

**1 Supporting Statement for a Request for OMB Review under
The Paperwork Reduction Act**

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title and Number of the Information Collection

**Title: Lead-Based Paint Pre-Renovation Information Dissemination –
TSCA Sec. 406(b)**

EPA ICR No.: 1669.07 OMB Control No.: 2070-0158

1(b) Short Characterization

This information collection request (ICR) is a renewal of a currently approved ICR under the Paperwork Reduction Act (PRA)¹ that is scheduled to expire on April 30, 2015. Before submitting the ICR to the Office of Management Budget (OMB) for review and approval under the PRA, EPA must solicit public comments on the ICR and estimated burden pursuant to PRA section 3506(c)(2)(A) and 5 CFR 1320.8(d)(1).

Please note that this ICR is EXACTLY the same as the ICR that is currently approved, except for information at 3(b) and 3(c) below. The Agency has not made any changes to the ICR because there will be a separate parallel effort to consolidate the information collection activities and burden covered by this ICR with other related information collection activities and burden covered by two other ICRs. EPA is also working with OMB to review the format and presentations in the ICR. Given those efforts, this ICR renewal document will only be used to extend the existing approval to allow for the consolidated ICR to complete the PRA public review process prior to submission to OMB for review and approval under the PRA.

Section 406(b) of Title IV of the Toxic Substances Control Act (TSCA) (15 U.S.C. 2686) requires the U.S. Environmental Protection Agency (EPA) to promulgate regulations requiring certain persons who perform renovations of target housing for compensation to provide a lead hazard information pamphlet (developed under section 406(a) of TSCA) to the owner and occupant of such housing no more than 60-days prior to commencing the renovation. Section 401 of TSCA defines target housing as any housing constructed before 1978 except housing for the elderly or disabled or 0-bedroom dwellings. Those who fail to provide the pamphlet, as required, may be subject to both civil and criminal sanctions under section 16 of TSCA.

Pursuant to Title IV of TSCA, EPA promulgated regulations applicable to all renovations of target housing or child-occupied facilities (COFs) performed for compensation, except as otherwise specified, at 40 CFR part 745, subpart E. The regulations in 40 CFR part 745, subpart E, cover information distribution requirements, work practice standards, reporting requirements, and individual and firm certifications, among other things. This ICR amendment only addresses the information distribution requirements which require firms performing renovations to provide the owner and occupant of any residential dwelling unit or multi-unit housing with a lead hazard information pamphlet. After providing the pamphlet to the owner and occupant and obtaining

¹ [44 USC 3501 et seq.](#)

written acknowledgment, the firm performing the renovation must keep acknowledgment records on file for three years after completion of work.

The information distribution requirements found in 40 CFR part 745, subpart E, apply to any person who performs renovations in target housing or COFs for compensation. However, a designated representative (e.g., a landlord, rental property manager) may deliver the pamphlet and obtain the acknowledgment. When using a designated representative, the firm performing renovations remains responsible for compliance with the regulations (63 FR 29914; June 1, 1998). For purposes of this ICR, EPA assumes that all activities associated with distribution of the lead hazard information pamphlet are undertaken by renovation firms.

This ICR examines the respondent paperwork requirements and associated time and cost burden of the information distribution requirements at 40 CFR part 745, subpart E. Sections 1 through 5 of the ICR describe the paperwork requirements associated with the distribution of the lead hazard information pamphlet prior to commencing renovations of target housing or COFs for compensation. Section 6 estimates the annual time and cost burden to respondents in complying with these paperwork requirements.

Note that this ICR *does not* address time and cost burden to recipients of the lead hazard information pamphlet (i.e., owners and occupants of target housing or COFs) because the pamphlet is originally supplied by the federal government. Under 5 CFR 1320.3(c)(2), “the public disclosure of information originally supplied by the Federal government to the [respondent] for the purpose of disclosure to the public is not included” as a “collection of information.” In addition, because the acknowledgment of receipt obtained by the firm performing the renovation only involves “that burden necessary to identify the respondent, the date, the respondent’s address, and the nature of the instrument,” completion of the acknowledgment form by the owner and occupant of the target housing or COFs is not considered to be “information” under 5 CFR 1320.3(h)(1).

The following paragraphs describe the activities that firms performing renovations would take under the information distribution requirements at 40 CFR part 745, subpart E.

Exemption from Information Distribution Requirements

Under 40 CFR 745.82, firms performing renovations of target housing or COFs for compensation are not subject to the regulations in 40 CFR 745.84 if the renovation activities are limited to: (i) minor repair and maintenance activities (including minor electrical work and plumbing) that disrupt six square feet or less of painted surface per room for interior activities or twenty square feet or less of painted surface for exterior activities where no prohibited or restricted practices are used and where the work does not involve window replacement or demolition of painted surfaces; (ii) emergency renovation operations; (iii) renovations in target housing or COFs in which a written determination has been made by an inspector (certified pursuant to either federal regulations at 40 CFR 745.226 or a state or tribal certification program authorized pursuant to 40 CFR 745.324) that the components affected by the renovation are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or 0.5 percent by weight, where the firm has obtained a copy of the determination; or (iv) renovations in target housing or COFs in which a certified renovator, using

an EPA recognized test kit has tested each component affected by the renovation and determined that the components are free of paint or other surface coating containing lead equal to or in excess of 1.0 mg/cm² or 0.5% by weight.

Information Distribution Requirements for Renovations in Dwelling Units

Under 40 CFR 745.84(a), no more than 60 days before beginning renovation activities in any residential dwelling unit of target housing, firms performing renovations must provide the owner of the dwelling unit with the pamphlet, and must comply with the procedures specified at section 745.84(a)(1)(i) or (ii). In addition, if the owner does not occupy the dwelling unit, the renovation firm must provide an adult occupant of the unit with the pamphlet, and comply with the procedures specified at section 745.84(a)(2)(i) or (ii).

Information Distribution Requirements for Renovations in Common Areas

Under 40 CFR 745.84(b), no more than 60 days before beginning renovation activities in common areas of multi-unit target housing, the firm performing renovations must provide the owner of the multi-unit housing with the pamphlet, and comply with the procedures specified at section 745.84(b)(1)(i) or (ii)

In addition, the firm performing renovations must (i) notify in writing, or ensure written notification of, each affected unit and make the pamphlet available upon request prior to the start of renovation. Such notification shall be accomplished by distributing written notice to each affected unit. The notice shall describe the general nature and locations of the planned renovation activities; the expected starting and ending dates; and a statement of how the occupant can obtain the pamphlet and a copy of the records required by § 745.86(c) and (d), at no cost to the occupants, or (ii) While the renovation is ongoing, post informational signs describing the general nature and locations of the renovation and the anticipated completion date. These signs must be posted in areas where they are likely to be seen by the occupants of all of the affected units. The signs must be accompanied by a posted copy of the pamphlet or information on how interested occupants can review a copy of the pamphlet or obtain a copy from the renovation firm at no cost to occupants. The signs must also include information on how interested occupants can review a copy of the records required by § 745.86(c) and (d) or obtain a copy from the renovation firm at no cost to the occupants. (Section 745.84(b)(2)).

The firm performing renovations also must prepare, sign, and date a statement describing the steps performed to notify all occupants of the intended renovation activities and to provide the pamphlet (section 745.84(b)(3)). If the scope, locations, or expected starting and ending dates of the planned renovation activities change after the initial notification, the firm performing the renovation must provide further written notification to the owners and occupants providing revised information on the ongoing or planned activities. This subsequent notification must be provided before the firm performing the renovation initiates work beyond that which was described in the original notice (section 745.84(b)(4)).

Recordkeeping Requirements

Under 40 CFR 745.86(a), firms performing renovations must retain and, if requested, make available to EPA all records necessary to demonstrate compliance with the requirements of 40 CFR part 745, subpart E, for a period of three years following completion of the renovation activities in target housing or COFs.

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need and Authority for the Collection

Section 406(b) of TSCA requires EPA to promulgate regulations requiring certain persons who perform renovations of target housing for compensation to provide a lead hazard information pamphlet to the owner and occupant of such housing prior to commencing the renovation. Regulations promulgated under the authority of section 406(b) of TSCA ensure that owners and occupants of target housing are provided information concerning potential hazards of lead-based paint exposure before certain renovations are begun on that housing. The Agency believes that the distribution of the pamphlet will help to reduce the exposures that cause serious lead poisonings, especially in children under age six, who are particularly susceptible to the hazards of lead.

2(b) Practical Utility and Users of the Data

Owners and occupants of target housing and COFs must be provided with a lead hazard information pamphlet before any renovation commences. Information contained in the lead hazard information pamphlet may be used by owners and occupants of target housing and COFs to take appropriate precautions to avoid exposure to lead-contaminated dust and lead-based paint debris that are sometimes generated during renovations.

In addition, the recordkeeping requirements under 40 CFR part 745, subpart E, enable EPA, state and local regulators and the courts to determine initial compliance and monitor continued compliance with the provisions of section 406(b) of TSCA. The record of compliance could also serve as a crucial piece of information in civil actions to establish liability.

3. NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) Non-Duplication

EPA has determined that no other federal agency collection satisfies the statutory requirements of section 406(b) of TSCA.

3(b) Public Notice Required Prior to ICR Submission to OMB

1 In proposing to renew this ICR, EPA provided a 60-day public notice and comment period that ended on February 27, 2015 (79 FR 78084, December 29, 2014). EPA received no comments during the comment period.

3(c) Consultations

Under 5 CFR 1320.8(d)(1) OMB requires agencies to consult with potential ICR respondents and data users about specific aspects of ICRs before submitting an original or renewal ICR to OMB for review and approval. In accordance with this regulation, EPA pursued additional consultations with interested parties during the development of the renewal of this collection. Specifically, EPA contacted the following nine individuals:

Andrew J. McLellan
Environmental Education Associated
ajm@environmentaleducation.com

Kevin Gaul
Pella Windows
gaulkj@pella.com

Steve Heiteen
Portland Remodel
steve@portlandremodel.com

Mike Nagel
Men at Work Chicago
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Bob Hanbury
House of Hanbury Builders, Inc
bobh@houseofhanbury.com

Mark Mikkelson
Anderson Corp.
Mark.Mikkelson@AndersenCorp.com

Vince Butler
BBC Builders
vbutler@bbcbuilders.com

Kary S. Amin
NOVA Environmental, Inc.
kamin@nova-env.com

Tom Nunziata
Laborers' International Union
of North America (LIUNA)
Training & Education Fund
TNunziata@laborers-AGC.org

EPA received no responses to its solicitation for consultations. A copy of EPA's consultation e-mail to the above nine potential respondents is included in Attachment 4.

3(d) Effects of Less Frequent Collection

The information distribution requirements at 40 CFR part 745, subpart E, do not include any reporting requirements, only recordkeeping requirements. Therefore, a collection schedule is not applicable.

3(e) General Guidelines

This collection does not exceed any of the Paperwork Reduction Act guidelines at 5 CFR 1320.5.

3(f) Confidentiality

Since this ICR involves only recordkeeping and 3rd-party notifications, EPA does not believe that respondents submit any information to the Agency or that, in doing so, would assert a confidentiality claim for information collected under this ICR. However, to the extent information submitted by respondents is business confidential, procedures are in place to protect the information from improper disclosure consistent with section 14 of TSCA; 40 CFR part 2, subpart B; and 40 CFR 745.84.

3(g) Sensitive Questions

No questions of a sensitive nature are included in the information collection requirements associated with the distribution of the lead hazard information pamphlet.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) Respondents and NAICS Codes

The North American Industrial Classification System (NAICS) codes associated with industries most likely affected by the requirements covered in this ICR are described below:

NAICS Code	Industrial Sector
23321	Single Family Housing Construction
23322	Multifamily Housing Construction
23511	Plumbing, Heating, and Air-Conditioning Contractors
23521	Painting and Wall Covering Contractors
23531	Electrical Contractors
23541	Masonry and Stone Contractors
23542	Drywall, Plastering, Acoustical, and Insulation Contractors
23543	Tile, Marble, Terrazzo, and Mosaic Contractors
23551	Carpentry Contractors
23552	Floor Laying and Other Floor Contractors
23561	Roofing, Siding, and Sheet Metal Contractors
23571	Concrete Contractors
23581	Water Well Drilling Contractors
23591	Structural Steel Erection Contractors
23592	Glass and Glazing Contractors
23593	Excavation Contractors
23594	Wrecking and Demolition Contractors
23595	Building Equipment and Other Machinery Installation Contractors
23599	All Other Special Trade Contractors
53111	Lessors of Residential Buildings and Dwellings
53119	Lessors of Other Real Estate Property
53121	Offices of Real Estate Agents and Brokers
531311	Residential Property Managers
53132	Offices of Real Estate Appraisers
53139	Other Activities Related to Real Estate
611110	Elementary and Secondary Schools
624410	Child Day Care Services

4(b) Information Requested

In the following paragraphs, EPA describes the paperwork requirements associated with the distribution of the lead hazard information pamphlet.

Exemption from Information Distribution Requirements

Under 40 CFR 745.82, firms performing renovations of target housing or COFs for compensation are not subject to the regulations in 40 CFR 745.84 if the renovation activities are limited to: (i) minor repair and maintenance activities (including minor electrical work and plumbing) that disrupt six square feet or less of painted surface per room for interior activities or twenty square feet or less of painted surface for exterior activities where no prohibited or restricted practices are used and where the work does not involve window replacement or demolition of painted surfaces; (ii) emergency renovation operations; (iii) renovations in target housing or COFs in which a written determination has been made by an inspector (certified pursuant to either federal regulations at 40 CFR 745.226 or a state or tribal certification program authorized pursuant to 40 CFR 745.324) that the components affected by the renovation are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or 0.5 percent by weight, where the renovator has obtained a copy of the determination; or (iv) renovations in target housing or COFs in which a certified renovator, using an EPA recognized test kit has tested each component affected by the renovation and determined that the components are free of paint or other surface coating containing lead equal to or in excess of 1.0 mg/cm² or 0.5% by weight.

(i) Data Items:

- Written determination by an inspector (certified pursuant to either federal regulations at 40 CFR 745.226 or a state or tribal certification program authorized pursuant to 40 CFR 745.324) that the components affected by the renovation are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or 0.5 percent by weight.

(ii) Respondent Activity:

- The firm performing renovations of target housing or COFs for compensation may be exempt from the regulations in 40 CFR part 745, subpart E by obtaining copy of a determination made by a certified inspector that the components affected by the renovation are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or 0.5 percent by weight.

Information Distribution Requirements for Renovation in Dwelling Units

Under 40 CFR 745.84(a), no more than 60 days before beginning renovation activities in any residential dwelling unit of target housing, the firm performing renovations must provide the owner of the dwelling unit with the pamphlet, and must comply with the procedures specified at section 745.84(a)(1)(i) or (ii). In addition, if the owner does not occupy the dwelling unit, the firm performing renovations must provide an adult occupant of the unit with the pamphlet, and comply with the procedures specified at section 745.84(a)(2)(i) or (ii).

(i) Data Items:

- Lead hazard information pamphlet; and

- Documentation providing proof that the pamphlet was provided to the owner and occupant of the target housing or that an attempt was made to provide the pamphlet to the owner and occupant of the target housing (e.g., collect signed acknowledgment form, provide self-certification for failed deliveries, and document mailing the information).

(ii) Respondent Activities:

A firm planning to conduct renovations in any residential dwelling unit must:

- Prepare acknowledgment and certification forms;
- Provide the owner of the unit with the pamphlet and obtain proof that the pamphlet was provided to the owner of the target housing by:
 - Obtaining, from the owner, a written acknowledgment that the owner has received the pamphlet (section 745.84(a)(1)(i)); or
 - Obtaining a certificate of mailing at least seven days prior to the renovation (section 745.84(a)(1)(ii)).

In addition, if the owner does not occupy the dwelling unit, the firm performing renovations also must:

- Provide an adult occupant of the unit with the pamphlet and obtain proof that the pamphlet was provided to the occupant of the target housing by:
 - Obtaining, from the adult occupant, a written acknowledgment that the occupant has received the pamphlet (section 745.84(a)(2)(i)); or
 - Certifying in writing that a pamphlet has been delivered to the dwelling and that the firm performing renovations has been unsuccessful in obtaining a written acknowledgment from an adult occupant (section 745.84(a)(2)(i)); or
 - Obtaining a certificate of mailing at least seven days prior to the renovation (section 745.84(a)(2)(ii)).

Information Distribution Requirements for Renovations in Common Areas

Under 40 CFR 745.84(b), no more than 60 days before beginning renovation activities in common areas of multi-unit housing, the firm performing renovations must provide the owner of the multi-unit housing with a lead hazard information pamphlet, and comply with the procedures specified at section 745.84(b)(1)(i) or (ii). In addition, the firm performing renovations must notify in writing, or ensure written notification of, each affected unit and make the pamphlet available upon request prior to the start of the renovation. Such notification shall be accomplished by distributing written notice to each affected unit (section 745.84(b)(2)). Finally, the firm performing renovations must prepare, sign, and date a statement describing the steps

performed to notify all occupants of the intended renovation activities and to provide the pamphlet (section 745.84(b)(3)).

(i) Data Items:

- Lead hazard information pamphlet;
- Notice describing the general nature and locations of the planned renovation activities; the expected starting and ending dates; and a statement of how the occupant can obtain the pamphlet, at no charge, from the firm; and
- Statement describing the steps performed to notify all occupants of the intended renovation activities and to provide the pamphlet.

(ii) Respondent Activities:

A firm performing renovations planning to conduct renovations in common areas of multi-unit housing must:

- Prepare acknowledgment and certification forms;
- Provide the owner of the multi-unit target housing with the pamphlet and obtain proof that the pamphlet was provided to the owner of the target housing by:
 - Obtaining, from the owner, a written acknowledgment that the owner has received the pamphlet (section 745.84(b)(1)(i)); or
 - Obtaining a certificate of mailing at least seven days prior to the renovation (section 745.84(b)(1)(ii));
- Notify in writing, or ensure written notification of, each affected unit of the multi-unit housing and make the pamphlet available upon request no more than 60-days prior to the start of the renovation;
- Prepare, sign, and date a statement describing the steps performed to notify all occupants of the intended renovation activities and to provide the pamphlet (section 745.84(b)(3)); and
- If the scope, locations, or expected starting and ending dates of the planned renovation activities change after the initial notification, provide further written notification to the owners and occupants providing revised information on the ongoing or planned activities (section 745.84(b)(4)).

Recordkeeping Requirements

Under 40 CFR 745.86(a), firms performing renovations must retain and, if requested, make available to EPA all records necessary to demonstrate compliance with the requirements of

40 CFR part 745, subpart E, for a period of three years following completion of the renovation activities in target housing.

(i) Data Items:

Records that must be retained pursuant to section 745.86 include, where applicable:

- Reports certifying that a determination has been made by an inspector that lead-based paint is not present on the components affected by the renovation, as described in section 745.82(a);
- Signed and dated acknowledgments of receipt as described in sections 745.84(a)(1)(i), (a)(2)(i), (b)(1)(i) (c)(i)(A) and (c)(1)(ii)(A).;
- Certifications of attempted delivery as described in section 745.84(a)(2)(i) and (c)(1)(ii)(A);
- Certificates of mailing as described in sections 745.84(a)(1)(ii), (a)(2)(ii), (b)(1)(ii), (c)(1)(i)(B), and (c)(1)(ii)(B); and;
- Records of notification activities performed regarding common area renovations, as described in sections 745.84(b)(3) and (b)(4) .

(ii) Respondent Activities:

Firms performing renovations must maintain records to demonstrate compliance with the requirements of 40 CFR part 745, subpart E, for a period of three years following completion of the renovation.

5. THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) Agency Activities

There are no Agency activities associated with the distribution of lead hazard information pamphlets to owners and occupants of target housing and COFs prior to commencing renovations for compensation.

5(b) Collection Methodology and Management

There are no Agency activities associated with the distribution of the lead hazard information pamphlet to owners and occupants of target housing and COFs prior to commencing renovations for compensation. However, under the provisions of 40 CFR 745.87, EPA may conduct inspections and issue subpoenas pursuant to the provisions of TSCA section 11 (15 U.S.C. 2610) to ensure compliance with 40 CFR part 745, subpart E.

5(c) Small Entity Flexibility

In promulgating the regulations at 40 CFR part 745, subpart E, EPA attempted to minimize the reporting and recordkeeping burden for both large and small regulated entities. While small businesses constitute the majority of affected entities, hour and cost burden imposed by the regulations is not considered to be of sufficient magnitude to have significant economic impacts on such establishments.

5(d) Collection Schedule

The information distribution requirements at 40 CFR part 745, subpart E, do not include any reporting requirements, only recordkeeping requirements. Therefore, a collection schedule is not applicable.

6. ESTIMATING BURDEN AND COST OF THE COLLECTION

This section estimates the incremental burden of reporting and recordkeeping for the requirements under TSCA section 406(b). Estimates for the time (i.e., burden hours) incurred by respondents in complying with the reporting and recordkeeping requirements were based on conversations with renovation contractors, building trades groups, and rental property owners and managers, as reflected in the supporting statement for the 2008 renewal of this ICR (EPA ICR No. 1669.05). The estimates of the number of entities subject to the rule's requirements are based on information in the ICR supporting statement *Final Rule Addendum to an Existing EPA ICR Entitled: TSCA Sections 402/404 Training and Certification, Accreditation, and Standards for Lead-Based Paint Activities* (EPA ICR No. 1715.10, OMB 2070-0155), the *Economic Analysis for the TSCA Lead Renovation, Repair and Painting (RRP) Program, Final Rule for Target Housing and Child-Occupied Facilities* (EPA 2008), also referred to as the Economic Analysis for the RRP rule, and the *Economic Analysis for the TSCA Lead Renovation, Repair and Painting Program Opt-Out and Recordkeeping Final Rule for Target Housing and Child-Occupied Facilities* (EPA 2010), also referred to as the Economic Analysis for the Opt-out rule.

6(a) Estimating Respondent Burden

This ICR presents the estimated annual burden and associated annual costs for the following information collection components of the pre-renovation information dissemination program:

- Prepare Information – Firms performing renovations, including property managers of rental housing or COFs doing their own renovations, must obtain the required pamphlet, prepare the required acknowledgment/certification form, and prepare the required notification of renovation activities in the common areas of multi-unit target housing or in COFs. Firms performing renovations, including owner/managers, are also required to prepare, sign, and date a statement describing the steps performed to notify occupants of the intended renovation activities.

- Provide Information – Firms performing renovations, including owner/managers of rental housing or COFs doing their own renovations, must provide the owner/occupant with a copy of the pamphlet and document receipt of the pamphlet by having the owner/occupant sign the acknowledgment. In the case of the notification, firms performing renovations, including owner/managers, must provide notification for renovation activities in common areas of multi-unit target housing or in COFs.
- Maintain Records – Firms performing renovations, including owner/managers of rental housing doing their own renovations, must retain the documentation of distribution, e.g., certification by owner/occupant.

The pre-renovation education requirements do not apply to events where a test kit indicates that lead-based paint is not present. Therefore, it is assumed that pre-renovation education costs are only incurred for events where lead-safe work practices (LSWP) are used. The number of LSWP events performed was calculated using the approach described in detail in the cost chapters of the economic analyses for the RRP rule (EPA 2008) and the Opt-out rule (EPA 2010). However, unlike in the economic analyses, this ICR renewal analysis is calculated based on a 43 percent average false positive rate for EPA approved test kits for lead-based paint. The 43 percent false positive rate assumes that the test kit market will be split evenly between currently approved kits that have a false positive rate averaging 22 percent and those that have a 63 percent average false positive rate. If EPA recognizes test kits that meet the false positive response criteria at 40 CFR 745.88 during the three year period covered by this ICR, the number of responses (and thus the total estimated respondent burden and cost) will be less than estimated in this renewal ICR. Thus, the burden and cost calculations in this ICR analysis may represent conservative estimates.

For the ICR burden analysis, the average number of responses per respondent for each category of respondents and activities was estimated by dividing the total number of annual responses in that activity (derived by adjusting the estimates in the previous economic analyses) by the total number of respondents.

Specific steps required to comply with the pre-renovation education requirements are affected by such factors as whether the renovation is performed in an owner-occupied building or a rental building, and whether the work is performed by a contractor or by in-house staff. Therefore, the ICR burden analysis is calculated separately for each of these scenarios. The analysis begins by discussing the number of renovation events in target housing where pre-renovation education is required, followed by a discussion of renovation events in COFs.

(i) Events Taking Place in Target Housing

There are 278,183 respondents (i.e., renovators and rental property managers) estimated to work in target housing during the three year period covered by this ICR. This represents 167,669 renovation firms and property managers estimated to work in target housing regulated by the 2008 RRP rule and an additional 110,514 renovation firms estimated to work in target housing regulated by the 2010 Opt-out rule.

The pre-renovation education requirements do not apply to events where a test kit indicates that lead-based paint is not present. Therefore, it is assumed that pre-renovation education costs are only incurred for renovation events where LSWP are used. The number of LSWP events performed by landlords and contractors in owner-occupied and rental target housing was calculated based on the approach described in detail in the cost chapters of the economic analyses for the RRP rule (EPA 2008) and the Opt-out rule (EPA 2010).

This approach estimates an average of 905,610 LSWP renovation events in owner-occupied housing as a result of the 2008 RRP rule and 4,463,986 LSWP renovation events as a result of the 2010 Opt-out rule, for a total three-year average of 5,369,596 renovation events per year in owner-occupied target housing.

The rule's requirements in rental housing differ depending on whether the renovation occurs in an occupied unit, an unoccupied unit, or a common area shared by tenants in multi-unit housing.² Renovation events occurring in occupied rental units require firms performing renovations to prepare acknowledgment forms for, distribute pamphlets to, and obtain acknowledgments from, both the owner and the tenant of the unit. On the other hand, when renovation events take place in unoccupied units or common areas, these activities (prepare certification form, distribute pamphlet, and obtain acknowledgment) apply only to owners of the unit. For occupants affected by common area renovations, firms performing renovations are required to ensure written notification of the intended renovation activity and, if requested, make the pamphlet available to any tenants making such a request. The firm performing renovation must also document this disclosure activity by preparing a written statement describing the steps performed to notify all occupants of the intended renovation activities. This ICR analysis assumes property owners will post a single copy of the pamphlet in affected common areas, thereby making the information available to any interested tenants.

The Regulatory Impact Analysis for the TSCA section 406(b) rule concluded that most renovation activities occur while the unit is vacant in between tenants.³ EPA assumes that only one-fourth of the renovations in rental property will occur while the unit is occupied. When applied to the estimate that there are an average of 5,789,495 LSWP renovations per year in rental target housing, this results in an estimate that the notification provisions of the TSCA section 406(b) rule will apply to 1,447,374 renovations per year in occupied rental units and 4,342,121 renovations per year in vacant units and in common areas.

As shown in Exhibit 6.1, there are on average 11,159,091 LSWP events per year in target housing affected by the rule.

² Common areas are portions of a building generally accessible to all occupants, including – but not limited to – hallways, stairways, laundry rooms, recreational rooms, playgrounds, and community centers.

³ *Regulatory Impact Analysis of Lead-Based Paint Hazard Disclosure Regulation for Residential Renovation*, U.S. Environmental Protection Agency, April 1998.

Exhibit 6.1: Summary of Renovation Events in Target Housing

	Year 1	Year 2	Year 3	Average
Owner-Occupied Target Housing				
Regulated under the 2008 RRP rule	909,333	905,605	901,892	905,610
Regulated under the 2010 Opt-out rule	4,482,338	4,463,961	4,445,658	4,463,986
<i>Subtotal – Owner-Occupied Events</i>	<i>5,391,671</i>	<i>5,369,566</i>	<i>5,347,550</i>	<i>5,369,596</i>
Rental Target Housing				
Occupied Units	1,453,324	1,447,366	1,441,431	1,447,374
Vacant Units and Common Areas	4,359,972	4,342,096	4,324,294	4,342,121
<i>Subtotal – Rental Events</i>	<i>5,813,296</i>	<i>5,789,462</i>	<i>5,765,725</i>	<i>5,789,495</i>
Total Events	11,204,967	11,159,028	11,113,275	11,159,091

Sources: Economic Analysis for the 2008 RRP rule; Economic Analysis for the 2010 Opt-out rule

Exhibit 6.2 shows the three-year average annual number of respondents and number of responses by type for the pre-renovation education requirements in target housing.

Exhibit 6.2: Average Annual Number of Pre-Renovation Education Respondents and Responses for Renovation Work in Target Housing

	Number of Small Respondents	Number of Respondents	Number of Responses
Owner-Occupied Events	276,119	278,183	5,369,596
Rental Events in Occupied Units	276,119	278,183	1,447,374
Rental Events in Vacant Units and Common Areas	276,119	278,183	4,342,121
Total	276,119	278,183	11,159,091

Sources: Economic Analysis for the RRP rule (EPA 2008); Economic Analysis for the Opt-out rule (EPA 2010).

(ii) Events Taking Place in Public or Commercial Building COFs

In addition to the change in target housing renovation events, this ICR includes burden and material cost estimates related to renovations taking place in public or commercial building COFs. The 2008 RRP rule extended the pre-renovation information dissemination requirements to renovation projects performed by contractors or landlords in public or commercial building COFs. (The burden estimates for these entities relating to the pre-renovation education requirements of the 2008 RRP rule were previously included in ICR 1715.10, but are now being included in this ICR so that all of the pre-renovation information dissemination requirements under TSCA section 406(b) are accounted for in a single ICR). This analysis assumes that contractors will work both in COFs that rent space, and in those that own space. Landlords will only work in the buildings that they own.

Since the pre-renovation education requirements do not apply to events where a test kit indicates that lead-based paint is not present, pre-renovation education costs are only incurred for events where LSWP are used. The number of LSWP events performed by landlords and contractors in COFs was calculated using the approach described in detail in section 4.4 of the Economic Analysis for the RRP rule (EPA 2008). The analysis described in section 4.4

estimated the percentage of events (by event and facility type) performed by landlords, contractors, and by the staff of COFs themselves, and the results are presented in Table 4-91 (EPA 2008). This ICR analysis applies the percentages in Table 4-91 to the numbers of LSWP events performed in each type of COF (see section 4.4 of Chapter 4 in EPA 2008) to estimate the number of events where contractors and landlords will need to distribute pamphlet(s) and obtain proof of pamphlet receipt prior to beginning renovation work.

(A) Number of COF Landlord Firms and Events

Landlords are required to comply with the pre-renovation education rule during each LSWP event they perform. Exhibit 6.3 presents the number of lessor/manager firms renting space to COFs and the numbers of LSWP events performed by these firms each year during the first three years of the rule. There were on average 13,170 non-residential property manager or lessor firms estimated to rent space to COFs annually during the reporting period, and they perform an average of 4,341 LSWP events per year.

Exhibit 6.3: Number of Non-Residential Property Manager Firms and LSWP Events They Perform

	Year 1	Year 2	Year 3	Average
Number of Lessor/Manager Firms	13,224	13,170	13,116	13,170
Number of LSWP Events Performed	4,359	4,341	4,323	4,341
Source(s): Economic Analysis for the RRP rule (EPA 2008).				

(B) Number of COF Contractor Firms and Events

The number of LSWP events performed by contractors in public or commercial building COFs was estimated by applying the percentages of all RRP events performed by contractors in schools and daycare centers to the total number of LSWP events performed in these buildings in a given year. These estimates are based on the number of events calculated for the Economic Analysis for the RRP rule (EPA 2008). Section 4.4 of the Economic Analysis for the RRP rule (EPA 2008) presents the estimated percentages of RRP events, by event and facility type, performed by landlords, contractors, and by the COFs themselves.

Exhibit 6.4 presents the number of events performed by contractors in the first, second, and third years of the rule in schools, in daycare centers that own their space and in daycare centers that rent their space.⁴ Exhibit 6.5 presents the number of contractor firms performing work in public or commercial building COFs, and the total number of those events. It is estimated that an annual average of 3,197 contractor firms will perform renovations in public or commercial building COFs that require LSWP. These contractors will perform an annual average of 115,721 renovation events that require LSWP in public or commercial building COFs.

⁴As discussed in detail in section 4.4 of the Economic Analysis for the RRP rule (EPA 2008), public schools, private schools with more than 100 students, landlords that rent space to daycare centers in public or commercial buildings, and daycare centers in religious or other non-profit establishments are expected to perform all of their own painting and window/door projects, as well as one unscheduled maintenance event per building every year. Contractors are expected to perform all electric and plumbing/HVAC, as well as all remaining unscheduled maintenance projects in these COFs. Furthermore, contractors are expected to perform all RRP projects in private schools with less than 100 students, and in daycare centers that own their buildings.

Exhibit 6.4: Number of Contractor LSWP Events by COF Type

Type of COF	Number of Events Performed by Contractors			
	Year 1	Year 2	Year 3	Average
Public and Private Schools ^a	93,561	93,178	92,795	93,178
Daycare Centers that Own their Space ^b	16,395	16,328	16,261	16,328
<i>Sub-total in Owner-Occupied COFs</i>	<i>109,956</i>	<i>109,506</i>	<i>109,056</i>	<i>109,506</i>
Daycare Centers that Rent their Space ^c	6,241	6,215	6,189	6,215
<i>Sub-total in COFs that Rent Space</i>	<i>6,241</i>	<i>6,215</i>	<i>6,189</i>	<i>6,215</i>
Total Events	116,197	115,721	115,245	115,721

Notes:

- a. All schools are assumed to own their buildings.
- b. The number of events in daycare centers that own their space is calculated as the difference between the number of contractor events in all daycare centers and the number of events in daycare centers that rent their space. See section 4.4 of the Economic Analysis for the RRP rule (EPA 2008).
- c. The number of centers renting space was estimated using data from DOE's Commercial Building Energy Consumption Survey (CBECS). HUD data was used to determine the percentages of work being contracted out. See section 4.4 of the Economic Analysis for the RRP rule (EPA 2008).

Sources: Economic Analysis for the RRP rule (EPA 2008).

Exhibit 6.5: Number of Non-Residential Contractor Firms and LSWP Events They Perform in COFs

	Year 1	Year 2	Year 3	Average
Number of Contractor Firms	3,210	3,197	3,183	3,197
Number of LSWP Events Performed	116,197	115,721	115,245	115,721
Source(s): Economic Analysis for the RRP rule (EPA 2008).				

(C) Number of COF Renovation Events Performed In-House by Daycare Centers and Schools

In addition to events performed by landlords and contractors, daycare centers and schools are expected to perform some renovation events using in-house staff. These entities are assumed to comply with the rule by posting informational signs describing the general nature and locations of the project, the anticipated completion date, and a copy of the lead safety pamphlet in a location accessible to parents and guardians. Exhibit 6.6 presents the number of daycare centers and schools, and the number of in-house events they perform.

Exhibit 6.6: Number of Entities and Events for Daycare Centers and Schools Performing In-House Work

	Year 1	Year 2	Year 3	Average
Number of Daycare Centers and Schools	26,062	25,954	25,847	25,954
Number of LSWP Events Performed	61,747	61,494	61,241	61,494
Source(s): Economic Analysis for the RRP rule (EPA 2008).				

Exhibit 6.7 shows the three-year average annual number of respondents to the pre-renovation education requirements in public or commercial building COFs. Landlords and contractors working in public or commercial building COFs that own their buildings comprise a single category, as both must notify only the COF operator. Contractors working in COFs that

rent their space constitute a second category, as they must notify both the COF operator and the owner of the building. The same set of contractors performs work in both renter- and owner-occupied COFs; therefore, the 3,197 contractors performing work in renter COFs are included in both categories. Daycare centers and schools performing renovations using in-house staff make up the third group, as they are only required to post informational signs (including the lead safety pamphlet) that are accessible to parents and guardians.

Exhibit 6.7: Average Annual Number of Pre-Renovation Education Respondents and Responses for Renovation Work in COFs

	Number of Small Respondents	Number of Respondents	Number of Responses
Landlords working in renter COFs and Contractors working in owner COFs (Private Entities)	15,242	16,367	113,847
Contractors working in renter COFs (Private Entities)	3,137	3,197	6,215
Daycare Centers and Schools Performing Own Renovations			
• Private Entities	18,236	18,236	25,212
• State/Local Governments	7,138	7,718	36,282

Sources: Economic Analysis for the RRP rule (EPA 2008).

(D) *Total Number of Respondents and Responses*

The total number of respondents and responses are shown in Exhibit 6.8 and Exhibit 6.9. This represents a decrease in the estimated number of respondents and responses compared to the previously approved ICR.⁵ The reason for the decrease is that the approach for calculating the number of target housing renovation events has been updated to reflect a more recent methodology which was used in the economic analysis of the 2008 RRP rule.⁶

Exhibit 6.8: Total Respondents

Type of Respondent	Year 1	Year 2	Year 3	Average
Contractors and rental property managers working in Target Housing	279,327	278,182	277,041	278,183
Landlords working in COFs	13,224	13,170	13,116	13,170
Contractors working in COFs	3,210	3,197	3,183	3,197
Daycare Centers and Schools Performing Own Renovations	26,062	25,954	25,847	25,954
Total	321,823	320,503	319,187	320,504

⁵ The previous ICR estimated that there would be 17,754,180 renovation events per year subject to 406(b) requirements.

⁶ *Economic Analysis for the TSCA Lead Renovation, Repair, and Painting Program Final Rule for Target Housing and Child-Occupied Facilities*, U.S. Environmental Protection Agency, March 2008.

Exhibit 6.9: Total Responses

Renovation Events	Year 1	Year 2	Year 3	Average
Target Housing	11,204,967	11,159,028	11,113,275	11,159,090
COFs – Landlord Firms	4,359	4,341	4,323	4,341
COFs – Contractor Firms	116,197	115,721	115,245	115,721
COFs –Daycare Centers & Schools	61,747	61,494	61,241	61,494
Total	11,387,270	11,340,584	11,294,084	11,340,646

(iii) Respondent Burden Related to Pre-Renovation Education

The burden from the activities covered by this ICR involves the time for preparing and providing the information needed to perform the disclosure activities in conjunction with the renovation of target housing, and public or commercial building COFs as specified by the rule. In essence, this includes the following activities:

- Preparing written acknowledgment/certification;
- Preparing and delivering the pamphlet to individual owner-occupants, owners of all rental units, and occupants of target housing rental units where an occupied unit is being renovated;
- Obtaining acknowledgment/certification of the delivered pamphlet;
- Preparing and posting the notification for common area activities, or for COFs; and
- Preparing a statement describing the steps performed to notify all occupants of common areas of the intended renovation.

Prior versions of the TSCA section 406(b) ICR included start-up burden for new respondents to read and learn the pre-renovation information dissemination requirements. Because those requirements are now discussed as part of the certified renovator training (which was created after the previous version of this ICR was approved), the start-up burden is no longer included in this ICR.

(A) Target Housing Event Burden

In this transaction, the renovator/manager must prepare the appropriate document, make sufficient copies, distribute the information, and obtain the acknowledgments or prepare a certification of the delivery failure. Since the burden per event is likely to vary greatly, dependent upon such highly variable factors as the method of delivery chosen, the frequency of this activity for the individual manager or renovator, the number of events, experience, and individual efficiencies, EPA has attempted to make the analysis more straightforward by making some simplifying assumptions. The time estimates are based on conversations with renovation contractors, building trade groups, and rental property owners and managers.

EPA assumed that a written acknowledgement will be prepared for 100% of the renovations in owner occupied target housing (5,369,596 renovations), and 25% of the renovations in rental target housing taking place in occupied units (or 1,447,374 renovations). In addition, a written acknowledgment will be prepared for 100% of the owners of rental target housing units (5,789,494 renovations).

This analysis estimates the burden per event of preparing acknowledgement and certification forms, distributing pamphlets, and obtaining proof of pamphlet receipt based on the supporting statement for the previous version of this ICR – EPA ICR No. 1669.05 (2008) – with some modifications. The current ICR estimates that contractors or landlords will need an average of two minutes to prepare a set of acknowledgement and certification forms; two minutes to photocopy the pamphlet; and two minutes to deliver the pamphlet and obtain proof of pamphlet receipt from each individual involved. The burden of preparing the lead hazard pamphlet is a new estimate that was not included as a separate line item in the previous ICR.

The current ICR estimates that contractors or landlords will need five minutes to file all of the signed acknowledgement forms or mailing certificates. For renovation events in common areas, these 5 minutes represent the burden for preparing, signing, and dating a statement of notification. (The previous ICR accounted for these two activities separately.) Common area renovations are discussed in more detail below.

The renovator/manager is also required to distribute the pamphlet and obtain acknowledgments from all target housing owner occupants (5,369,596), all owners of rental housing units (5,789,494), and occupants of rental target housing units where occupied units are renovated (1,447,374). The pre-renovation education requirements provide flexibility to the renovator/manager for their distribution of the pamphlet or notification. Since the renovator/manager will already visit the site on more than one occasion to complete the contract transaction, evaluate the site for estimation purposes, deliver material and the like, EPA believes personal delivery, i.e., distribution of the pamphlet or notification, is likely to be combined with one of these other activities. Since the manager/renovator must obtain the acknowledgment from the recipient when the information is provided, or certify that the information was made available and acknowledgment was refused, this activity will also occur at this time. EPA estimates this transaction may take less than 1 minute, and no more than 4 minutes; EPA estimated the burden to be 2 minutes per event (0.033 hours) in order to calculate the total burden for the ICR.

For the sake of simplicity, EPA calculated the burden for all written acknowledgments based on the time to prepare the document for the first event, although subsequent events will involve copying the document for distribution, which takes less time. Similarly, EPA assumed that 100 percent of the renovation activities in rental housing will involve the notification of the owner, even though in some cases the renovations will be conducted by the rental owner's staff. All of these assumptions are consistent with those used in the original RIA for this rule and with the previous ICR analyses.

There will be some instances when the manager/renovator will need to provide a self-certification for failed deliveries, resulting in additional burden. EPA believes that the other assumptions in the analysis (including the simplifying assumptions described above) are sufficiently conservative to offset any added burden associated with failed deliveries, so that no additional burden need be estimated to cover these circumstances. Consequently, the calculations in this analysis assume that all recipients will provide the acknowledgment.

Renovation activities taking place in the common area also require the firm performing renovations to provide occupants with general information about the renovation project and

access to the lead hazard information pamphlet. In addition, the firm performing renovations must prepare a statement describing the steps performed to notify each occupant of the intended renovation. EPA assumes that all renovators working in common areas will post a single copy of the pamphlet and a job-specific information sheet. For this requirement, EPA is assuming a time estimate of five minutes per event to prepare and post the information and pamphlet. As described above, the time to prepare, sign, and file the statement of notification is included in the five minutes attributed to filing the acknowledgment of pamphlet delivery to the owner of the affected property.

Exhibit 6.10 presents the per-event burden associated with pre-renovation education incurred by contractors and landlords performing work in owner-occupied and rental target housing units.

Exhibit 6.10: Burden Estimates for Target Housing Renovations by Event and Task (in hours)

Activity	Burden Hours by Type of Event					
	Owner-Occupied Events		Rental Events – Occupied Units		Rental Events – Vacant Units & Common Areas	
	Number of Activities per event	Burden per event	Number of Activities per event	Burden per event	Number of Activities per event	Burden per event
Photocopy/Print Pamphlet	1	0.033	2	0.066	1	0.033
Preparing Acknowledgement Sheet	1	0.033	2	0.066	1	0.033
Distribution of Pamphlet to Owners/Occupants	1	0.033	2	0.066	1	0.033
Filing and Retaining Acknowledgement and Steps Taken for Common Area Notification	1	0.083	1	0.083	1	0.083
Other Activities for Common Area/Unoccupied Events						
Prepare/Post Pamphlet and Job-Specific Information	-	-	-	-	1	0.083
Total		0.182		0.281		0.265

Note(s): Values rounded to 3 decimal places.

The rule requires the firm performing renovations to prepare and distribute pamphlets to the owner of the affected property. In addition, the firm performing renovations is required to distribute pamphlets to the tenants of the rental properties (if occupied), or post a pamphlet in the case of common area rental events. This analysis may overestimate the time for vacant, single-unit rental events, as it assumes a sign will be posted in these cases.

Sources: *Supporting Statement for Lead-Based Paint Pre-Renovation Information Dissemination - TSCA Sec. 406(b) EPA ICR No. 1669.05 (2008)*

¹The recordkeeping burden involves the time for meeting the pre-renovation education rule's recordkeeping requirements. The individual recordkeeping burden for renovation contractors and property managers performing renovation work is based on the estimated total annual number of renovations performed, i.e., 11,159,091, and the total amount of time spent in the recordkeeping activity (approximately five minutes per event for filing and retaining the acknowledgement form and if applicable, a statement of notification for common area activities).

Exhibit 6.11 presents the total estimated burden incurred by contractors and landlords in complying with the pre-renovation education requirements of TSCA section 406(b) in target

housing. Total burden estimates represent the products of the total per-event burden estimates in Exhibit 6.10 with the corresponding total number of events.

Exhibit 6.11: Pre-Renovation Education Burden for Target Housing Renovations
Total Burden Hours

		Year 1	Year 2	Year 3	Average
Owner-Occupied Units	LSWP Events Performed Annually	5,391,671	5,369,566	5,347,550	5,369,596
	Hour Burden per Event	0.182	0.182	0.182	0.182
	Total Burden Hours	981,284	977,261	973,254	977,266
Rental – Occupied Units	LSWP Events Performed Annually	1,453,324	1,447,366	1,441,431	1,447,374
	Hour Burden per Event	0.281	0.281	0.281	0.281
	Total Burden Hours	408,384	406,710	405,042	406,712
Rental –Vacant Units and Common Areas	LSWP Events Performed Annually	4,359,972	4,342,096	4,324,294	4,342,121
	Hour Burden per Event	0.265	0.265	0.265	0.265
	Total Burden Hours	1,155,393	1,150,655	1,145,938	1,150,662
Total Burden Hours – All Events		2,545,061	2,534,626	2,524,234	2,534,640

Sources: Economic Analysis for the 2008 RRP rule; Economic Analysis for the 2010 Opt-out rule; *Supporting Statement for Lead-Based Paint Pre-Renovation Information Dissemination - TSCA Sec. 406(b)*, EPA ICR No. 1669.05 (2008).

(B) Public or Commercial Building COF Events Burden

The pre-renovation education burden on entities performing renovation work in public or commercial building COFs is similar to that for entities working in target housing. Landlords, as well as contractors working in COFs that own their own space, will need to prepare one set of acknowledgement and certification forms, distribute the pamphlet to the COF owner only, and obtain proof that the pamphlet was provided to the COF owner. Contractors working in COFs that are renting space will need to prepare two sets of acknowledgement and certification forms (one for the building owner and the other for the COF owner), distribute the pamphlet to both individuals, and obtain proof that both individuals have received the pamphlet.

This analysis estimates the burden per event of preparing acknowledgement and certification forms, distributing pamphlets, and obtaining proof of pamphlet receipt based on the supporting statement for the previous version of this ICR – EPA ICR No. 1669.05 (2008). ICR No. 1669.05 estimated contractors or landlords will need two minutes to prepare a set of acknowledgement and certification forms; two minutes to photocopy the pamphlet; two minutes to deliver the pamphlet and obtain proof of pamphlet receipt from each individual involved, and three minutes to file all of the signed acknowledgement forms or mailing certificates.

In addition to those requirements, a renovation firm working in a COF is required to either distribute the pamphlet and general information on the renovation project to the parents or guardians of children using the facility, or post informational signs describing the general nature and locations of the project and the anticipated completion date. These signs must be posted in areas where they can be seen by the parents or guardians of the children frequenting the COF. The signs must be accompanied by a posted copy of the lead hazard information pamphlet or information on how interested parents and guardians can review a copy of the pamphlet or obtain a copy from the renovation firm at no cost to the parent or guardian. In addition, the firm

performing renovations must prepare a statement describing the steps performed to notify each occupant of the intended renovation. The time to prepare, sign, and file the statement of notification is included in the five minutes used to file the acknowledgment of pamphlet delivery to the owner of the COF.

Exhibit 6.12 presents the per-event burden associated with pre-renovation education incurred by contractors and landlords performing work in owner-occupied and rental COFs.

Exhibit 6.12: Per-Event Burden Estimates by Task (in hours) for COF Events

Activity	Burden Hours by Type of Event					
	Contractor Owner-Occupied, or Landlord COF Events		Contractor Rental COF Events		In-House COF Events	
	Number of Activities per event	Burden per event	Number of Activities per event	Burden per event	Number of Activities per event	Burden per event
Photocopy/Print Pamphlet	1	0.033	2	0.066	-	-
Preparing Acknowledgement Sheet	1	0.033	2	0.066	-	-
Distribution of Pamphlet to Owners/Occupants	1	0.033	2	0.066	-	-
Filing and Retaining Acknowledgement and Steps to Notify Parents/Guardians [i.e, recordkeeping]	1	0.083	1	0.083	1	0.083
Other Activities when Notifying Parents/Guardians						
Prepare/Post Pamphlet and Job-Specific Information	1	0.083	1	0.083	1	0.083
Total		0.265		0.364		0.166

Note(s): Values rounded to 3 decimal places.

The rule requires the firm performing renovations to prepare and distribute pamphlets to the owner of the affected property. In addition, the firm performing renovations is required to distribute pamphlets to the tenant of the rental property. In all cases, the firm performing renovations is assumed to post a pamphlet in the affected COF.

Source: *Supporting Statement for Lead-Based Paint Pre-Renovation Information Dissemination - TSCA Sec. 406(b) EPA ICR No. 1669.05 (2008)*

The burden estimates in Exhibit 6.12 are combined in Exhibit 6.13 with the number of

Exhibit 6.13: Pre-Renovation Education Burden for Renovations in COFs

Respondent type		Year 1	Year 2	Year 3	Average
Contractor Owner-Occupied or Landlord COF Events	LSWP Events Performed	114,315	113,847	113,379	113,847
	Burden Hours per Event	0.265	0.265	0.265	0.265
	Total Burden Hours	30,293	30,169	30,046	30,169
Contractor Rental COF Events	LSWP Events Performed	6,241	6,215	6,189	6,215
	Burden Hours per Event	0.364	0.364	0.364	0.364
	Total Burden Hours	2,272	2,262	2,253	2,262
In-House COF Events	LSWP Events Performed	61,747	61,494	61,241	61,494
	Burden Hours per Event	0.166	0.166	0.166	0.166
	Total Burden Hours	10,250	10,208	10,166	10,208
Total Burden Hours – All Events		42,815	42,639	42,465	42,639

Sources: Economic Analysis for the 2008 RRP rule; *Supporting Statement for Lead-Based Paint Pre-Renovation Information Dissemination - TSCA Sec. 406(b)*, EPA ICR No. 1669.05 (2008).

(C) *Total Burden Hours*

Total burden hours are shown in Exhibit 6.14.

Exhibit 6.14: Total Burden Hours

Renovation Events	Year 1	Year 2	Year 3	Average
Target Housing	2,545,061	2,534,626	2,524,234	2,534,640
Contractor Owner-Occupied or Landlord COF Events	30,293	30,169	30,046	30,169
Contractor Rental COF Events	2,272	2,262	2,253	2,262
In-House COF Events	10,250	10,208	10,166	10,208
Total	2,587,876	2,577,265	2,566,699	2,577,280

6(b) Estimating Respondent Costs

Respondent costs are estimated by combining burden estimates from the previous section with loaded wage rate, and adding in materials costs. The loaded hourly wage rate for renovation contractors and property managers is estimated to be \$45.81 per hour, based on wage data from the Bureau of Labor Statistics and assuming a 53 percent markup to account for fringe benefits and overhead.⁷

⁷ Certified renovators' unloaded wage (\$29.94/hour) is drawn from the 2009 full-time mean hourly earnings annual data for First-line Supervisors/managers of construction trades and extraction workers in the Bureau of Labor Statistics (BLS) National Compensation Survey: Occupational Wages in the United States, June 2010, Table 2-2 (Private industry, selected occupations, mean hourly earnings). According to 2009 BLS data for employer costs for employee compensation, wages and salaries accounted for 69.2% of employee compensation, implying a wage multiplier of 1.445 for fringe benefits. An additional 8.3% was added to the employer cost multiplier to account for overhead. This is based on the Appendix I of the National Association of Home Builders' 2010 Cost of Doing Business Study, which reported a factor of 3.5% of sales price for indirect construction costs, and 4% for general and administrative costs. (The sum of 3.5% and 4% is 7.5%. Subtracting out the 10% that NAHB reports for profit, direct and indirect costs are 90% of sales price. Taking 7.5% of 90% yields a labor overhead rate of 8.3% of wages and salaries.) an additional Adding an 8.3% overhead factor to the 44.5 % fringe benefits factor results in was added to the employer cost multiplier for overhead to estimate a multiplier of 1.53 for fully loading wages. .

The costs associated with the pamphlet, the acknowledgment forms, the certification forms, and notification signs are all considered to be materials costs and are not included in the estimated burden and corresponding labor cost estimate. The “materials” costs consist of the cost for purchasing or duplicating the Lead Hazard Pamphlets, and the materials associated with the preparation of the acknowledgment form and notifications, as well as any certification forms. Certification forms are expected to be used infrequently, but there is no numerical information available on that frequency. The materials cost for certification forms is expected to be negligible in comparison to the cost of acknowledgment forms and therefore has not been separately estimated.

In addition to the time needed to prepare acknowledgement forms and distribute the pamphlet, contractors and landlords will incur the costs of either photocopying or purchasing the renovation-specific lead safety pamphlets. The Lead Hazard Pamphlets are 11 pages in length, printed single-sided, black and white, and on standard paper. Based on per-page photocopy costs, EPA estimates that a single pamphlet costs \$1.10 to photocopy.⁸

(i) *Target Housing Event Costs*

EPA assumes that all owner-occupied renovation events in target housing will require one copy of the lead-safety pamphlet for the owner/occupant. Rental housing renovation events taking place in occupied rental units will require two copies of the pamphlet: one for the property owner and a second for the current tenant. Rental housing renovation events taking place in vacant rental units will require one copy of the pamphlet for the property owner. For a renovation event taking place in the common area of a rental housing unit, EPA assumes firm performing renovations will provide a copy of the lead-safety pamphlet to the property owner and post a second copy so that it is accessible to all occupants of the building. In addition, common area events would require the firm performing renovations to post a sheet containing general information about the specific renovation event.

It is assumed that for every renovation event there is one copy of the written acknowledgment. Firms performing renovations are assumed to generate two document sets (one for the renovator and one for the occupant or owner), for a total of two copies, at approximately \$0.10 per page. For common area events, it is assumed firms performing renovations will make one copy of the statement describing the steps taken to notify occupants. Exhibit 6.15 presents the resulting pamphlet costs per event.

⁸ Represents a cost of \$0.10 per page to email file for printing (personal communication with Staples, September 9, 2010).

Exhibit 6.15: Per-Event Materials Cost for Target Housing Renovations

Activity	Materials Cost by Type of Activity					
	Owner-Occupied Events		Rental Events –Occupied Units		Rental Events –Vacant Units & Common Areas	
	Number of Copies per event	Cost per event	Number of Copies per event	Cost per event	Number of Copies per event	Cost per event
Lead Hazard Pamphlet	1	\$1.10	2	\$2.20	2	\$2.20
Acknowledgement Sheet	2	\$0.20	4	\$0.40	2	\$0.20
Other Materials for Common Area/Unoccupied Events						
Job-Specific Information Sheet	-	-	-	-	1	\$0.10
Description of Notification Process (Sign Posting)	-	-	-	-	1	\$0.10
Total		\$1.30		\$2.60		\$2.60

Notes:

The rule requires the firms performing renovations to prepare and distribute pamphlets to the owner of the affected property. In addition, the firm performing renovations is required to distribute pamphlets to the tenants of the rental properties (if occupied), or post a pamphlet and job-specific information sheet in the case of common area rental events. It is assumed that the firm performing renovations will make two copies of each acknowledgement sheet. This analysis may overestimate the cost for vacant, single-unit rental events, as it assumes a sign will be posted in these cases.

Sources: *Personal communication with Staples, September 9, 2010*

Exhibit 6.16 presents the estimated total costs of pre-renovation education to contractors and property managers performing work in target housing. Contractors and landlords will incur time burden and material costs, presented in Exhibit 6.10 and Exhibit 6.15, respectively. To estimate total labor costs associated with pre-renovation education, the total burden estimates in Exhibit 6.11 were multiplied by the loaded wage rate for renovation firms (\$45.81 per hour). Total pamphlet costs were estimated by multiplying the numbers of events in Exhibit 6.11 by the corresponding per-event pamphlet cost estimates in Exhibit 6.15. The average cost of the rule for target housing events over the three years of this ICR is estimated to be \$138 million per year.

Exhibit 6.16: Pre-Renovation Education Costs for Renovations in Target Housing

	Year 1	Year 2	Year 3	Average
<i>Total Labor Cost</i>				
Owner-Occupied Units	\$44,952,620	\$44,768,326	\$44,584,766	\$44,768,555
Rental – Occupied Units	\$18,708,071	\$18,631,385	\$18,554,974	\$18,631,477
Rental – Vacant Units and Common Areas	\$52,928,553	\$52,711,506	\$52,495,420	\$52,711,826
<i>Subtotal – Labor Cost</i>	<i>\$116,589,244</i>	<i>\$116,111,217</i>	<i>\$115,635,160</i>	<i>\$116,111,858</i>
<i>Total Material Cost</i>				
Owner-Occupied Units	\$7,009,172	\$6,980,436	\$6,951,815	\$6,980,475
Rental – Occupied Units	\$3,778,642	\$3,763,152	\$3,747,721	\$3,763,172
Rental – Vacant Units and Common Areas	\$11,335,927	\$11,289,450	\$11,243,164	\$11,289,515
<i>Subtotal – Material Cost</i>	<i>\$22,123,742</i>	<i>\$22,033,037</i>	<i>\$21,942,700</i>	<i>\$22,033,162</i>
<i>Total Cost</i>				
Owner-Occupied Units	\$51,961,792	\$51,748,762	\$51,536,581	\$51,749,030
Rental – Occupied Units	\$22,486,713	\$22,394,537	\$22,302,695	\$22,394,649
Rental – Vacant Units and Common Areas	\$64,264,481	\$64,000,955	\$63,738,584	\$64,001,341
Total Cost	\$138,712,986	\$138,144,254	\$137,577,860	\$138,145,020

(ii) *Public or Commercial Building COF Event Costs*

Landlords, as well as contractors working in COFs that own their own space, will need to prepare one set of acknowledgement and certification forms, distribute the pamphlet to the COF owner, and obtain proof that the pamphlet was provided to the COF owner. Contractors working in COFs that are renting space will need to prepare two sets of acknowledgement and certification forms (one for the building owner, and the other for the COF owner), distribute the pamphlet to both individuals, and obtain proof that both individuals have received the pamphlet.

In addition to the time needed to prepare acknowledgement forms and distribute the pamphlet, contractors and landlords will also incur the costs of either photocopying or purchasing the renovation-specific lead safety pamphlets. Based on per-page photocopy costs reported by Staples, EPA estimates that a single pamphlet costs \$1.10 to photocopy.

It is assumed that for every renovation event there is one copy of the written acknowledgment. Firms performing renovations are assumed to generate two document sets (one for the firm performing renovations and one for the occupant or owner), for a total of two copies, at approximately \$0.10 each page. It is assumed firms performing renovations will make one copy of the statement describing the steps taken to notify parents and guardians of the renovation. Exhibit 6.17 presents resulting per-event pamphlet costs for COF events.

Exhibit 6.17: Per-Event Materials Cost for Renovations in Public or Commercial Building COFs

Activity	Materials Cost by Type of Event					
	Contractor Owner-Occupied COF Events		Contractor Rental COF Events		In-House COF Events	
	Number of Copies	Cost	Number of Copies	Cost	Number of Copies	Cost
Lead Hazard Pamphlet	2	\$2.20	3	\$3.30	1	\$1.10
Acknowledgement Sheet	2	\$0.20	4	\$0.40	-	-
Other Materials when Notifying Parents/Guardians						
Job-Specific Information Sheet	1	\$0.10	1	\$0.10	1	\$0.10
Description of Notification Process (Sign Posting)	1	\$0.10	1	\$0.10	1	\$0.10
Total		\$2.60		\$3.90		\$1.30

Notes:

The rule requires the firms performing renovations to prepare and distribute pamphlets to the owner of the affected property. In addition, the firm performing renovations is required to distribute pamphlets to the tenants of the rental properties. It is assumed that the firm performing renovations will make two copies of each acknowledgement sheet. In all cases, the firm performing renovations is assumed to post a pamphlet and job-specific information sheet in the affected COF.

Sources: *Personal communication with Staples, September 9, 2010*

Exhibit 6.18 presents the estimated total costs of pre-renovation education to contractors, property managers, and in-house staff performing work in COFs. Contractors, landlords, and in-house staff will incur time burden and material costs, presented in Exhibit 6.12 and Exhibit 6.17, respectively. To estimate total labor costs associated with pre-renovation education, the total burden estimates in Exhibit 6.13 were multiplied by the loaded wage rate for renovation firms (\$45.81 per hour). Total pamphlet costs were estimated by multiplying the numbers of events in Exhibit 6.13 by the corresponding per-event pamphlet cost estimates in Exhibit 6.17. The average cost of the rule for COF events over the three years of this ICR is estimated to be \$2.4 million per year.

Exhibit 6.18: Pre-Renovation Education Costs for Renovations in Child-Occupied Facilities

	Year 1	Year 2	Year 3	Average
<i>Total Labor Cost</i>				
Landlords	\$52,911	\$52,682	\$52,498	\$52,682
Contractors in Rental Units	\$104,080	\$103,622	\$103,210	\$103,622
Contractors in Owner-Occupied Units	\$1,334,812	\$1,329,360	\$1,323,909	\$1,329,360
Daycare Centers and Schools, In-House	\$469,553	\$467,628	\$465,704	\$467,628
Subtotal – Labor Cost	\$1,961,355	\$1,953,293	\$1,945,322	\$1,953,293
<i>Total Material Cost</i>				
Landlords	\$11,333	\$11,287	\$11,240	\$11,287
Contractors in Rental Units	\$24,340	\$24,239	\$24,137	\$24,239
Contractors in Owner-Occupied Units	\$285,886	\$284,716	\$283,546	\$284,716
Daycare Centers and Schools, In-House	\$80,271	\$79,942	\$79,613	\$79,942
Subtotal – Material Cost	\$401,830	\$400,183	\$398,536	\$400,183
<i>Total Cost</i>				
Landlords	\$64,244	\$63,968	\$63,738	\$63,968
Contractors in Rental Units	\$128,420	\$127,861	\$127,347	\$127,861
Contractors in Owner-Occupied Units	\$1,620,697	\$1,614,076	\$1,607,455	\$1,614,076
Daycare Centers and Schools, In-House	\$549,824	\$547,571	\$545,318	\$547,571
Total Cost	\$2,363,185	\$2,353,475	\$2,343,857	\$2,353,475

6(c) Estimating Agency Burden and Cost

Not applicable. This is a third party notification rule.

6(d) Bottom Line Burden Hours and Costs/Master Table

Exhibit 6.19 presents the total bottom line numbers for the ICR renewal. Exhibit 6.20 presents three-year averages by type of respondent. The total annual burden for this ICR is therefore 2,577,280 hours and the total annual cost is an estimated \$140,498,539.

Exhibit 6.19: Bottom Line Burden and Costs

	Year 1	Year 2	Year 3	Average
Number of Respondents	321,823	320,503	319,187	320,504
Number of Responses	11,387,270	11,340,584	11,294,084	11,340,646
Total Burden Hours	2,587,876	2,577,265	2,566,699	2,577,280
Total Cost	\$141,076,171	\$140,497,729	\$139,921,717	\$140,498,539

Exhibit 6.20: Respondent Summary, Three-Year Average

Type of Respondent	Number of Small Respondents ^a	Number of Respondents ^a	Responses per Respondent	Burden per Response (hours)	Annual Burden
1. Contractors Working in Owner-Occupied Target Housing (<i>Private Firms</i>)	276,119	278,183	19.30239	0.182	977,267
2. Contractors Working in Occupied Target Housing Rental Units (<i>Private Firms</i>)	276,119	278,183	5.20296	0.281	406,712
3. Contractors Working in Vacant Target Housing Rental Units and Common Areas (<i>Private Firms</i>)	276,119	278,183	15.608870	0.265	1,150,662
4. Contractors Working in Owner-Occupied COFs or Landlords Working in Rental COFs (<i>Private Firms</i>)	15,242	16,367	6.95589	0.265	30,169
5. Contractors Working in Rental COFs (<i>Private Firms</i>)	3,137	3,197	1.944010	0.364	2,262
6. In-House COF Events (<i>Private Firms – Schools and Daycare Centers</i>)	18,236	18,236	1.38255	0.166	4,185
7. In-House COF Events (<i>Local Governments – Schools</i>)	7,138	7,718	4.70093	0.166	6,023
Total	316,735	320,504			2,577,280

^a The total number of respondents and small respondents is the sum of rows numbered 1, 4, 6, and 7, since the same contractors from these rows are included in other rows (e.g., the same 276,119 contractors are included in rows numbered 1, 2, and 3).

6(e) Reasons for Changes in Burden

This request reflects a net decrease of 545,206 hours (from 3,122,486 hours to 2,577,280 hours) from the total respondent burden currently in the OMB inventory. The primary reason for the decrease is a change in methodology for calculating the number of target housing renovation events to that used in the 2008 RRP rule analysis. This change reflects an adjustment rather than a program change. EPA estimates there will be an average of 11,340,646 responses per year under this renewal ICR.

This ICR renewal also incorporates changes to the per-activity burden assumptions. These changes all reflect adjustments rather than program changes.

Finally, this ICR includes burden and material cost estimates related to renovations taking place in public or commercial building COFs. The burden estimates for these entities relating to the pre-renovation education requirements of the 2008 RRP rule were previously included in ICR 1715.10. This is also an adjustment rather than a program change.

6(f) Burden Statement

The annual public burden for this collection of information, which is approved under OMB Control No. 2070-0158, is estimated to be 0.23 hours per response. Burden is defined in 5 CFR 1320.3(b). 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, are listed in 40 CFR part 9 and included on the related collection instrument or form, if applicable.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OPPT-2014-0486. The docket is available for public viewing at the Pollution Prevention and Toxics Docket in the EPA Docket Center (EPA/DC). The EPA/DC Public Reading Room is located in the EPA West Building, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC 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 EPA/DC Public Reading Room is (202) 566-1744, and the telephone number for the Pollution Prevention and Toxics Docket is (202) 566-0280. An electronic version of the public docket is available through the Federal Docket Management System (FDMS) at <http://www.regulations.gov>. Use FDMS to 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. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID No. EPA-HQ-OPPT-2014-0486 and OMB Control No. 2070-0158 in any correspondence.

ATTACHMENTS TO THE SUPPORTING STATEMENT

Attachments to the supporting statement are available in the public docket established for this ICR under docket identification number EPA-HQ-OPPT-2014-0486. These attachments are available for online viewing at <http://www.regulations.gov> or otherwise accessed as described in section 6(f) of the supporting statement.

Attachment 1: 15 U.S.C. 2686 - Section 406 of the Toxic Substances Control Act.

Attachment 2: 40 CFR part 745, Subpart E - Residential Property Renovation.

Attachment 3: Lead Hazard Information Pamphlet (“Renovate Right”).

Attachment 4: Record of Consultations with Potential ICR Respondents.