Fish Advisories indicates that states reported that 395 new fish advisories were issued in 2004 and 65 previous advisories were reactivated, bringing the total number of advisories in effect to 3,221 in 2004 (Figure 1). Currently, the 3,221 advisories in the national listing represent 35% of the nation's total lake acreage and 24% of the nation's total river miles. Approximately 14,285,062 lake acres and 839,441 river miles were under advisory in 2004. This represents less than a 1% increase in the number of lake acres and river miles that were under advisory in 2003, and the lowest percentage increase since the National Listing of Fish Advisories was created in 1993. The percentages of lake acres

Figure 1



and river miles under advisory in each state in 2004 are shown in Figure 2. All (100%) of the Great Lakes and their connecting waters were under advisory in 2004 (Table 1). The Great Lakes and their connecting waters are considered separately from other waters and are not included in the above calculations of total lake acres or river miles.



**Table 1. Fish Advisories Issued for the Great Lakes**

Great Lakes	PCBs	Dioxins	Mercury	Chlordane	Mirex	DDT
Lake Superior	●	●	●	●		
Lake Michigan	●	●	●	●		●
Lake Huron	●	●	●	●		
Lake Erie	●	●	●			
Lake Ontario	●	●			●	

The number of lake acres and river miles under advisory is related to the number of assessments of chemical contaminants in fish and water-dependent wildlife tissues, as well as the states' use of statewide advisories.

A statewide advisory is issued to warn the public of the potential for contamination of specific species of fish or water-dependent wildlife (e.g., turtles or waterfowl) in certain types of waterbodies (e.g., lakes, rivers, or coastal waters) across the state. Thirty-one states had statewide advisories in effect in 2004, the same number as in 2003 (Table 2). Indiana reported a new statewide advisory for lakes in 2004.

In addition to the Great Lakes, other large lakes and estuaries are currently under advisory for a variety of contaminants. For example, the main stem of the Chesapeake Bay is under advisory for the first time. The Potomac, James, Back, Anacostia, Piankatakank, and Patapsco rivers that connect to the Chesapeake Bay continue to be under advisory. Baltimore Harbor, which also connects to the Chesapeake Bay, is under advisory for chlordane and PCB contamination in fish and blue crabs.

Fifteen states have issued fish advisories for all of their coastal waters (Table 2). Almost 65% of the coastline of the United States (excluding Alaska, which has no advisories) currently is under advisory. Based on coastal size estimates from the National Oceanic and Atmospheric Administration, 92% of the Atlantic coast and 100% of the Gulf coast were under advisory in 2004 as was the case in 2003. The Atlantic coast advisories have been issued for a wide variety of chemical contaminants, including mercury, PCBs, dioxins, and cadmium. All of the Gulf coast advisories have been issued for mercury. No Pacific coast state has issued a statewide advisory for any of its coastal waters, although several local areas along the Pacific coast are under advisory. Hawaii has a statewide advisory in affect for mercury in several marine fish species.

**Table 2. Summary of Statewide Advisories by Waterbody Type and Year Issued**

State	Lake	Issued	River	Issued	Coastal Waters	Issued
Alabama					Mercury	1996
Connecticut	Mercury	1996	Mercury	1996	PCBs	1993
Dist. of Columbia	PCBs	1993	PCBs	1993		
Florida	Mercury	2002	Mercury	2002	Mercury	1993
Georgia					Mercury	2000
Hawaii					Mercury*	2003
Illinois	Mercury	2002	Mercury	2002		
Indiana	Mercury	2004	Mercury PCBs	1996		
Kentucky	Mercury	2000	Mercury	2000		
Louisiana					Mercury	1997
Maine	Mercury	1994	Mercury	1994	Dioxins Mercury PCBs	1994
Maryland	Mercury	2001	Mercury	2004		
Massachusetts	Mercury	1996	Mercury	1996	PCBs Mercury	1994
Michigan	Mercury	1993				
Minnesota	Mercury PCBs	1999				
Mississippi					Mercury	1998
Missouri	Mercury	2001	Mercury	2001		
Montana	Mercury	2003	Mercury	2003		
New Hampshire	Mercury	1995	Mercury	1995	PCBs Mercury Dioxin	1994
New Jersey	Mercury	1995	Mercury	1995	PCBs Dioxins	1993
New York	PCBs Chlordane Mirex DDT	1994	PCBs Chlordane Mirex DDT	1994	Cadmium Dioxins PCBs	1995
North Carolina					Mercury	2000
North Dakota	Mercury	2001	Mercury	2001		
Ohio	Mercury	1997	Mercury	1997		
Pennsylvania	Mercury	2001	Mercury	2001		
Rhode Island	Mercury	2002	Mercury	2002	PCBs Mercury	1993
South Carolina					Mercury	2001
Texas					Mercury	1997
Vermont	Mercury	1995	Mercury	1995		
Washington	Mercury	2003	Mercury	2003		
Wisconsin	Mercury	2000	Mercury	2000		

\* Hawaii has a statewide advisory for mercury in marine fish.

## Safe Eating Guidelines

EPA has been encouraging states to issue safe eating guidelines when providing advisory information. In addition to issuing statewide advisories warning the public about chemical contaminants in fish tissue, states are increasingly issuing safe eating guidelines to inform the public that fish from specific waterbodies or certain species of fish have been tested for chemical contaminants and have been shown to contain very low levels of contaminants. By issuing safe eating guidelines, the states are identifying monitored waters or species for the public where no restrictions on eating fish apply, as well as promoting enjoyment of recreational fishing.

In 1993, the first year that the National Listing of Fish Advisories collected data on safe eating guidelines, there were only 20 such guidelines in effect. This number increased very slowly until 2004, when Arkansas, Georgia, and Minnesota reported 827 new safe eating guidelines, increasing the total number of safe eating guidelines to 1,213 in 2004. This 2004 increase represented almost half of all safe eating guidelines issued since 1993. Table 3 shows the trend in the issuance of safe eating guidelines since 1993. As of December 31, 2004, 17 states have issued safe eating guidelines. No tribes have issued safe eating guidelines. The largest numbers of such guidelines have been issued by Minnesota (835), Georgia (159), South Carolina (75), and Texas (45). Three states have issued statewide guidelines. In 2001, Alaska issued a statewide guideline to inform the public that all of Alaska's fish are safe to eat without restrictions. In 2002, Wisconsin issued a safe eating guideline for bluegill and other sunfish, yellow perch, white and black crappie, and bullheads in all lakes statewide. Minnesota issued a similar guideline for panfish in all lakes statewide. There are a few waterbody-specific exceptions to the safe eating guidelines, so consumers are advised to review waterbody-specific information on state Web sites.

**Table 3. Total Safe Eating Guidelines Issued Since 1993**

Year Issued	New Advisories	Cumulative Advisories
1993	20	20
1994	12	32
1995	35	67
1996	10	77
1997	2	79
1998	25	104
1999	44	148
2000	7	155
2001	20	175
2002	164	339
2003	47	386
2004	827	1,213

In 2004, 2.4% of river miles and 18% of lake acres in the continental United States had safe eating guidelines for at least one fish species. Approximately 76,069 river miles and 5,047,921 lake acres had safe eating guidelines in 2004. Between 2003 and 2004 the area for which there were safe eating guidelines increased by 9,530 river miles and 3,808,605 lake acres. In addition, the number of these guidelines is likely to grow as more states identify safe fishing waters or species (e.g., sunfish and other panfish) that do not tend to accumulate chemical contaminants in their tissues to the same extent as long-lived predatory species (e.g., largemouth bass, walleye, northern pike, catfish). These guidelines will help direct the

public toward making more informed decisions about the waterbodies in which they fish, as well as healthier choices about the species that they choose to eat.

## Bioaccumulative Contaminants

Bioaccumulative chemical contaminants accumulate in the tissues of aquatic organisms at concentrations many times higher than concentrations in the water. Bioaccumulative chemical contaminants can persist for relatively long periods in sediments, where bottom-dwelling organisms that are low in the food chain can accumulate them and pass them up the food chain to fish. Concentrations of bioaccumulative contaminants in the tissues of aquatic organisms may increase at each level of the food chain. As a result, top predators in a food chain, such as largemouth bass or walleye, may have concentrations of bioaccumulative contaminants in their tissues a million times higher than the concentrations found in the waterbodies.

Although there are advisories in the United States for 36 chemical contaminants, almost 98% of advisories in effect in 2004 involved five bioaccumulative chemical contaminants: mercury, PCBs, chlordane, dioxins, and DDT. In this regard, considerable progress has been made towards reducing the occurrence of these contaminants in the environment. US human-caused emissions of mercury to the air have declined more than 45% since 1990 and EPA has issued regulations that will result in further reduction of mercury emissions. For example, on March 15, 2005, EPA issued the Clean Air Mercury Rule (CAMR) to permanently cap and reduce mercury emissions from coal-fired power plants. CAMR supplements EPA's Clean Air Interstate Rule (CAIR) to significantly reduce emissions from coal-fired power plants. When fully implemented, these rules are estimated to reduce utility emissions of mercury nearly 70 percent. In addition, production of PCBs for use ceased in 1977; chlordane was banned in 1988; DDT was banned in 1972; and known and quantifiable industrial emissions of dioxin in the United States are estimated to have been reduced by approximately 90% from 1987 levels.

## Mercury

The total number of advisories for mercury increased from 2,362 in 2003 to 2,436 in 2004, with 44 states, 1 territory, and 2 tribes issuing mercury advisories. Seventy-six percent of all advisories have been issued, at least in part, because of mercury. The increase in the number of mercury advisories in 2004 can be attributed to the issuance of new mercury advisories by 20 states and 1 tribe. Most of these new advisories were issued by Florida and Minnesota. To date, 44 states, 2 tribes and 1 territory have issued mercury advisories. Alaska, District of Columbia, Iowa, Kansas, Oklahoma, Utah, and Wyoming did not issue advisories in either 2003 or 2004. In 2004, the Cheyenne River Sioux Tribe was the only state or tribe to issue a mercury advisory for the first time.

A total of 13,183,748 lake acres and 765,399 river miles were under advisory for mercury in 2004. This represents a decrease of 1,467 river miles under advisory between 2003 and 2004. The decrease is a result of changes in waterbody-specific mercury advisories in several states. The total number of river miles under advisory decreased in Minnesota, Michigan, Louisiana, Nebraska, and Georgia, as well as other states. The number of lake acres under advisory in 2004 represents an increase of 114,758 lake acres between 2003 and 2004. The increase is a result of changes to waterbody-specific advisories in several states as well as the addition of Indiana's statewide advisory for lakes.

Currently, 21 states (Connecticut, Florida, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, North Dakota, Ohio, Pennsylvania, Rhode Island, Vermont, Washington, and Wisconsin) have issued statewide advisories for mercury in freshwater lakes and/or rivers. Twelve states (Alabama, Florida, Georgia, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, North Carolina, Rhode Island, South Carolina, and Texas) have statewide advisories for mercury in their coastal waters. Hawaii has a statewide advisory for mercury in marine fish. The Micmac tribe of Maine has two tribal statewide advisories in effect for mercury in freshwater and marine fish (including lobster). In addition, the Cheyenne River Sioux Tribe has one tribal statewide for mercury in rivers, lakes, and stock ponds.

### **PCBs**

In 2004, there were 873 advisories in place for PCBs, with 39 states, American Samoa, and the St. Regis Mohawk Tribe reporting PCB advisories in 2004. This represents a decrease in the number of PCB advisories since 2003 when there were 884 PCB advisories. Although 17 states added new advisories for PCBs in 2004, 55 advisories were rescinded. There were 4,652,401 lake acres and 110,522 river miles under PCB advisory in 2004. Four states (District of Columbia, Indiana, Minnesota, and New York) issued statewide freshwater (river and/or lake) advisories for PCBs, and seven other states (Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, and Rhode Island) issued PCB advisories for all of their coastal marine waters in 2004.

### **Chlordane**

Many advisories for the pesticide chlordane have been rescinded in recent years, primarily because all uses of chlordane were banned in the United States in 1988 and the compound continues to degrade in the environment. In 2003, there were 89 chlordane advisories. In 2004, that number decreased to 79 chlordane advisories. Chlordane advisories covered 847,242 lake acres and 54,132 river miles in 2004.

### **Dioxins**

In 2003 there were 90 existing dioxin advisories. In 2004, Massachusetts issued 5 new dioxin advisories; Hawaii issued 1 new dioxin advisory; Maine added dioxin to 7 existing advisories for other contaminants; and Michigan, New Hampshire, New Jersey, Oregon, and Texas also added dioxin to existing advisories, bringing the total number of dioxin advisories to 106.

A total of 22,757 lake acres and 2,335 river miles were under a dioxin advisory in 2004. Although dioxins are one of the five major contaminants that have resulted in the issuance of health advisories, the geographic extent of dioxin advisories is extremely limited compared to that for the other four major contaminants. This is due in part to the limited monitoring of dioxins resulting from the high cost of contaminant analysis. Also, dioxins have been associated primarily with specific locations near some pulp and paper plants that use a bleach kraft process, as well as with other types of chemical manufacturing facilities or incineration facilities.

### **DDT**

Although the use of DDT, an organochlorine pesticide, has been banned since 1975, there were 67 advisories in effect for DDT (and its degradation products, DDE and DDD) in 2004. In 2003 there were 52 advisories in effect. There are currently 843,762 lake acres and 69,010 river miles under advisory for DDT. California had the greatest number of DDT advisories in

effect in 2004 (14), followed by Maine (13) and Massachusetts (10). During 2004, Massachusetts issued 10 new advisories for DDT, and New York had an existing statewide advisory for multiple contaminants, including DDT.

### **Other Contaminants**

Although the five bioaccumulative contaminants account for almost 98% of the total number of advisories, the remaining 2% of all fish advisories are caused by other contaminants. These include heavy metals (e.g., arsenic, cadmium, chromium, copper, lead, selenium, and zinc) and organochlorine pesticides (e.g., dieldrin, heptachlor epoxide, kepone, mirex, and toxaphene), as well as a myriad of other chemical compounds, including creosote, polycyclic aromatic hydrocarbons (PAHs), hexachlorobenzene, pentachlorophenol, and diethylphthalate.

In 2004, eight states issued new advisories for these contaminants: Delaware (not specified), Georgia (toxaphene), Indiana (not specified), Massachusetts (pesticides), Maryland (chlorinated pesticides), New York (mirex), Ohio (mirex), and Utah (arsenic). Washington also added diethylphthalate to an existing advisory. In contrast, other states rescinded advisories for aldrin, dichloroethane, gasoline, lindane, trichloroethane, and vinyl chloride.

Although these other chemical contaminants represent only 2% of the total number of advisories, the extent of the area under advisory for these contaminants slightly exceeds the lake acres and river miles under advisory for DDT. In 2004, 2,176,525 lake acres and 102,938 river miles were under advisories for these contaminants. The majority of lake acres and river miles under advisory for other chemical contaminants are the result of a statewide advisory in New York for multiple contaminants, including mirex, a regional advisory in Mississippi for toxaphene, and a statewide advisory in Maine for cadmium.

### **Wildlife Advisories**

In addition to advisories for fish and shellfish, the National Listing of Fish Advisories Web site also contains several water-dependent wildlife advisories. In 2004, no new advisories were issued for water-dependent wildlife. States have issued advisories in previous years that are still in effect. Four states have issued consumption advisories for turtles: Massachusetts (1), Minnesota (6), New York (statewide advisory), and Rhode Island (1). In addition, Massachusetts has an advisory for frogs; New York has a statewide advisory for waterfowl; Utah has an advisory for American coot and ducks; and Maine issued a statewide advisory for cadmium in moose liver and kidneys.

### **National Advice Concerning Mercury in Fish**

In 2004, EPA and the U.S. Food and Drug Administration (FDA) issued advice for women who might become pregnant, women who are pregnant, nursing mothers, and young children. The national advice is not included in the statistics presented in this fact sheet. The following advice is still in effect:

Fish and shellfish are an important part of a healthy diet. Fish and shellfish contain high-quality protein and other essential nutrients, are low in saturated fat, and contain omega-3 fatty acids. A well-balanced diet that includes a variety of fish and shellfish can contribute to heart health and children's proper growth and development; therefore, women and young children in particular should include fish or shellfish in their diets due to the many nutritional benefits.

Nearly all fish and shellfish, however, contain traces of mercury. For most people, the risk from mercury from eating fish and shellfish is not a health concern. Yet some fish and shellfish

contain higher levels of mercury that may harm an unborn baby or young child's developing nervous system. The risks from mercury in fish and shellfish depend on the amount of fish and shellfish eaten and the levels of mercury in the fish and shellfish. Therefore, the FDA and EPA are advising women who may become pregnant, pregnant women, nursing mothers, and young children to avoid some types of fish and to only eat fish and shellfish that are lower in mercury.

By following the three recommendations listed below for selecting and eating fish or shellfish, women and young children will receive the benefits of eating fish and shellfish and be confident that they have reduced their exposure to the harmful effects of mercury.

- Do not eat shark, swordfish, king mackerel, or tilefish because they contain high levels of mercury.
- Eat up to 12 ounces (2 average meals) a week of a variety of fish and shellfish that are lower in mercury.
  - Five of the most commonly consumed fish that are low in mercury are shrimp, canned light tuna, salmon, pollock, and catfish.
  - Another commonly eaten fish, albacore ("white") tuna has more mercury than canned light tuna. Eat up to 6 ounces (one average meal) of albacore tuna per week.
- Check local advisories about the safety of fish caught by family and friends in local lakes, rivers, and coastal areas. If no advice is available, eat up to 6 ounces (one average meal) per week of fish caught from local waters, but do not consume any other fish during that week.

Follow these same recommendations when including fish and shellfish in a young child's diet, but serve smaller portions. More information on the joint federal advisory is available at [www.epa.gov/waterscience/fish](http://www.epa.gov/waterscience/fish).

### **For More Information**

For more information on specific advisories within a state, contact the appropriate state agency listed on the National Listing of Fish Advisories Web site at [www.epa.gov/waterscience/fish](http://www.epa.gov/waterscience/fish). This is particularly important for advisories that recommend that consumers restrict their consumption of fish from certain waterbodies. For restricted consumption advisories, state health departments provide specific information on the meal size and meal frequency (number of meals per week or month) that is considered safe to eat.

For more information on how to reduce exposure, consult EPA's brochure *What You Need to Know About Mercury in Fish and Shellfish*, available in several languages on EPA's fish advisory Web site: [www.epa.gov/waterscience/fish](http://www.epa.gov/waterscience/fish).

For more information on the National Fish and Wildlife Contamination Program, contact:

Jeff Bigler  
U.S. Environmental Protection Agency  
Office of Science and Technology (4305T)  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
Phone 202-566-0389  
E-mail [bigler.jeff@epa.gov](mailto:bigler.jeff@epa.gov)

## **APPENDIX C**

Federal Register Notice for Original Information Collection Request for the National Listing of Advisories April 21, 2000 (Volume 65, Number 78, pages 21415–21416).

Federal Register Notice for Renewal Information Collection Request for the National Listing of Advisories August 14, 2003 (Volume 68, Number 157, pages 48605–48606).

- CAG-23.  
Omitted
- CAG-24.  
Docket#, CP00-14, 000, Buccaneer Gas Pipeline Company, L.L.C.  
Other#, CP00-15, 000, Buccaneer Gas Pipeline Company, L.L.C.  
CP00-16, 000, Buccaneer Gas Pipeline Company, L.L.C.
- CAG-25.  
Docket#, CP00-45, 000, Eastern Shore Natural Gas Company
- CAG-26.  
Docket#, CP00-6, 000, Gulfstream Natural Gas System, L.L.C.  
Other#, CP00-7, 000, Gulfstream Natural Gas System, L.L.C.  
CP00-8, 000, Gulfstream Natural Gas System, L.L.C.
- CAG-27.  
Omitted
- CAG-28.  
Docket#, CP96-684, 001, Interenergy Sheffield Processing Company, Bear Paw Energy, L.L.C.
- CAG-29.  
Omitted
- CAG-30.  
Docket#, RP99-471, 001, Williams Field Services Group, Inc. v. El Paso Natural Gas Company
- CAG-31.  
Docket#, CP97-315, 003, Independence Pipeline Company  
Other#, CP97-319, 002, ANR Pipeline Company  
CP97-320, 001, Independence Pipeline Company  
CP97-321, 001, Independence Pipeline Company  
CP98-200, 002, National Fuel Gas Supply Corporation  
CP98-540, 002, Transcontinental Gas Pipe Line Corporation
- CAG-32.  
Docket#, CP96-687, 002, Iroquois Gas Transmission System

#### Hydro Agenda

- H-1.  
Reserved

#### Electric Agenda

- E-1.  
Reserved

#### Oil and Gas Agenda

- I.  
Pipeline Rate Matters
- PR-1.  
Reserved
- II.  
Pipeline Certificate Matters
- PC-1.  
Reserved

**David P. Boergers,**  
Secretary.

[FR Doc. 00-10204 Filed 4-19-00; 3:51 pm]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6582-7]

### Agency Information Collection Activities: Proposed Collection; Comment Request; Information Collection Request for the National Listing of Advisories

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following new Information Collection Request (ICR) to the Office of Management and Budget (OMB): Information Collection Request for the National Listing of Advisories (EPA ICR Number 1959.01). 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 June 20, 2000.

**ADDRESSES:** Jeffrey Bigler, U.S. Environmental Protection Agency, Office of Science and Technology, 401 M Street SW., Maildrop 4305, Washington, DC 20460, (202) 260-1305, by e-mail at bigler.jeff@epa.gov, or download a copy off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 1959.01.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Bigler at EPA, (202) 260-1305, by e-mail at bigler.jeff@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### Affected Entities

Entities potentially affected by this action are those which issue fish consumption advisories within their state, territory, or tribal jurisdictions.

##### Title

Information Collection Request for the National Listing of Advisories (EPA ICR Number 1959.01). This is a request for a new collection.

##### Abstract

Release of chemical contaminants into our Nation's waters from industrial pollution, sprawling urbanization, and introduction of new pesticides in agriculture poses potentially serious public health problems. Recent studies have confirmed that adverse health effects can result from consumption of chemically-contaminated fish from contaminated waters. These adverse affects have been one of EPA's long

standing concerns. They are also directly related to such Clean Water Act responsibilities as water quality standards, surface water quality, and to the Agency's effort to ensure that the waters of the United States are both "fishable" and "swimmable." Based on results from the 1998 National Listing of Fish and Wildlife Advisories (NLFWA) database, fish consumption advisories have been issued by 47 states and from 100 to 200 new advisories are issued every year nationwide.

EPA believes there is a need to maintain and improve the existing quality and availability of public information concerning fish advisories, which includes but is not limited to monitoring and risk assessment activities and the issuance of advisories. Primary responsibility for these activities lies with each state, territory, or tribal jurisdiction, however, several agencies often share responsibilities for these activities. Consequently, EPA's Office of Water will conduct an annual fish advisory survey which will be sent to environmental and health officials from state, territorial, and tribal agencies specifically responsible for the issuance of fish advisories. This survey will collect information (electronically via the Internet and on paper) on the location of advisories and agencies and persons responsible for maintaining and issuing advisories for lakes and rivers, and for estuarine and coastal marine waterbodies. Responses to the questionnaire (either on paper or electronically via the Internet) are needed to assess public health risks of consuming chemically-contaminated fish, and to make this information available to the public.

The EPA will use the information to update existing advisory information in the EPA's National Listing of Fish and Wildlife Advisories (NLFWA) electronic database which has archived fish advisory data since 1994. The results of the nationwide data collection effort are shared with the states, territories, tribes, other federal agencies and the general public through access to the NLFWA database which can be queried for specific information and through distribution of the annual Fish Advisory Fact Sheet via the Internet. Results of this and past surveys will be available at EPA's NLFWA web site (<http://www.epa.gov/OST/fish/>). Information from these surveys has stimulated nationwide dialogue on fish consumption advisories involving agencies and the public. This information is being used to identify and clarify issues that will lead to the continued development of national guidance to assist states on sampling



and analysis, risk assessment procedures, risk management practices, and risk communication procedures that will further protect human health.

The purpose of the new collection is two-fold. First, the survey is needed to continue to collect and update quantitative information on the number of advisories issued by states, territories, and tribes annually, including detailed information on species sampled, chemical contaminants involved, waterbodies under advisory (including freshwater, estuarine, and marine waterbodies), target populations to which the advisory refers (e.g., pregnant women, nursing mothers, and young children), geographic location of each advisory, and tissue residue data supporting the states' advisories. In addition, the expanded questionnaire portion of the survey will provide information on monitoring procedures used to collect and analyze fish samples, risk assessment methodologies used to evaluate fish tissue residue data and issue advisories, and risk communication procedures used to communicate the human health risks of consuming chemically-contaminated species. From this information, EPA can determine how to most effectively provide assistance to state, territorial, and tribal fish advisory programs to improve effectiveness among jurisdictions through the use of appropriate procedures for sampling, chemical analysis, risk assessment, and risk communication. Completion of this survey is voluntary and the information requested is part of the state public record associated with issuing the advisories. Over the last few years, the states have requested guidance from EPA in their fish advisory programs and a more comprehensive questionnaire will provide the states with the opportunity to identify those advisory areas for which they most need EPA assistance.

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 are listed in 40 CFR part 9 and 48 CFR chapter 15.

The EPA would like to solicit comments 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.

#### **Burden Statement:**

The annual public reporting and record keeping burden for this collection of information is estimated to average 36.5 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; 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:* State, territory, and tribal environmental and health agencies (50 states, District of Columbia, 5 territories, and 36 tribal agencies).

*Estimated Number of Respondents:* 92.

*Frequency of Response:* Annually.

*Estimated Total Annual Hours Burden:* 3,358 hours.

*Estimated Total Annualized Cost Burden (non-labor costs):* \$552.00.

**Geoffrey H. Grubbs,**

*Director, Office of Science and Technology.*  
[FR Doc. 00-10035 Filed 4-20-00; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6583-9]

### **Agency Information Collection Activities: Submission for OMB Review; Comment Request; Resource Conservation and Recovery Act (RCRA) Corrective Action Information Request**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: RCRA Corrective Action Information Request (EPA ICR No. 1939.01). The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before May 22, 2000.

**FOR FURTHER INFORMATION CONTACT:** For a copy of the ICR contact Sandy Farmer at EPA by phone at (202) 260-2740, by email at farmer.sandy@epamail.epa.gov, or download off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 1939.01. For technical questions about the ICR contact Heather Harris at (703) 308-6101.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* Resource Conservation and Recovery Act (RCRA) Corrective Action Information Request (EPA ICR No. 1939.01). This is a new collection.

*Abstract:* This information collection is in response to an April 15, 1999 request from Congress concerning the RCRA Corrective Action program. Included in this inquiry were certain questions which only the state offices have the information to answer. EPA intends to obtain this information from the states by means of a questionnaire. The questionnaire includes facility specific questions on all RCRA Cleanup Baseline facilities, enforcement orders, state authority, and federal funding. Responses to this request will be mandatory and all information will be used to respond to Congress and to provide an accurate picture of the current state of the program. 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

via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. 03-20687 Filed 8-13-03; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[OW-2003-0076, FRL-7544-3]

### Agency Information Collection Activities: Proposed Collection; Comment Request; National Listing of Advisories, EPA ICR Number 1959.02, OMB Control Number 2040-0026

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request to renew an existing approved collection. This ICR is scheduled to expire on January 31, 2004. 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 October 14, 2003.

**ADDRESSES:** Submit your comments, referencing Docket ID No. OW-2003-0076, to EPA online using EDOCKET (our preferred method), by e-mail to [OW-Docket@epa.gov](mailto:OW-Docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Water Docket MC4101T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, attention: Information Collection Request for the National Listing of Advisories.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey D. Bigler, National Program Manager, National Fish and Wildlife Contamination Program (4305T), Office of Science and Technology, U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-0389; fax number: (202) 566-0409; e-mail address: [bigler.jeff@epa.gov](mailto:bigler.jeff@epa.gov).

**SUPPLEMENTARY INFORMATION:** The EPA has established a public docket for this ICR under Docket ID number OW-2003-

0076, which is available for public viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center 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. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the public 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 above.

Any comments related to this ICR should be submitted to EPA within 60 days of this notice. The EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

**Affected entities:** Entities potentially affected by this action are Administrators of Public Health and Environmental Quality Programs in State and tribal governments (NAICS 92312/SIC 9431 and NAICS 92411/SIC 9511).

**Title:** National Listing of Advisories.

**Abstract:** The National Listing of Fish and Wildlife Advisories (NLFWA) Database contains information on the number of new advisories issued by each state, territory, or tribe annually. The advisory information collected identifies the waterbody under advisory,

the fish or shellfish species and size ranges included in the advisory, the chemical contaminants and residue levels causing the advisory to be issued, the waterbody type (river, lake, estuary, coastal waters), and the target populations to whom the advisory is directed. This information is collected under the authority of section 104 of the Clean Water Act, which provides for the collection of information to be used to protect human health and the environment. The results of the survey are shared with states, territories, tribes, other federal agencies, and the general public through the NLFWA database and the distribution of annual fish advisories fact sheets. The responses to the survey are voluntary and the information requested is part of the state public record associated with the advisories. No confidential business information is requested. 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 40 CFR. The EPA would like to are listed in 40 CFR part 9.

The EPA would like to solicit comments 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.

**Burden Statement:** The annual public reporting burden for the collection of information (averaged over the first three years of the information collection request) is 3,566 labor hours per year. This includes one response per year from 92 respondents with an average of 38.76 hours per response. The total annualized cost to the respondents is estimated at \$529.00. No capital or startup costs are required. 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.

Dated: August 8, 2003.

**Geoffrey H. Grubbs,**

*Director, Office of Science and Technology.*  
[FR Doc. 03-20779 Filed 8-13-03; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[OW-2003-0064, FRL-7544-6]

### Agency Information Collection Activity: Proposed Collection; Comment Request; Questionnaire for Nominees for the Annual National Clean Water Act Recognition Awards Program, EPA ICR 1287.06, OMB Control Number 2040-0101

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request to renew an existing approved collection. This ICR is scheduled to expire on February 29, 2004. 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 October 14, 2003.

**ADDRESSES:** Submit your comments, referencing docket ID number OW-2003-0064, to EPA online using EDOCKET (our preferred method), by e-mail to [ow-docket@epa.gov](mailto:ow-docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Office of Water Docket, MC 4101-T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Maria E. Campbell, Municipal

Assistance Branch, MC 4204-M, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 202-564-0628; fax number: 202-501-2396; e-mail address: [campbell.maria@epa.gov](mailto:campbell.maria@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has established a public docket for this ICR under Docket ID number OW-2003-0064, which is available for public viewing at the Office of Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center 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 Office of Water Docket is (202) 566-2426. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the public 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 above.

Any comments related to this ICR should be submitted to EPA within 60 days of this notice. EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

Affected entities: Entities potentially affected by this action are public wastewater treatment plants, municipalities, industries, universities, manufacturing sites and States.

**Title:** Questionnaire for Nominees for the Annual National Clean Water Act Recognition Awards Program.

**Abstract:** This ICR requests re-approval to collect data from EPA's National Clean Water Act Recognition Awards nominees. The awards are for the following program categories: Operations and Maintenance (O&M) Excellence, Biosolids (Biosolids) Management Excellence, Combined Sewer Overflow Control (CSO) Program Excellence and Storm Water (SW) Management Excellence.

**Note:** Information collection approval for the Pretreatment Awards Program is included in the National Pretreatment Program ICR (OMB No. 2040.0009, EPA ICR No. 0002.09), approved through September 30, 2003. The National Clean Water Act Recognition Awards Program is managed by EPA's Office of Wastewater Management (OWM). The Awards Program is authorized under Section 501(e) of the Clean Water Act, as amended. The Awards Program is intended to provide recognition to municipalities and industries which have demonstrated outstanding technological achievements, innovative processes, devices or other outstanding methods in their waste treatment and pollution abatement programs. Approximately 50 awards are presented annually. The achievements of these award winners are summarized in reports, news articles, national publications, and **Federal Register** Notice.

Submission of information on behalf of the respondents is voluntary. No confidential information is requested. The Agency only collects information from award nominees under a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15. 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 40 CFR are listed in 40 CFR part 9. Based on the data collection, national panels will evaluate the nominees' efforts and recommend finalists. The collections will be used by the respective awards programs to evaluate and determine which abatement achievements should be recognized. A regulation in the **Federal Register** on February 8, 2002, (67 FR 6138, February 8, 2002) establishes a framework for the annual Clean Water Act Recognition Awards.

As currently structured, the O&M awards category has nine sub-categories which recognize municipal achievements. The biosolids awards category has four sub-categories which recognize municipal biosolids operations, technology and research

particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

p. *Notice of Intent*: A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

q. *Proposed Scope of Studies Under Permit*: A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

r. *Comments, Protests, or Motions To Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

s. *Filing and Service of Responsive Documents*: Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", and "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The

Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

t. *Agency Comments*: Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Philis J. Posey,**

*Acting Secretary.*

[FR Doc. E7-6922 Filed 4-11-07; 8:45 am]

**BILLING CODE 6717-01-P**

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2007-0201; FRL-8297-9]

### Agency Information Collection Activities: Proposed Collection; Comment Request; Information Collection Request for the National Listing of Fish Advisories, EPA ICR Number 1959.03, OMB Control Number 2040-0226

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (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 September 30, 2007. 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 June 11, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OW-2007-0201, by one of the following methods:

- [www.regulations.gov](http://www.regulations.gov): Follow the on-line instructions for submitting comments.

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

- *Fax:* 202-566-9744.

- *Mail:* EPA Docket Center

[Information Collection Request for the National Listing of Fish Advisories], Environmental Protection Agency, Water Docket MC4101T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

- *Hand Delivery:* EPA Docket, EPA West Room 3334, 1301 Constitution Ave., NW., Washington, DC 20460. 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-2007-0201. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at [www.regulations.gov](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 [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](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 [www.regulations.gov](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:** Erica Fleisig, National Fish Advisory Program (4305T), Office of Science and Technology, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-1057; fax number: (202) 566-0409; e-mail address: [fleisig.eric@epa.gov](mailto:fleisig.eric@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-2007-0201, which is available for online viewing at [www.regulations.gov](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 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 [www.regulations.gov](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 Administrators of Public Health and Environmental Quality Programs in State and tribal governments (NAICS 92312/SIC 9431 and NAICS 92411/SIC 9511).

*Title:* Information Collection Request for the National Listing of Fish Advisories.

*ICR numbers:* EPA ICR No. 1959.03, OMB Control No. 2040-0226.

*ICR status:* This ICR is currently scheduled to expire on September 30, 2007. 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 National Listing of Fish Advisories (NLFA) database contains information on the number of new advisories issued by each state, territory, or tribe annually. The advisory information collected identifies the waterbody under advisory, the fish or shellfish species and size ranges included in the advisory, the chemical

contaminants and residue levels causing the advisory to be issued, the waterbody type (river, lake, estuary, coastal waters), and the target populations to whom the advisory is directed. This information is collected under the authority of section 104 of the Clean Water Act, which provides for the collection of information to be used to protect human health and the environment. The results of the survey are shared with states, territories, tribes, other federal agencies, and the general public through the NLFA database and the distribution of annual fish advisory fact sheets. The responses to the survey are voluntary and the information requested is part of the state public record associated with the advisories. No confidential business information is requested. 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 40 CFR are listed in 40 CFR part 9.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 38.76 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, 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:

*Estimated total number of potential respondents:* 92.

*Frequency of response:* Annual.

*Estimated total average number of responses for each respondent:* 3.

*Estimated total annual burden hours:* 3,566 labor hours.

*Estimated total annual burden costs:* \$124,755.08. No capital or startup costs are required.

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

There is no change in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB.

### 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: April 6, 2007.

**Ephraim King,**

*Director, Office of Science and Technology.*  
[FR Doc. E7-6947 Filed 4-11-07; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Submitted for Review to the Office of Management and Budget

April 4, 2007.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of

information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written Paperwork Reduction Act (PRA) comments should be submitted on or before June 11, 2007. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Jasmeet K. Seehra, Office of Management and Budget, Room 10236 NEOB, Washington, DC 20503, (202) 395-3123, or via fax at 202-395-5167 or via Internet at [Jasmeet\\_K\\_Seehra@omb.eop.gov](mailto:Jasmeet_K_Seehra@omb.eop.gov) and to [Judith-B.Herman@fcc.gov](mailto:Judith-B.Herman@fcc.gov), Federal Communications Commission, Room 1-B441, 445 12th Street, SW., DC 20554 or an e-mail to [PRA@fcc.gov](mailto:PRA@fcc.gov). If you would like to obtain or view a copy of this information collection after the 60-day comment period, you may do so by visiting the FCC PRA Web page at: <http://www.fcc.gov/omd/pr>.

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Judith B. Herman at 202-418-0214 or via the Internet at [Judith-B.Herman@fcc.gov](mailto:Judith-B.Herman@fcc.gov).

**SUPPLEMENTARY INFORMATION:** OMB Control Number: 3060-XXXX.

*Title:* Consummation of Assignments and Transfers of Control of Station Authorization.

*Form No.:* N/A.

*Type of Review:* New collection.

*Respondents:* Business or other for-profit.

*Number of Respondents:* 586 respondents; 586 responses.

*Estimated Time Per Response:* 1 hour.

*Frequency of Response:* On occasion reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits.

*Total Annual Burden:* 586 hours.

*Total Annual Cost:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Nature and Extent of Confidentiality:*

There is no need for confidentiality pertaining to the information collection requirements in this collection.

*Needs and Uses:* The Commission will submit this new information collection to the OMB after this 60-day comment period to obtain the full three-year clearance from them. The Federal Communications Commission ("Commission") is requesting that the Office of Management and Budget (OMB) approve the establishment of a new collection for consummation of assignments and transfers of control of

station authorization. In addition, the Commission is requesting the OMB's approval of mandatory electronic filing of consummations of assignments and transfers of control of licenses for all telecommunications services.

A consummation is a party's notification to the Commission that a transaction (assignment or transfer of control of station authorization) has been completed within a designated period of time. A consummation is applicable to all international telecommunications services, including International High Frequency (IHF), Section 214 Applications (ITC), Satellite Space Stations (SAT), Submarine Cable Landing Licenses (SCL) and Satellite Earth Station (SES) stations.

Currently, applicants send multiple letters to various offices within the Commission for each file number and call sign that are part of the consummation. The new, proposed consummation module will eliminate the applicant's requirement to notify the Commission by letter with the details of the consummation. With this new collection, the applicant will complete an on-line form (consummation module) in the Commission's electronic International Bureau Filing System ("IBFS"). After the applicant enters the FCC Registration Number (FRN) in the form, the system will generate a list of file numbers and call signs that are related to the FRN. The applicant can select the file numbers and call signs that are part of the consummation. The consummation module: (1) Saves time for the applicants and the Commission staff because the information is readily accessible for viewing and processing 24 hours a day/7 days a week, (2) eliminates the applicants completion by paper and mailing of letters, and (3) expedites the Commission staff's receipt of consummations in a timely manner.

The Commission has authority for this information collection pursuant to 47 CFR 1.767, 25.119, 63.24(e), 73.3540 and 73.3541. Without this collection of information, the Commission would not have critical information such as a change in a controlling interest in the ownership of the licensee. Furthermore, the Commission would not have the authority to review assignments and transfers of control of satellite licenses to determine whether the initial license was obtained in good faith with the intent to construct a satellite system.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E7-6936 Filed 4-11-07; 8:45 am]

**BILLING CODE 6712-01-P**

## **APPENDIX D**

Survey Instrument for the 2007–2009 NLFA Reporting Cycles and the  
State Fish Advisory Program Questionnaire

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
FISH CONSUMPTION ADVISORY PROGRAMS QUESTIONNAIRE  
FOR SURVEY YEARS 2007, 2008, AND 2009**

**Please provide the following information about the agency in your state or tribe that is responsible for issuing noncommercial (sportfishing/subsistence) advisories or closures for chemical contamination in fish and shellfish.**

---

Agency name

---

Agency address

---

Agency fish advisory contact

---

Contact's e-mail address

---

(\_\_\_\_\_) \_\_\_\_\_  
Contact's phone number

---

(\_\_\_\_\_) \_\_\_\_\_  
Contact's fax number



## Fish Tissue Monitoring Program

1. **Did your state or tribal agency conduct routine monitoring during this past year to obtain information about the concentrations of chemical contaminants in fish tissue for assessing human health risks?**  
 Yes     No     Not applicable
  
2. **What kind of data does your state or tribal agency collect to evaluate chemical contaminant levels in fish? (Please check all that apply.)**  
 Captures fish and sends tissues to a lab to determine contaminant concentrations  
 Monitors water quality and uses data to estimate contaminant concentrations in fish  
 Monitors sediments and uses data to estimate contaminant concentrations in fish  
 Other methods (please specify) \_\_\_\_\_  
 Not applicable
  
3. **How does your state or tribe conduct monitoring of contaminants in fish tissue for fish advisories? (Please check all that apply)**  
 Conducts one-time, nonrecurring or special surveys in particular fishing areas, watersheds, or basins  
 Monitors the same fishing areas, watersheds, or basins at regular intervals  
 Other methods (please specify) \_\_\_\_\_  
 Not applicable
  
4. **During the past year, please estimate the number of stations from which your state or tribal agency collected fish tissue that was analyzed for chemical contaminants and was used for the fish advisory program.**  

<input type="checkbox"/> 0 stations	<input type="checkbox"/> 31-50 stations
<input type="checkbox"/> 1-10 stations	<input type="checkbox"/> 51-100 stations
<input type="checkbox"/> 11-20 stations	<input type="checkbox"/> >100 stations
<input type="checkbox"/> 21-30 stations	<input type="checkbox"/> Not applicable
  
5. **How frequently does your state typically resample fish from waterbodies where advisories are in effect?**  
 Every year  
 Every 2 years  
 Every 3 years  
 Every 4 years  
 Every 5 years  
 Every 6 to 10 years  
 On an as needed basis (no set schedule)  
 Other (please specify) \_\_\_\_\_  
 Not applicable
  
6. **In approximately how many waterbodies was fish tissue monitoring conducted within your state during the past year?**  

<input type="checkbox"/> 1-10 waterbodies	<input type="checkbox"/> 21-30 waterbodies
<input type="checkbox"/> 11-20 waterbodies	<input type="checkbox"/> 31-40 waterbodies
<input type="checkbox"/> >40 (specify number) (please specify) _____	
<input type="checkbox"/> Not applicable	

**7. Please check how your state determines which sites to monitor  
(Please check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Accessibility of site                        | <input type="checkbox"/> Fixed-station sites                  |
| <input type="checkbox"/> Area of concern                              | <input type="checkbox"/> High pollution potential at the site |
| <input type="checkbox"/> Citizen or Agency request                    | <input type="checkbox"/> Major fishery resource               |
| <input type="checkbox"/> Degree of angling pressure the site receives | <input type="checkbox"/> Randomly selected sites              |
| <input type="checkbox"/> Other method (please specify) _____          |   |
| <input type="checkbox"/> Not applicable                               |   |

Answers to questions 8 through 11 should be based on your Agency's evaluation of fish tissue monitoring data. Sediment analysis or water quality monitoring data may be included in your evaluation only if they are used **as the basis for determining when an advisory is needed**. Note: For these questions, you may need to consult with other individuals in your state or tribal organization.

**8. How many river, stream, or canal miles were assessed at least once during the last 3 years specifically for the fish advisory program?**

\_\_\_\_\_ miles

**9. How many lake or reservoir acres were assessed at least once during the past 3 years specifically for the fish advisory program?**

\_\_\_\_\_ acres

**10. How many square miles of estuarine waters were assessed at least once during the past 3 years specifically for the fish advisory program?**

\_\_\_\_\_ square miles

**11. How many miles of marine coastline (coastal waters) were assessed at least once during the past 3 years specifically for the fish advisory program?**

\_\_\_\_\_ miles

### **Types of Fish Advisories**

**12. Does your state issue fish consumption advisories advising individuals to restrict fish consumption?**

- Yes     No     Not applicable

**13. Does your state issue fish consumption advisories advising individuals not to consume any fish or any fish of a particular species from a particular waterbody?**

- Yes     No     Not applicable

**14. Fish consumption advisories issued in your state pertain to:  
(Please check all that apply)**

- Specific fish species analyzed by the state (e.g., largemouth bass)  
 Specified size class(es) for the given species analyzed (e.g., largemouth bass 15-20 inches)  
 Selected trophic groups (e.g., game fish, bottom feeders, or panfish)  
 The entire fish community (e.g., all fish)  
 Certain fish species purchased in stores and restaurants  
 Other (please specify) \_\_\_\_\_  
 Not applicable

15. Does your state issue statewide or regionwide “blanket” advisories based on your sampling effort? (A region-wide advisory may be issued for an individual HUC, river drainage basin or portion of the state.)  
 Statewide:  Yes  No  Not applicable  
 Regionwide:  Yes  No  Not applicable
16. Do you have legally enforced advisories or bans within your state (e.g., are fines or citations given for fishing in posted waters)?  
 Yes  No
17. Has your state ever issued a commercial fishing ban for chemically-contaminated fish?  
 Yes  No
18. If your state or tribe has issued commercial fishing bans in a waterbody, do they include consumption information for sport and subsistence fishers?  
 Yes  No  Not applicable
19. In addition to chemical contaminants, does your state or tribe also issue fish and/or shellfish advisories (closures) for microbial contamination (e.g., bacteria or viruses) of a waterbody?  
 Yes  No  Not applicable

## Sample Preparation and Analyses Procedures

20. Fish consumption advisories (no consumption and/or restricted consumption advisories) issued in your state are based on the analysis of : (Please check all that apply)  
 Fillet samples (skin on)  
 Fillet samples (skin off)  
 Muscle plug samples  
 Whole-fish samples (skin on)  
 Whole-fish samples (skin off)  
 Other sample types (please specify) \_\_\_\_\_  
 Not applicable
21. Does your state target the collection of particular indicator species, and on what is this decision based? (Please check all that apply)  
 Angler survey data  
 Availability of the species  
 Desire to maintain consistency with past collections  
 EPA target species recommendations based on bioaccumulation potential/trophic groups  
 Citizen requests  
 State does not target collection of indicator species  
 Other reasons (please specify) \_\_\_\_\_  
 Not applicable
22. Does your state collect multiple size classes, by species, and submit these individual size classes for residue analyses?  
 Yes  No  Not applicable
23. Are individual fish samples or composite samples submitted for residue analyses in your state?  
 Individual fish samples only  
 Composite samples only  
 Both individual and composite samples are used  
 Not applicable

**24. If individual fish samples are used, how many “individual fish” typically are needed to support an advisory determination in a waterbody?**

- 1 fish
- 3 fish
- 5 fish
- 6 to 10 fish
- 11 to 20 fish
- > 20 fish
- Other number (please specify) \_\_\_\_\_
- Not applicable; state uses only composite fish samples

**25. If composite samples are used, how many “individual fish” typically are combined in each of your state’s composite samples for residue analysis?**

- 2 fish
- 3 fish
- 4 fish
- 5 fish
- Other number (please specify) \_\_\_\_\_
- Not applicable; state uses only individual fish samples

**26. If composite samples are used, how many composite samples are needed to support an advisory determination in a waterbody?**

- 1 composite sample
- 2 composite samples
- 3 composite samples
- Variable; no set number
- Other number (please specify) \_\_\_\_\_
- Not applicable; state uses only individual fish samples

**27. Assuming your state finds residue levels in exceedance of state criteria, how many years of sampling are required at a given waterbody before a fish consumption advisory can be issued?**

- 1 year
- 2 years
- 3 or more years
- Site-specific decision; no set time period established
- Other (please specify) \_\_\_\_\_
- Not applicable

**28. If commercial fishing bans are issued in your state, on which of the following sample types are they based? (Please check all that apply)**

- Whole-fish samples (skin-on)
- Whole-fish samples (skin-off)
- Fillet samples (skin-on)
- Fillet samples (skin-off)
- Other sample types (please specify) \_\_\_\_\_
- Not applicable

**29. How many fish tissue samples must be analyzed and found to be in exceedance of state criteria before a commercial fishing ban is issued?**

- 1 sample
- 2 samples
- 3 or more samples
- Site-specific decision; no set number established
- Not applicable

**30. How many years of sampling are conducted at a given waterbody before a commercial fishing ban can be issued?**

- 1 year
- 2 years
- 3 or more years
- Site-specific decision; no set time period established
- Not applicable

**31. Once an advisory is issued for a specific waterbody, what must occur for the state to rescind the advisory?**

- Residue levels of the chemical must decline below the state criterion for at least 1 year
- Residue levels of the chemical must decline below the state criterion for at least 2 years
- Residue levels of the pollutant must decline below the state criterion for at least 3 years
- Site-specific decision; no set time period established
- Other schedule or procedure (please specify) \_\_\_\_\_
- Not applicable

**32. During this past year, please estimate the number of fish tissue samples that were submitted for chemical analyses by your state agency?**

- <20 samples
- 21-30 samples
- 31-40 samples
- Not applicable
- 41-50 samples
- 51-60 samples
- >60 samples (please specify number) \_\_\_\_\_

**33. What pollutants did your state screen for in fish tissue samples in this past year? (Please check all that apply)**

- |  |   |  |   |
|--|---|--|---|
| <input type="checkbox"/> Aldrin                  | <input type="checkbox"/> Dicofol                          | <input type="checkbox"/> Hexachlorobenzene | <input type="checkbox"/> PCBs                   |
| <input type="checkbox"/> Arsenic                 | <input type="checkbox"/> Dieldrin                         | <input type="checkbox"/> Lead              | <input type="checkbox"/> Pentachloroanisole     |
| <input type="checkbox"/> Cadmium                 | <input type="checkbox"/> Dioxins/Furans                   | <input type="checkbox"/> Lindane           | <input type="checkbox"/> Selenium               |
| <input type="checkbox"/> Chlordane               | <input type="checkbox"/> Disulfoton                       | <input type="checkbox"/> Mercury           | <input type="checkbox"/> Terbufos               |
| <input type="checkbox"/> Chlorpyrifos            | <input type="checkbox"/> Endosulfan                       | <input type="checkbox"/> Methoxychlor      | <input type="checkbox"/> Toxaphene              |
| <input type="checkbox"/> Chromium                | <input type="checkbox"/> Endrin                           | <input type="checkbox"/> Mirex             | <input type="checkbox"/> Tributyltin            |
| <input type="checkbox"/> DDT and its metabolites | <input type="checkbox"/> Ethion                           | <input type="checkbox"/> Nonachlor         | <input type="checkbox"/> Trifluralin            |
| <input type="checkbox"/> Diazinon                | <input type="checkbox"/> Heptachlor or Heptachlor epoxide | <input type="checkbox"/> Oxyfluorfen       | <input type="checkbox"/> Other (please specify) |
|  |   | <input type="checkbox"/> PAHs              |   |

**34. Of the pollutants listed, which ones are of primary human health concern in your state waters (specify up to 5 pollutants).**

- |  |   |  |   |
|--|---|--|---|
| <input type="checkbox"/> Aldrin                  | <input type="checkbox"/> Dicofol                          | <input type="checkbox"/> Hexachlorobenzene | <input type="checkbox"/> PCBs                   |
| <input type="checkbox"/> Arsenic                 | <input type="checkbox"/> Dieldrin                         | <input type="checkbox"/> Lead              | <input type="checkbox"/> Pentachloroanisole     |
| <input type="checkbox"/> Cadmium                 | <input type="checkbox"/> Dioxins/Furans                   | <input type="checkbox"/> Lindane           | <input type="checkbox"/> Selenium               |
| <input type="checkbox"/> Chlordane               | <input type="checkbox"/> Disulfoton                       | <input type="checkbox"/> Mercury           | <input type="checkbox"/> Terbufos               |
| <input type="checkbox"/> Chlorpyrifos            | <input type="checkbox"/> Endosulfan                       | <input type="checkbox"/> Methoxychlor      | <input type="checkbox"/> Toxaphene              |
| <input type="checkbox"/> Chromium                | <input type="checkbox"/> Endrin                           | <input type="checkbox"/> Mirex             | <input type="checkbox"/> Tributyltin            |
| <input type="checkbox"/> DDT and its metabolites | <input type="checkbox"/> Ethion                           | <input type="checkbox"/> Nonachlor         | <input type="checkbox"/> Trifluralin            |
| <input type="checkbox"/> Diazinon                | <input type="checkbox"/> Heptachlor or Heptachlor epoxide | <input type="checkbox"/> Oxyfluorfen       | <input type="checkbox"/> Other (please specify) |
|  |   | <input type="checkbox"/> PAHs              |   |

**35. If your state analyzes for PCBs, what specifically is analyzed? (Please check all that apply)**

- Individual congeners
- All Aroclor groups
- Selected Aroclor groups
- A combination of both Aroclors and congeners
- Others (please specify) \_\_\_\_\_
- Not applicable

## State Advisory Program Funding

**36. How many dollars are spent annually in your state on routine fish tissue field collection activities?**

- |   |   |
|---|---|
| <input type="checkbox"/> <\$1,000           | <input type="checkbox"/> \$10,000 to \$24,999             |
| <input type="checkbox"/> \$1,000 to \$4,999 | <input type="checkbox"/> \$25,000 to \$50,000             |
| <input type="checkbox"/> \$5,000 to \$9,999 | <input type="checkbox"/> >\$50,000 (please specify) _____ |
| <input type="checkbox"/> Not applicable     |   |

**37. What was the funding source for your state's fish tissue collection activities during the past year? (Please check all that apply)**

- State general funds
- State fishing license revenues
- State sales tax
- EPA Section 106 funds
- EPA Section 205j funds
- EPA Region funds
- EPA Grant funds
- Other (please specify) \_\_\_\_\_
- Not applicable

**38. How many dollars are spent annually in your state on laboratory analyses of fish tissue samples?**

- |   |   |
|---|---|
| <input type="checkbox"/> <\$1,000           | <input type="checkbox"/> \$10,000 to \$24,999             |
| <input type="checkbox"/> \$1,000 to \$4,999 | <input type="checkbox"/> \$25,000 to \$50,000             |
| <input type="checkbox"/> \$5,000 to \$9,999 | <input type="checkbox"/> >\$50,000 (please specify) _____ |
| <input type="checkbox"/> Not applicable     |   |

**39. What was the funding source for your state's laboratory analyses of fish tissue samples during this past year? (Please check all that apply)**

- State general funds
- State fishing license revenues
- State sales tax
- EPA Section 106 funds
- EPA Section 205j funds
- EPA Region funds
- EPA Grant funds
- Other (please specify) \_\_\_\_\_
- Not applicable

**40. If no funding is currently available, is your state seeking funding to conduct a monitoring and assessment program?**

- Yes       No       Not applicable

## Other Uses of State Advisory Data

**41. For your state's biennial 305(b) water quality report, what use support designation is assigned to waterbodies placed under fish consumption advisory?**

- |   |   |
|---|---|
| <input type="checkbox"/> Fully supporting         | <input type="checkbox"/> Threatened     |
| <input type="checkbox"/> Partially supporting     | <input type="checkbox"/> Not supporting |
| <input type="checkbox"/> No assessments were made | <input type="checkbox"/> Not applicable |

**42. If fish consumption advisories have been issued for waterbodies in your state, does your state place these waterbodies on the state's 303(d) list of impaired waters?**

- Yes       No       Not applicable

**43. If commercial fishing bans have been issued for waterbodies in your state, does your state place these waterbodies on the state's 303(d) list of impaired waters?**

- Yes       No       Not applicable

**44. Is "fish consumption" an assigned beneficial use for waters in your state?**

- Yes       No

**45. If yes, where have these criteria for beneficial use been established?**

- State water quality standards  
 SOP for assessing beneficial uses (or related document)  
 Other (please specify) \_\_\_\_\_  
 Not applicable

## **Risk Assessment Methodology**

**46. What method(s) does your state currently use to calculate "carcinogenic" health risks and issue advisories for individuals who consume fish harvested from state waters?**

**(Please specify all current methods used)**

- Risk assessment methodology  
 Food and Drug Administration (FDA) action levels  
 None  
 Other approach (please specify) \_\_\_\_\_  
 Not applicable

**47. What carcinogenic risk level (i.e., individual risk within an exposed population) does your state use to issue advisories and/or post waterbodies?**

- 1:10,000 ( $10^{-4}$ )  
 1:100,000 ( $10^{-5}$ )  
 1:1,000,000 ( $10^{-6}$ )  
 FDA action level  
 Other (please specify) \_\_\_\_\_  
 Not applicable

**48. What source(s) does your state use to obtain cancer potency factors to help calculate "carcinogenic" health risks? (Please check all that apply)**

- ATSDR Toxicological Profiles  
 EPA Fish Guidance Document  
 EPA Health Effects Assessment Summary Table (HEAST)  
 EPA Integrated Risk Information System (IRIS)  
 EPA Toxicology One-Liners Database (Office of Pesticide Programs)  
 Great Lakes Protocol  
 Hazardous Substance Data Bank (HSDB) from the National Library of Medicine  
 IARC Monographs  
 Other sources (please specify) \_\_\_\_\_  
 Not applicable

**49. What method(s) does your state currently use to calculate “noncarcinogenic” health risks and issue fish advisories for individuals who consume fish harvested from state waters?**

**(Please specify all current methods used)**

- EPA Fish Guidance Document
- FDA Action Levels
- Great Lakes Protocol
- Hazard Index calculations using risk assessment methodology (IRIS RfD)
- None
- Other approach (please specify) \_\_\_\_\_
- Not applicable

**50. What noncarcinogenic risk level (i.e., individual risk within an exposed population) does your state use to issue advisories and/or post waterbodies?**

- Hazard index (please specify if hazard index is >, =, or < 1) \_\_\_\_\_
- FDA action levels
- Other (please specify) \_\_\_\_\_
- Not applicable

**51. What source(s) does your state use to obtain potency factors (reference dose) to help calculate noncarcinogenic health risks? (Please check all that apply)**

- ATSDR Toxicological Profiles
- EPA Integrated Risk Information System (IRIS)
- EPA Health Effects Assessment Summary Table (HEAST)
- EPA Toxicology One-Liners Database (Office of Pesticide Programs)
- EPA Fish Guidance Document
- Great Lakes Protocol
- Hazardous Substance Data Bank (HSDB) from the National Library of Medicine
- Other sources (please specify) \_\_\_\_\_
- Not applicable

**52. Of all the fish advisories currently in effect in your jurisdiction, including those issued last year and in earlier years, what percentage were issued based on each of these methods?**

**(Please write down your best estimate of the percentage for each method)**

- \_\_\_\_\_ % of advisories now in effect were issued using risk assessment methods.
- \_\_\_\_\_ % of advisories now in effect were issued using FDA action levels.
- \_\_\_\_\_ % of advisories now in effect were issued using other methods specified in question 46 and 49.
- Not applicable

**53. Does your state or tribal agency have a plan to reevaluate data from sites where outdated assessment methods were used to issue fish advisories?**

- Yes     No     Not applicable

**54. Is your state currently re-evaluating the method or approach used to establish fish advisories?**

- Yes     No     Not applicable

**55. What default value does your state use in its risk assessments as a daily fish consumption rate for recreational fishers?**

- 6.5 g/day
- 12 g/day (the value EPA is currently recommending)
- 15 g/day
- 30 g/day
- Other consumption rates (please specify value in g/day) \_\_\_\_\_
- Not applicable



**56. What default value does your state use in its risk assessments as a daily fish consumption rate for subsistence fishers?**

- 6.5 g/day
- 15 g/day
- 30 g/day
- 87 g/day
- 124 g/day (the value EPA is currently recommending)
- Other consumption rates (please specify value in g/day)\_\_\_\_\_
- Not applicable

**57. What default value does your state use in its risk assessments as a daily fish consumption rate for children?**

- 2.0 g/day
- 4.0 g/day
- 6.5 g/day
- Other consumption rates (please specify value in g/day)\_\_\_\_\_
- Not applicable

**58. What default value does your state use for exposure duration in its cancer risk assessments?**

- 30 years
- 70 years
- 75 years (the value EPA is currently recommending).
- Other exposure duration (please specify value in years)\_\_\_\_\_
- Not applicable

**59. What default value does your state use to estimate life expectancy in its risk assessments?**

- 70 years
- 75 years
- 80 years
- Other life expectancy (please specify value in years)\_\_\_\_\_
- Not applicable

**60. Does your state recommend a meal frequency format or number of meals over time in its advisories (e.g., number of meals per month)?**

- Yes       No       Not applicable

**61. If your response to question 60 is yes, what assumption does your state make in its risk assessments about meal size or portion for adults? (Please specify all that apply)**

- 4 oz (114 g)
- 8 oz (227 g)
- 12 oz (341 g)
- 16 oz (454 g)
- Other (please specify value in grams)\_\_\_\_\_
- Not applicable

**62. If your response to question 60 is yes, what assumption does your state make in its risk assessments about meal size or portion for children? (Please specify all that apply)**

- 4 oz (114 g)
- 8 oz (227 g)
- 12 oz (341 g)
- Other (please specify value in grams)\_\_\_\_\_
- Not applicable

**63. What default value does your state use for body weight of an adult male consumer in its risk assessments?**

- 71 kg
- 70 kg
- 65 kg
- Other weight (please specify value in kg) \_\_\_\_\_
- Not applicable

**64. What default value does your state use for body weight of an adult female consumer (including pregnant women and nursing mothers) in its risk assessments?**

- 70 kg
- 65 kg
- 62 kg
- Other weight (please specify value in kg) \_\_\_\_\_
- Not applicable

**65. What default value does your state use for body weight of a child in its risk assessments?**

- 10 kg
- 14.5 kg
- 15.5 kg
- Other weight (please specify value in kg) \_\_\_\_\_
- Risk assessments not conducted for children
- Not applicable

**66. Please specify what age range or ranges your state uses to calculate risk with respect to children. (Please specify all age ranges used in your state's risk assessments for children.)**

- <1 year
- <6 years
- <7 years
- <12 years
- <15 years
- <18 years
- Other age ranges (please specify) \_\_\_\_\_
- Risk assessments not conducted for children
- Not applicable

**67. What assumption does your state make in its risk assessments about the amount of the pollutant absorbed by the body after ingestion (percent absorption by the gut) (e.g., in pharmacokinetic modeling)?**

- 100% for all pollutants
- 75% for all pollutants
- 50% for all pollutants
- Chemical-specific % based on available data
- Other (please specify) \_\_\_\_\_
- Not applicable

**68. Does your state use "contaminant reduction factors" in its risk calculations to account for contaminant losses of PCBs and other organochlorine pollutants from fish tissues during cleaning, preparation, and cooking of the fish?**

- Yes
- No
- Not applicable

**69. If yes, what are the pollutants and their associated contaminant reduction factors (% reduction in pollutant level resulting from cleaning, preparing, and cooking of fish) assumed by your state?**

- |                            |                                      |
|----------------------------|--------------------------------------|
| _____ % chlordane          | _____ % mercury                      |
| _____ % DDE                | _____ % mirex                        |
| _____ % DDT                | _____ % total PCBs                   |
| _____ % dieldrin           | _____ % toxaphene                    |
| _____ % heptachlor epoxide | _____ % other (please specify) _____ |
- Not applicable

**70. If contaminant reduction factors are used, what are their basis?**

- EPA Guidance Documents  
 Great Lakes Protocol  
 Scientific literature review  
 Conducted own research  
 Other (please specify) \_\_\_\_\_  
 Not applicable

**71. How does your state evaluate health risks for fish samples contaminated with multiple chemicals with the same human health endpoints (e.g., two organochlorine pesticides)?**

- Cumulative risk (add individual contaminant risks from each chemical together)  
 Calculate single contaminant risk based on the most conservative carcinogenic risk value  
 Either cumulative risk or single contaminant risk depending on the chemicals involved  
 Other method (please specify) \_\_\_\_\_  
 State does not evaluate health risks for multiple contaminants  
 Not applicable

**72. Regarding mercury, does your state assign different noncarcinogenic toxicity values to different populations (i.e., does the state use an RfD of  $1 \times 10^{-4}$  mg/k/day for women of child-bearing age and/or children versus using an RfD of  $3 \times 10^{-4}$  for adults in the general population)?**

- Yes     No     Not applicable

**73. What is the mercury toxicity value (i.e., RfD) used for each of the following populations?**

- \_\_\_\_\_ Adults in the general population  
\_\_\_\_\_ Women of childbearing age or nursing mothers  
\_\_\_\_\_ Children  
 Not applicable

**74. When your state receives method detection limits (MDLs) as the reportable concentration for contaminants from the laboratory, what value do you use for non-detects in your risk assessment?**

- Zero  
 Pollutant's MDL  
 Half the pollutant's MDL  
 Other value (please specify) \_\_\_\_\_  
 Maximum likelihood indicator  
 Not applicable

**75. Does your state screen for lead in its fish tissue samples?**

- Yes     No

**76. What assessment method do you use for lead since lead does not currently have an associated reference dose in IRIS? (Please specify assessment method used)**

- \_\_\_\_\_  
 Not applicable

## Targeting Fish Consumers

77. Are health risks being assessed in your state for target groups of people whose culinary habits may differ from the customs of the majority of Americans regarding meal preparation and consumption?  
 Yes       No       Not applicable
78. Has your state identified the primary waterbodies fished by these target population(s)?  
 Yes       No       Not applicable
79. Has your state made efforts to identify the fish species and the sizes of fish consumed by these target populations?  
 Yes       No       Not applicable
80. If yes, has your state used any of the following procedures to obtain information from these target populations? (Please check all that apply)  
 Local fish consumption surveys (creel surveys)  
 Fishing license surveys  
 Anecdotal information from populations of interest  
 Behavioral risk surveillance surveys funded by the Centers for Disease Control  
 Not applicable
81. Has your state altered its monitoring approach to address the needs of these target populations?  
 Yes       No       Not applicable
82. If your state has altered its monitoring approach to address the needs of these target populations, what actions have been taken? (Please check all that apply)  
 State has added stations in waterbodies where the targeted populations frequently fish  
 State has targeted species consumed by the target populations for residue analyses  
 Other actions (please specify) \_\_\_\_\_  
 Not applicable
83. If your state is not currently addressing the concerns of populations with a perceived higher risk, is there a plan to do so in the future?  
 Yes       No       Not applicable

## Risk Management

84. Who prepares risk assessments on behalf of your state or tribal fish advisory program? (Please check all that apply)  
 State or Tribal Environmental Agency/Department  
 State or Tribal Public Health Agency/Department  
 State or Tribal Fisheries Agency/Department  
 Consultant  
 University  
 Other (please specify) \_\_\_\_\_  
 Not applicable
85. Does your state or tribe have written procedures for evaluating the health risks associated with consumption of chemically-contaminated fish?  
 Yes       No       Not applicable

**86. Does your state or tribe have a group or committee that oversees the fish advisory program/processes?**

- Yes       No       Not applicable

**87. If the answer to question 86 is yes, what professional disciplines are represented on that committee?**

**(Please check all that apply)**

- Toxicology/epidemiology  
 Fisheries  
 Water pollution assessment/control  
 Hazardous waste management  
 Analytical chemist  
 Risk communication  
 Other disciplines (please specify) \_\_\_\_\_  
 Not applicable

**88. Who in your state or tribe makes the ultimate risk management decision to issue, modify, or rescind fish advisories?**

- Head of Environmental Agency/Department  
 Head of Public Health Agency/Department  
 Head of Fisheries Agency/Department  
 Governor's Office or Tribal Chief's/President's Office  
 Other (please specify) \_\_\_\_\_  
 Not applicable

## **Risk Communication Procedures**

**89. How often does your Agency revise the fish consumption advisory listings and release the information to the public? (Please check all that apply)**

- Annually; released on \_\_\_\_\_ (specify date: Day/Month)  
 Whenever data become available (on an as-needed basis)  
 Other schedules (please specify) \_\_\_\_\_  
 Not applicable

**90. Where can the public obtain copies of your agency's printed advisory materials?**

**(Please check all that apply)**

- Local public health departments  
 State public health departments  
 Other State agencies  
 Doctors' offices  
 Local businesses (e.g., hair styling salons)  
 Businesses that issue fishing licenses (e.g., bait and tackle shops)  
 WIC (Women, Infants, and Children) clinics  
 Welfare offices  
 Organizations (e.g., sporting or women's clubs)  
 Tourist offices  
 State fisheries offices  
 Tribal organizations  
 Town halls  
 Law enforcement officers  
 State Internet site  
 Other sources (please specify) \_\_\_\_\_  
 Not applicable

**91. How are your Agency's fish advisories communicated to the public?**

**(Please check all that apply)**

- Mailed to public upon request
- Press releases distributed to media sources
- Targeted newspaper stories
- Published articles in ethnic newspapers
- Videos for ethnic groups
- Radio announcements
- Television announcements
- Radio/television talk shows
- Internet site
- Agency telephone information service (i.e., hotlines)
- Agency magazine
- Posted signs (at boat launches, stream access points, public docks, etc.)
- Posted information where fishing licenses issued
- Posters in public places (libraries, town halls, etc)
- Annual fishing regulations booklet
- Generic statewide listing booklet separate from fishing regulations
- Printed pamphlets or fact sheets
- Information presented at public meetings
- Publication of articles in state medical journal
- Publication of articles in agency annual monitoring report
- Publication of information in state 305(b) report
- Flyers distributed with trout and salmon stamps
- GIS maps posted for tribal members
- Other methods (please specify) \_\_\_\_\_
- Not applicable

**92. Does your state or tribal fish advisory distribution plan specifically target some populations to receive advisory information?**

- Yes       No       Not applicable

**93. If yes, please identify all targeted populations.      (Please check all that apply)**

- Sport fishers
- Subsistence fishers
- Specific racial/ethnic groups (please specify) \_\_\_\_\_
- Women of child-bearing age
- Pregnant or nursing women
- New parents
- Tourists
- Members of the general population
- Others (please specify) \_\_\_\_\_
- Not applicable

**94. Are your state or tribal fish consumption advisories distributed to the public in languages other than English?**

- Yes       No       Not applicable

**95. If yes, please specify all languages that apply.**

- |   |  |
|---|--|
| <input type="checkbox"/> Alaskan native languages | <input type="checkbox"/> Llacano                       |
| <input type="checkbox"/> Bosnian                  | <input type="checkbox"/> Ojibwa                        |
| <input type="checkbox"/> Cambodian                | <input type="checkbox"/> Portugese                     |
| <input type="checkbox"/> Chinese                  | <input type="checkbox"/> Russian                       |
| <input type="checkbox"/> Creole                   | <input type="checkbox"/> Spanish                       |
| <input type="checkbox"/> Hmong                    | <input type="checkbox"/> Tagalog                       |
| <input type="checkbox"/> Japanese                 | <input type="checkbox"/> Thai                          |
| <input type="checkbox"/> Korean                   | <input type="checkbox"/> Vietnamese                    |
| <input type="checkbox"/> Laotian                  | <input type="checkbox"/> Others (please specify) _____ |
|   | <input type="checkbox"/> Not applicable                |

**96. Does your state or tribe evaluate the effectiveness of the fish consumption advisories?**

- Yes     No     Not applicable

**97. If yes, how is their effectiveness determined? (Please check all that apply)**

- Feedback form/postcard in regulation pamphlet
- Questions included in creel census program
- Questions included in state BRFS (Behavior Risk Factor Survey)
- Focus groups
- Mailed questionnaires (to whom?) \_\_\_\_\_
- Telephone surveys (of whom?) \_\_\_\_\_
- Other methods (please specify) \_\_\_\_\_
- Not applicable

**98. To your knowledge, have there been any studies in your state (including federal, tribal, and university-based studies) to evaluate human tissue contaminant levels (e.g., in blood, urine, breast milk, or adipose tissues) or adverse human health effects related to fish consumption?**

- Don't know
- No
- Yes (please specify organization or agency) \_\_\_\_\_
-