

**EPA ICR No. 1715.13; OMB Control No. 2070-0155**

**ATTACHMENT 10**

**Copy of Consultations Message Sent by EPA to Potential Respondents**

Date: December 10, 2010

From: Christine Koester  
USEPA HQ/OPPT/NPCD

To: [Addressees]

Subject: Request for assistance; renewal of "TSCA Sections 402 and 404 Training and Certification, Accreditation and Standards for Lead Based Paint Activities and Renovation, Repair and Painting" ICR

The U.S. Environmental Protection Agency (EPA) seeks your comments on the regulation set forth in 40 CFR 745, Subparts E, L, and Q.

Sections 402(a) and 402(c)(3) of TSCA require EPA to develop and administer a training and certification program as well as work practice standards for persons who perform lead-based paint activities and/or renovations. The current regulations in 40 CFR part 745, subpart E, cover work practice standards, recordkeeping and reporting requirements, individual and firm certification, and enforcement for renovations done in target housing or child-occupied facilities. The current regulations in 40 CFR part 745, subpart L, cover inspections, lead hazard screens, risk assessments, and abatement activities (referred to as "lead based paint activities") done in target housing and child-occupied facilities. The current regulations in 40 CFR part 745, subpart Q, establish the requirements that State or Tribal programs must meet for authorization to administer the standards, regulations, or other requirements established under TSCA Section 402.

Because the regulation involves the potential 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.

If you have any comments in response to the attached questions, or with respect to any other part of the information collection, please respond by return e-mail by **February 10, 2011**. EPA will consider those responses, as well as any public comment received in response to the Federal Register Notice identified above, in preparing a final document for OMB review. Your timely response will be greatly appreciated.

Sincerely,

Christine J. Koester  
U.S. Environmental Protection Agency  
Office of Chemical Safety and Pollution Prevention  
Office of Pollution Prevention and Toxics  
Lead, Heavy Metals, and Inorganics Branch  
202-566-1468

EPA solicits your input on the following questions:

1. Are the data EPA seeks under this ICR available from any public source, or already collected by another EPA office or by another agency? If so, where can the data be found?

2. Is it clear what is required for data submission? If not, are there any suggestions for clarifying instructions?

a) Do firms and individuals understand that you must retain records for three years?

b) Do training providers understand that you must retain records for as long as the individual is certified for a period of three and a half years?

3. Currently, abatement and evaluation firms may apply online via CDX (Central Data Exchange). EPA will not share information provided via CDX with third parties.

a) If you are an abatement or evaluation firm, are you interested in using or are you currently using CDX to apply?

b) If you are a renovation, repair, and painting firm, an individual lead-based paint professional, or a training provider, would you be interested in using CDX to apply for certification?

4. For electronic submission, how should EPA handle signature requirements – Private Key Infrastructure, PINS and passwords, signed paper cover sheet?

5. Do you agree with EPA's estimated burden and costs (the ICR addresses only the costs associated with paperwork)? Are the Bureau of Labor Statistics (BLS) labor rates accurate? If you have any reason to consider the BLS labor rates as used by EPA inaccurate or inappropriate, explain your rationale.

6. Do you have any other comments concerning this Information Collection Request?