APPENDIX B

Relevant Sections of Statues, Regulations, or Judicial/Administrative Decrees Enabling the Collection of Information

Clean Water Act 104, as printed in
(http://www.gpo.gov/fdsys/pkg/USCODE-2011-title33/pdf/USCODE-2011-title33-chap26-subchapI-sec1254.pdf**)**

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

This page intentionally left blank.

Cornell Law School

LII / Legal Information Institute

U.S. Code collection

Prev | Next

§ 1254. Research, investigations, training, and information

How Current is This?

Search this title:

Notes
Updates
Parallel regulations (CFR)
Your comments

(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

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.

Prev | Next

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.

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*, 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

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

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 statue. 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.

Submission of information on behalf of the respondents is voluntary. No confidential information is requested.

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

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:* Follow the on-line instructions for submitting comments.
- *E-mail: 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*, 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* or e-mail. The *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* 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.erica@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,* 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* 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* and to *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*. 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/pra*.

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*.

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 2012–2015 NLFA Reporting Cycles and the State Fish Advisory Program Questionnaire

OMB Control Number 2040-0226
Approval Expires 11/30/2014

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
FISH CONSUMPTION ADVISORY PROGRAMS QUESTIONNAIRE
FOR SURVEY YEARS 2012–2015

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?

G Yes G No G 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.)

G Captures fish and sends tissues to a lab to determine contaminant concentrations
G Monitors water quality and uses data to estimate contaminant concentrations in fish
G Monitors sediments and uses data to estimate contaminant concentrations in fish
G Other methods (please specify)_____
G Not applicable

3. How does your state or tribe conduct monitoring of contaminants in fish tissue for fish advisories? (Please check all that apply)

G Conducts one-time, nonrecurring or special surveys in particular fishing areas, watersheds, or basins
G Monitors the same fishing areas, watersheds, or basins at regular intervals
G Other methods (please specify)_____
G 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.

G 0 stations
G 1-10 stations
G 11-20 stations
G 21-30 stations
G 31-50 stations
G 51-100 stations
G >100 stations
G Not applicable

5. How frequently does your state typically resample fish from waterbodies where advisories are in effect?

G Every year
G Every 2 years
G Every 3 years
G Every 4 years
G Every 5 years
G Every 6 to 10 years
G On an as needed basis (no set schedule)
G Other (please specify)_____
G Not applicable

6. In approximately how many waterbodies was fish tissue monitoring conducted within your state during the past year?

G 1-10 waterbodies
G 11-20 waterbodies
G 21-30 waterbodies
G 31-40 waterbodies
G >40 (specify number) (please specify)_____
G Not applicable

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

G Accessibility of site
G Area of concern
G Citizen or Agency request
G Degree of angling pressure the site receives
G Other method (please specify)_____
G Not applicable
G Fixed-station sites
G High pollution potential at the site
G Major fishery resource
G Randomly selected sites

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?

G Yes G No G 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?

G Yes G No G Not applicable

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

G Specific fish species analyzed by the state (e.g., largemouth bass)
G Specified size class(es) for the given species analyzed (e.g., largemouth bass 15-20 inches)
G Selected trophic groups (e.g., game fish, bottom feeders, or panfish)
G The entire fish community (e.g., all fish)
G Certain fish species purchased in stores and restaurants
G Other (please specify)_____
G 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: G Yes G No G Not applicable
Regionwide: G Yes G No G 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)?

G Yes G No

17. Has your state ever issued a commercial fishing ban for chemically-contaminated fish?

G Yes G 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?

G Yes G No G 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? G Yes G No G 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)

G Fillet samples (skin on)
G Fillet samples (skin off)
G Muscle plug samples
G Whole-fish samples (skin on)
G Whole-fish samples (skin off)
G Other sample types (please specify) _____
G 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)

G Angler survey data
G Availability of the species
G Desire to maintain consistency with past collections
G EPA target species recommendations based on bioaccumulation potential/trophic groups
G Citizen requests
G State does not target collection of indicator species
G Other reasons (please specify)_____
G Not applicable

22. Does your state collect multiple size classes, by species, and submit these individual size classes for residue analyses?

G Yes G No G Not applicable

23. Are individual fish samples or composite samples submitted for residue analyses in your state?

G Individual fish samples only
G Composite samples only
G Both individual and composite samples are used
G Not applicable

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

G 1 fish
G 3 fish
G 5 fish
G 6 to 10 fish
G 11 to 20 fish
G > 20 fish
G Other number (please specify) _____
G 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?

G 2 fish
G 3 fish
G 4 fish
G 5 fish
G Other number (please specify)_____
G 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?

G 1 composite sample
G 2 composite samples
G 3 composite samples
G Variable; no set number
G Other number (please specify)_____
G 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?

G 1 year
G 2 years
G 3 or more years
G Site-specific decision; no set time period established
G Other (please specify) _____
G 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)

G Whole-fish samples (skin-on)
G Whole-fish samples (skin-off)
G Fillet samples (skin-on)
G Fillet samples (skin-off)
G Other sample types (please specify)_____
G 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?

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

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

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

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

G Residue levels of the chemical must decline below the state criterion for at least 1 year
G Residue levels of the chemical must decline below the state criterion for at least 2 years
G Residue levels of the pollutant must decline below the state criterion for at least 3 years
G Site-specific decision; no set time period established
G Other schedule or procedure (please specify)_____
G 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?

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

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

G Aldrin
G Arsenic
G Cadmium
G Chlordane
G Chlorpyrifos
G Chromium
G DDT and its metabolites
G Diazinon
G Dicofol
G Dieldrin
G Dioxins/Furans
G Disulfoton
G Endosulfan
G Endrin
G Ethion
G Heptachlor or Heptachlor epoxide
G Hexachlorobenzene
G Lead
G Lindane
G Mercury
G Methoxychlor
G Mirex
G Nonachlor
G Oxyfluorfen
G PAHs
G PCBs
G Pentachloroanisole
G Selenium
G Terbufos
G Toxaphene
G Tributyltin
G Trifluralin
G Other (please specify_

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

G Aldrin
G Arsenic
G Cadmium
G Chlordane
G Chlorpyrifos
G Chromium
G DDT and its metabolites
G Diazinon
G Dicofol
G Dieldrin
G Dioxins/Furans
G Disulfoton
G Endosulfan
G Endrin
G Ethion
G Heptachlor or Heptachlor epoxide
G Hexachlorobenzene
G Lead
G Lindane
G Mercury
G Methoxychlor
G Mirex
G Nonachlor
G Oxyfluorfen
G PAHs
G PCBs
G Pentachloroanisole
G Selenium
G Terbufos
G Toxaphene
G Tributyltin
G Trifluralin
G Other (please specify_

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

G Individual congeners
G All Aroclor groups
G Selected Aroclor groups
G A combination of both Aroclors and congeners
G Others (please specify)_____
G Not applicable

State Advisory Program Funding

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

G <$1,000
G $1,000 to $4,999
G $5,000 to $9,999
G $10,000 to $24,999
G $25,000 to $50,000
G >$50,000 (please specify) _____
G 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)

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

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

G <$1,000
G $1,000 to $4,999
G $5,000 to $9,999
G $10,000 to $24,999
G $25,000 to $50,000
G >$50,000 (please specify) _____
G 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)

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

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

G Yes G No G 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?

G Fully supporting
G Partially supporting
G No assessments were made
G Threatened
G Not supporting
G 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?

G Yes G No G 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?

G Yes G No G Not applicable

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

G Yes G No

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

G State water quality standards
G SOP for assessing beneficial uses (or related document)
G Other (please specify)_____
G 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)

G Risk assessment methodology
G Food and Drug Administration (FDA) action levels
G None
G Other approach (please specify) _____
G 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?

G 1:10,000 (10^{-4}) G 1:100,000 (10^{-5})
G 1:1,000,000(10^{-6})
G FDA action level
G Other (please specify)_____
G 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)

G ATSDR Toxicological Profiles
G EPA Fish Guidance Document
G EPA Health Effects Assessment Summary Table (HEAST)
G EPA Integrated Risk Information System (IRIS)
G EPA Toxicology One-Liners Database (Office of Pesticide Programs)
G Great Lakes Protocol
G Hazardous Substance Data Bank (HSDB) from the National Library of Medicine
G IARC Monographs
G Other sources (please specify) _____
G 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)

G EPA Fish Guidance Document
G FDA Action Levels
G Great Lakes Protocol
G Hazard Index calculations using risk assessment methodology (IRIS RfD)
G None
G Other approach (please specify)_____
G 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?

G Hazard index (please specify if hazard index is >, =, or < 1)_____
G FDA action levels
G Other (please specify)_____
G 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)

G ATSDR Toxicological Profiles
G EPA Integrated Risk Information System (IRIS)
G EPA Health Effects Assessment Summary Table (HEAST)
G EPA Toxicology One-Liners Database (Office of Pesticide Programs)
G EPA Fish Guidance Document
G Great Lakes Protocol
G Hazardous Substance Data Bank (HSDB) from the National Library of Medicine
G Other sources (please specify) _____
G 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.
G 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?

G Yes G No G Not applicable

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

G Yes G No G Not applicable

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

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

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

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

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

G 2.0 g/day
G 4.0 g/day
G 6.5 g/day
G Other consumption rates (please specify value in g/day)_____
G Not applicable

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

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

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

G 70 years
G 75 years
G 80 years
G Other life expectancy (please specify value in years)_____
G 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)?

G Yes G No G 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)

G 4 oz (114 g)
G 8 oz (227 g)
G 12 oz (341 g)
G 16 oz (454 g)
G Other (please specify value in grams)_____
G 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)

G 4 oz (114 g) G
8 oz (227 g) G 12
oz (341 g)
G Other (please specify value in grams)_____
G Not applicable

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

G 71 kg
G 70 kg
G 65 kg
G Other weight (please specify value in kg)_____
G 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?

G 70 kg
G 65 kg
G 62 kg
G Other weight (please specify value in kg)_____
G Not applicable

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

G 10 kg
G 14.5 kg
G 15.5 kg
G Other weight (please specify value in kg)_____
G Risk assessments not conducted for children
G 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.)

G <1 year G
<6 years G
<7 years
G <12 years
G <15 years
G <18 years
G Other age ranges (please specify)_____
G Risk assessments not conducted for children
G 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)?

G 100% for all pollutants
G 75% for all pollutants
G 50% for all pollutants
G Chemical-specific % based on available data
G Other (please specify)_____
G 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?

G Yes G No G 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
_____% DDE
_____% DDT
_____% dieldrin
_____% heptachlor epoxide
_____% mercury
_____% mirex
_____% total PCBs
_____% toxaphene
_____% other (please specify)_____
G Not applicable

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

G EPA Guidance Documents
G Great Lakes Protocol
G Scientific literature review
G Conducted own research
G Other (please specify) _____
G 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)?

G Cumulative risk (add individual contaminant risks from each chemical together)
G Calculate single contaminant risk based on the most conservative carcinogenic risk value
G Either cumulative risk or single contaminant risk depending on the chemicals involved
G Other method (please specify)_____
G State does not evaluate health risks for multiple contaminants
G 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 x 10^{-4} mg/k/day for women of child-bearing age and/or children versus using an RfD of 3 x 10^{-4} for adults in the general population)?

G Yes G No G 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
G 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?

G Zero
G Pollutant's MDL
G Half the pollutant's MDL
G Other value (please specify)_____
G Maximum likelihood indicator
G Not applicable

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

G Yes G 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)

_____

G 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?

G Yes G No G Not applicable

78. Has your state identified the primary waterbodies fished by these target population(s)?

G Yes G No G Not applicable

79. Has your state made efforts to identify the fish species and the sizes of fish consumed by these target populations?

G Yes G No G 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)

G Local fish consumption surveys (creel surveys)
G Fishing license surveys
G Anecdotal information from populations of interest
G Behavioral risk surveillance surveys funded by the Centers for Disease Control
G Not applicable

81. Has your state altered its monitoring approach to address the needs of these target populations?

G Yes G No G 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)

G State has added stations in waterbodies where the targeted populations frequently fish
G State has targeted species consumed by the target populations for residue analyses
G Other actions (please specify)_____
G 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?

G Yes G No G Not applicable

Risk Management

84. Who prepares risk assessments on behalf of your state or tribal fish advisory program? (Please check all that apply)

G State or Tribal Environmental Agency/Department
G State or Tribal Public Health Agency/Department
G State or Tribal Fisheries Agency/Department
G Consultant
G University
G Other (please specify)_____
G Not applicable

85. Does your state or tribe have written procedures for evaluating the health risks associated with consumption of chemically-contaminated fish?

G Yes G No G Not applicable

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

G Yes G No G Not applicable

87. If the answer to question 86 is yes, what professional disciplines are represented on that committee? (Please check all that apply)

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

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

G Head of Environmental Agency/Department
G Head of Public Health Agency/Department
G Head of Fisheries Agency/Department
G Governor's Office or Tribal Chief's/President's Office
G Other (please specify) _____
G 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)

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

90. Where can the public obtain copies of your agency's printed advisory materials? (Please check all that apply)

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

91. How are your Agency's fish advisories communicated to the public? (Please check all that apply)

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

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

G Yes G No G Not applicable

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

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

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

G Yes G No G Not applicable

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

G Alaskan native languages
G Bosnian
G Cambodian
G Chinese
G Creole
G Hmong
G Japanese
G Korean
G Laotian
G Llacano
G Ojibwa
G Portugese
G Russian
G Spanish
G Tagalog
G Thai
G Vietnamese
G Others (please specify) _____
G Not applicable

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

G Yes G No G Not applicable

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

G Feedback form/postcard in regulation pamphlet
G Questions included in creel census program
G Questions included in state BRFS (Behavior Risk Factor Survey)
G Focus groups
G Mailed questionnaires (to whom?) _____ G
Telephone surveys (of whom?) _____ G
Other methods (please specify) _____ G
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?

G Don't know
G No
G Yes (please specify organization or agency) _____
_____