

EPA ICR No. 1710.06; OMB Control No. 2070-0151

ATTACHMENT 4

Copy of Consultations Message Sent by EPA to Potential Respondents

August 31, 2010

Information Collection Request
Public Consultations

Dear Potential Respondent:

The U.S. Environmental Protection Agency (EPA) is seeking your comments on the regulation set forth in 40 CFR 745, Subpart F and 24 CFR 35, Subpart H titled “Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property.”

The regulation requires sellers, lessors and their agents to (1) disclose all known lead-based paint (LBP) and LBP hazards to potential buyers and lessees before the selling or leasing of target (pre-1978) housing; (2) disclose any and all LBP and LBP hazard information such as LBP inspection reports, risk assessments, elevated blood lead level reports and other data; (3) provide purchasers and lessees with a federally-approved lead hazard information pamphlet such as “Protect Your Family From Lead in Your Home”; (4) provide purchasers with a 10 day opportunity to conduct a risk assessment or inspection for the presence of lead based paint and/or lead based paint hazards before the purchaser is obligated under any purchase contract; and (5) retain and maintain records of these disclosure activities for a minimum of 3 years. Further, the records must include the signed and dated disclosure forms and a list of available records and reports.

Because the regulation involves the collection of information from a large number of individuals, EPA is required to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for approval, and to renew the ICR every three years. EPA is currently in the process of renewing the ICR for the above-described regulation. A draft copy of the ICR renewal is attached hereto, and will also be published in the Federal Register sometime in the near future.

The requirements under this regulation directly impact the members of your organization. As such, EPA requests that you complete the attached questionnaire as thoroughly as possible to represent your organization’s viewpoint on what can be done to change or improve the process. The information you provide will have an impact on government efficiency. Please provide your answers to EPA by September 30, 2010. Thanks in advance for your assistance

Sincerely,

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Lead-Based Paint Disclosure Regulation ICR Renewal Questionnaire

Time and Cost Burden:

1. How much time does it take for you or your staff to distribute the lead hazard information pamphlet, and give the Lead-Based Paint and Lead-Based Paint Hazard reports to potential buyers and potential lessees?

2. Do you encounter a financial burden in acquiring, or printing/photocopying, or maintaining an inventory of lead hazard information pamphlets and copies of reports related to Lead-Based Paint and Lead-Based Paint Hazards?

a. If so, what is the financial burden to you?

3. Do you understand that you are required to maintain in your records for 3 years, copies of the acknowledgment forms/receipts, and lead related certifications that the buyers or lessees are required to receive?

4. How much time does it take for you or your staff to document and file acknowledgment forms/receipts, and lead related certifications?

5. Do you encounter a financial burden maintaining these acknowledgment forms/receipts, and lead related certifications, and copies of reports related of Lead-Based Paint and Lead-Based Paint Hazards?

a. If so, what is the financial burden to you?

6. How much time did it take you and your staff to understand your responsibilities and the actions which must occur before any sale or lease of target housing?

7. Do you have any other suggestions or comments on how to proceed with the disclosure of the information required above?

8. Do you have any comments on the updated burden analysis contained in the draft ICR Renewal?

Electronic Reporting and Recordkeeping:

9. Are you interested in using, or are you currently utilizing, electronic reporting/recordkeeping options?

10. Do you have any other suggestions or comments on the reporting and recordkeeping requirements?

In General:

11. Do you have any other comments or suggestions about the regulation in general?