

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.

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.

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, .211, .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.

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", "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, N.W., Washington, D.C. 20426. An additional copy must be sent to Director, Division of Project Review, 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.

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 any 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99-10045 Filed 4-21-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[OPPTS-00268; FRL-6077-4]

Renewal of Toxics Information Collection Activities; Residential Lead-Based Paint Hazard Disclosure Requirements; Request for Comments

AGENCIES: The Environmental Protection Agency (EPA) and the Department of Housing and Urban Development (HUD).

ACTION: Notice and request for comment.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this notice announces that EPA and HUD are planning to submit the following Information Collection Request (ICR) renewal to the Office of Management and Budget (OMB) for review and approval: "Residential Lead-Based Paint Disclosure Requirements." (EPA ICR No. 1710.03, OMB No. 2070-0151). This ICR involves a collection activity that is currently approved by OMB. The ICR describes the nature of the information collection activity and the estimated burden and costs associated with the collection activity. Before submitting the ICR renewal to OMB, EPA and HUD are soliciting comments on specific aspects of the information collection described in this document.

DATES: Written comments must be submitted on or before June 21, 1999.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit II. of this document. To ensure proper receipt by EPA, your comments must identify docket control number OPPTS-00268 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: *For general information:* Joe Carra, Acting Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 554-1404, TDD: (202) 554-0551; e-mail address: TSCA-Hotline@epa.gov or Warren Friedman, Director, Planning and Standards Division, Office of Lead Hazard Control, Department of Housing and Urban Development, 451 7th St., SW., (P-3206), Washington, DC 20460; telephone: (202) 755-1785, ext. 159, TTY: 800-877-8339, Fax: (202) 755-1000; e-mail address: warren_friedman@hud.gov.

For technical information: Dayton Eckerson, National Program Chemicals Division (7404), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 260-1591, Fax: (202) 260-0770; e-mail address: eckerson.dayton@epa.gov or David K. Levitt, Planning and Standards Division, Office of Lead Hazard Control, Department of Housing and Urban Development, 451 7th St., SW., (P-3206), Washington, DC 20460; telephone: (202) 755-1785, ext. 156, TTY: 800-877-8339, Fax: (202) 755-1000; e-mail address: david_k._levitt@hud.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does This ICR Apply To Me?

You may be affected by this ICR if you are a seller, purchaser, lessor, or lessee of a non-exempt residential dwelling built before 1978, or a real estate agent representing such parties. Potentially affected categories and entities may include, but are not limited to:

Categories	NAICS	SIC	Examples of potentially affected entities
Real Estate Operators/Lessors	53111	651	Lessors of residential buildings Lessors of residential dwellings

Categories	NAICS	SIC	Examples of potentially affected entities
Offices of Real Estate Agents/Property Managers	53121 531311	653	Real estate agents Real estate brokers Property managers
Private Parties—Sales Transactions	None	None	Sellers and buyers of houses, townhouses, and cooperatives/condominiums
Private Parties—Rental Transactions	None	None	Lessors and lessees of residential dwellings

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed above could also be affected. If available, the four-digit Standard Industrial Classification (SIC) codes or the six-digit North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action applies to certain entities. To determine whether you or your business is affected by this action, you should carefully examine the applicability provisions in 40 CFR 745.100. If you have any questions regarding the applicability of this action to a particular entity, you may also consult the technical person listed in the "FOR FURTHER INFORMATION CONTACT" at the beginning of this document.

B. How Can I Get Additional Information or Copies of This Document or Other Documents?

1. *Electronically.* Electronic copies of this document and the ICR are available from the EPA Home Page at the **Federal Register**—Environmental Documents entry for this document under "Laws and Regulations" (<http://www.epa.gov/fedrgrstr/>). You can easily follow the menu to find this **Federal Register** notice using the publication date or the **Federal Register** citation for this notice. Although a copy of the ICR is posted with the **Federal Register** notice, you can also access a copy of the ICR by going directly to <http://www.epa.gov/icr/>. You can then easily follow the menu to locate this ICR by the EPA ICR number, the OMB control number, or the title of the ICR.

2. *In person or by phone.* If you have any questions or need additional information about this action, you may contact the technical person identified in the "FOR FURTHER INFORMATION CONTACT" section. In addition, the official record for this notice, including the public version, has been established for this notice under docket control number OPPTS-00268. This record

includes not only the documents that are physically located in the docket, but also all the documents that are referenced in those documents. A public version of this record, including printed, paper versions of any electronic comments, which does not include any information claimed as CBI, is available for inspection in the TSCA Nonconfidential Information Center, Rm. NE B-607, Waterside Mall, 401 M St., SW., Washington, DC, from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The TSCA Nonconfidential Information Center telephone number is (202) 260-7099.

II. How Can I Respond To This Notice?

A. How And To Whom Do I Submit The Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, you must identify docket control number OPPTS-00268 in the subject line on the first page of your response.

1. *By mail.* Submit written comments to: Document Control Office (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

2. *In person or by courier.* Deliver written comments to: Document Control Office in Rm. G-099, Waterside Mall, 401 M St., SW., Washington, DC; telephone: (202) 260-7093.

3. *Electronically.* Submit your comments and/or data electronically by e-mail to: oppt.ncic@epa.gov. Do not submit any information electronically that you consider to be Confidential Business Information (CBI). Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disk in Wordperfect 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket control number OPPTS-00268. Electronic comments on this notice may also be filed online at many Federal Depository Libraries.

B. How Should I Handle CBI Information That I Want To Submit To the Agency?

You may claim information that you submit in response to this notice as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must also be submitted for inclusion in the public record. Information not marked confidential will be included in the public docket by EPA without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult with the technical person listed in the "FOR FURTHER INFORMATION CONTACT" section.

C. What Information Is EPA Particularly Interested In?

Pursuant to section 3506(c)(2)(A) of PRA, EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collections of information are necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.
2. Evaluate the accuracy of the Agency's estimates of the burdens of the proposed collections of information.
3. Enhance the quality, utility, and clarity of the information to be collected.
4. Minimize the burden of the collections of information on those who are to respond, including through the use of appropriate automated or electronic collection technologies or other forms of information technology, e.g., permitting electronic submission of responses.

D. What Should I Consider When I Prepare My Comments for EPA?

We invite you to provide your views on the estimates provided, new approaches that may help to minimize the burden, and any data or information that you would like the Agency to

consider during the development of the final ICR. You may find the following suggestions helpful for preparing your comments:

- Explain your views as clearly as possible.
- Describe any assumptions that you used.
- Provide solid technical information and/or data to support your views.
- If you estimate potential burden or costs, explain how you arrived at the estimate.
- Provide specific examples to illustrate your concerns.
- Offer alternative ways to improve the collection activity.
- Make sure to submit your comments by the deadline in this notice.

At the beginning of your comments (e.g., as part of the "Subject" heading), be sure to properly identify the document you are commenting on. To ensure proper receipt by EPA, you must identify the docket control number assigned to the notice in the subject line on the first page of your response. You may also provide the name, date, **Federal Register** citation, and/or the appropriate EPA or OMB ICR number.

III. What Information Collection Activity or ICR Does This Notice Apply To?

EPA and HUD are seeking comments on the following ICR:

Title: Residential Lead-Based Paint Hazard Disclosure Requirements.

ICR numbers: EPA ICR No. 1710.03, OMB No. 2070-0151.

ICR status: This ICR is currently scheduled to expire on April 30, 1999, but EPA and HUD have requested an extension to ensure that there is adequate time to review comments prior to submission of the renewal request to OMB. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information that is subject to approval under the PRA, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's information collections appear on the collection instruments or instructions, in the **Federal Register** notices for related rulemakings and ICR notices, and, if the collection is contained in a regulation, in a table of OMB approval numbers in 40 CFR part 9.

Abstract: Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852d) requires that sellers and lessors of most residential housing built before 1978 disclose known information on the presence of lead-based paint and lead-based paint hazards, and provide an

EPA-approved pamphlet to purchasers and renters before selling or leasing the housing. Sellers of pre-1978 housing are also required to provide prospective purchasers with 10 days to conduct an inspection or risk assessment for lead-based paint hazards before obligating purchasers under contracts to purchase the property. The rule does not apply to rental housing that has been found to be free of lead-based paint, 0-bedroom dwellings, housing for the elderly, housing for the handicapped, or short-term leases.

The affected parties and the information collection related requirements related to each are described below:

1. *Sellers of pre-1978 residential housing.* Sellers of pre-1978 housing must attach certain notification and disclosure language to their sales/leasing contracts. The attachment lists the information disclosed and acknowledges compliance by the seller, purchaser, and any agents involved in the transaction.

2. *Lessors of pre-1978 residential housing.* Lessors of pre-1978 housing must attach notification and disclosure language to their leasing contracts. The attachment, which lists the information disclosed and acknowledges compliance with all elements of the rule, must be signed by the lessor, lessee, and any agents acting on their behalf. Agents and lessees must retain the information for 3 years from the completion of the transaction.

3. *Agents acting on behalf of sellers or lessors.* Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 specifically directs EPA and HUD to require agents acting on behalf of sellers or lessors to ensure compliance with the disclosure regulations.

IV. What Are EPA's Burden And Cost Estimates For This ICR?

Under PRA (44 U.S.C. 3501 *et seq.*) "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. Although these requirements also apply to the Federal government, the PRA does not require EPA and HUD to estimate the potential burden or costs associated with the information collection activities performed by Federal agencies. For this collection it includes the time needed to amend this list as appropriate, but use these terms; review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining

information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The ICR provides a detailed explanation of this estimate, which is only briefly summarized here. The annual burden for this ICR is estimated to average 0.12 hours (7.2 minutes) per response, with an estimated average cost of \$1.66 per response. The following is a summary of the total estimates taken from the ICR:

Respondents/affected entities: Sellers, purchasers, lessors, and lessees of non-exempt residential dwellings built before 1978, or a real estate agents representing such parties.

Estimated total number of potential respondents: 16,144,922

Frequency of response: As needed only when specific data are required.

Estimated total/average number of responses for each respondent: 61,798,605.

Estimated total annual burden hours: 7,666,200.

Estimated total annual burden costs: \$102,500,273.

Please note that in developing the burden estimates, the agencies have not distinguished between the burden associated with the compliance activities of private parties and those of Federal entities. The agencies are currently analyzing the total burden estimates, to determine what portion of the estimate represents the burden associated with the compliance activities of Federal entities. Since, the agencies are not required to include the burden on Federal entities in the total burden estimate reported under the PRA, the total burden will be reduced accordingly prior to submission to OMB.

V. Are There Changes in the Estimates From the Last Approval?

Yes. Since the ICR for the final rule was prepared approximately 3 years ago, several factors relating to the ICR have changed significantly. Among the more significant changes affecting estimates in the ICR are the following:

1. Wage rates, the cost of the required lead hazard pamphlets, and photocopying costs have increased.
2. The number of annual real estate sale and rental transactions has increased by approximately 3%.

3. The number of real estate agents and property managers has increased by approximately 22%.

4. The number of property owners and lessors has increased by approximately 16%.

The estimated startup costs in the revised ICR are no longer annualized over 3 years, resulting in a substantial decrease in burden. In addition, the agencies expect the total burden presented above to be reduced further prior to submission to OMB, to reflect the portion of the estimate that represents the burden associated with the compliance activities of Federal entities. As indicated Unit IV. of this document, the agencies are not required to include this burden under the PRA.

EPA and HUD are particularly interested in receiving comments on the changes related to the burden estimates for this relatively new program.

VI. What Is The Next Step In The Process For This ICR?

EPA and HUD 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 1320.10. EPA and HUD 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 person listed in the "FOR FURTHER INFORMATION CONTACT" section.

List of Subjects

Environmental protection, Health and safety, Lead, Reporting and recordkeeping requirements.

Dated: April 15, 1999.

Susan H. Wayland,

Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances, EPA.

Dated: April 12, 1999.

David S. Cristy,

Director, IRM Policy and Management, HUD.

[FR Doc. 99-10238 Filed 4-20-99; 1:21 pm]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6321-9]

Hackensack Meadowlands Special Area Management Plan

AGENCY: White House Council on Environmental Quality, Department of Defense (U.S. Army Corps of Engineers), Environmental Protection Agency, Department of Commerce (National Oceanic and Atmospheric Administration), and the Department of the Interior (U.S. Fish and Wildlife Service), the Hackensack Meadowlands Development Commission, and the New Jersey Department of Environmental Protection.

ACTION: Notice of proposed changes.

SUMMARY: The Federal and State agencies that have been partners in the development of the proposed Special Area Management Plan (SAMP) for the Hackensack Meadowlands are providing this notice of their intention to complete the SAMP by September 15, 1999, and to make modifications to the proposed SAMP to reflect: developments subsequent to publication of the July 21, 1995 Notice of Availability of the draft Environmental Impact Statement (EIS); the agencies' further review of the pertinent scientific issues; and input from meetings with interested members of the public.

The changes focus primarily on reductions in the fill of wetlands acreage proposed previously, to more effectively preserve the integrity of the Hackensack Meadowlands ecosystem as a whole, while providing greater regulatory certainty for development projects likely to proceed. This will be achieved through three major changes to the proposed SAMP: (1) A significant reduction in overall acreage of fill, with reductions focused on the largest wetlands fill proposal; (2) more extensive measures to protect remaining acreage from development; and (3) modifications in methodologies and regulatory products to conform to these proposed changes.

FOR FURTHER INFORMATION CONTACT:

Robert W. Hargrove, Chief, Strategic Planning & Multi-Media Programs Branch, U.S. Environmental Protection Agency—Region 2, 290 Broadway, New York, New York 10007, (212) 637-3504, E-Mail: hargrove.robert@epamail.epa.gov.

Joseph J. Seebode, Chief, Regulatory Branch, U.S. Army Corps of Engineers—New York District, Jacob K. Javits Federal Building, New York, New York 10278-0090, (212) 264-3996, E-Mail: Joseph.J.Seebode@usace.army.mil.

SUPPLEMENTARY INFORMATION:

Background:

The Hackensack Meadowlands District (District) is a 32-square mile area that includes portions of 14 municipalities in two counties in Northeastern New Jersey. The District, which once contained approximately 17,000 acres of wetlands, has lost nearly half of these wetlands as a result of hydrologic and environmental alterations, primarily filling and draining for development. The remaining undeveloped areas within the District are mostly wetlands (approximately 8,500 acres including open water) and are under substantial development pressure.

In accordance with the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers' (USACE) regulations for implementing NEPA; the U.S. Environmental Protection Agency's (EPA) procedures for the voluntary preparation of EISs on significant regulatory actions, and the 1980 Amendments to the Coastal Zone Management Act, a draft EIS was issued in June 1995 on a proposed SAMP for the District. The SAMP is a comprehensive plan providing for natural resource protection, remediation of pollution, and reasonable economic growth in the District. It presents a comprehensive statement of policies and criteria to guide future land use and environmental management in the District, including preservation, restoration and enhancement of the District's environmental resources, and meeting economic and social needs. The public comment period on the draft EIS closed on December 1, 1995.

Update:

During the comment period, we received over 1000 comments, most of which were highly critical of the preferred alternative presented in the draft EIS. A number of constituent groups, ranging from environmental organizations to prospective permit applicants, raised concerns and were offered an opportunity to expand upon their comments in meetings with the relevant agencies. In addition to concerns expressed by many environmental stakeholders, the Department of the Interior (DOI) identified the Hackensack Meadowlands SAMP as a candidate for referral to the Council on Environmental Quality (CEQ) if its concerns could not be resolved. Although there was a great deal of overlap in the concerns raised, they highlighted the need to make some substantial revisions to the SAMP prior to the release of the final EIS. The