

be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

## II. Did EPA Approve the Applications?

The Agency approved the applications after considering all required data on risks associated with the proposed uses of Ammonium Bicarbonate; *B. Pumilus* strain QST 2808; Citronellol, and information on social, economic, and environmental benefits to be derived from use. Specifically, the Agency has considered the nature of the chemical and its pattern of use, application methods and rates, and level and extent of potential exposure. Based on these reviews, the Agency was able to make basic health and safety determinations which show that use of Ammonium Bicarbonate; *B. Pumilus* strain QST 2808; Citronellol when used in accordance with widespread and commonly recognized practice, will not generally cause unreasonable adverse effects to the environment.

## III. Approved Applications

1. EPA issued a notice, published in the **Federal Register** of March 28, 2002 (67 FR 14943) (FRL-6827-7), which announced that Thermo Trilogy Corporation, Guilford Road, Suite 175, Columbia, MD 21046, had submitted an application to register the pesticide product, Olive Fly Attract and Kill (A&K) Target Device, an olive fly attractant (EPA File Symbol 70051-TA), containing 12.8% ammonium bicarbonate and 0.2% dioxaspiro-5,5)-undecane (Spiroketal). This product was not previously registered.

The application was approved on June 10, 2004, as "Olive Fly Attract and Kill (A&K) Target Device for Commercial Olives" (EPA Reg. No. 70051-76) and "Olive Fly Attract and Kill (A&K) Target Device for Ornamental Olives" (EPA Reg. No. 70051-96) for control of olive flies in olive orchards.

2. EPA issued a notice, published in the **Federal Register** of May 8, 2002 (67 FR 30917) (FRL-6829-7), which announced that AgraQuest, Inc., 1530 Drew Avenue, Davis, CA 95616, had submitted an application to register the pesticide product, QST 2808 Technical (later renamed QST 2808 MUP), as a fungicide (EPA File Symbol 69592-A), containing spores of *B. pumilus* strain QST 2808. This product was not previously registered.

The application was approved on October 14, 2004 for two products: The end use product Sonata™ ASO (EPA

Reg. No. 69592-13), containing 1.38% of active ingredient by weight, for control of various fungal diseases on crops; and QST 2808 MUP (EPA Reg. No. 69592-6), containing 1.42% of active ingredient by weight, for manufacturing the end use product.

3. EPA issued a notice, published in the **Federal Register** of August 28, 2002 (67 FR 55234) (FRL-7193-7) which announced that Natural Plant Protection, c/o Technology Science Group, Inc., 4061 North 156<sup>th</sup> Drive, Goodyear, AZ 85338, had submitted an application to register the pesticide product, Biomite™, a mite attractant (EPA File Symbol 70057-R), containing 0.417% citronellol. The product also contains three other registered active ingredients: Geraniol (2-trans-3,7-dimethyl-2,6-octadien-1-ol), Nerolidol (3,7,11-trimethyl-1,6,10-dodecatrien-3-ol), and Farnesol (3,7,11-trimethyl-2,6,10-dodecatrien-1-ol). This product was not previously registered.

The application was approved on April 20, 2004, as BioMite™ (EPA Reg. No. 70057-1) for use against mites on agricultural crops, ornamental plants, and in professional landscape settings.

### List of Subjects

Environmental protection, Chemicals, Pesticides and pests.

Dated: December 14, 2004.

**Janet L. Andersen,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. 04-28202 Filed 12-28-04; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2002-0241; FRL-7193-8]

### Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

**DATES:** Comments, identified by docket ID number OPP-2002-0241, must be received on or before January 28, 2005.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as

provided in Unit I.C. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, it is imperative that you identify docket ID number OPP-2002-0241 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** Raderrio Wilkins, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-1259; e-mail address: [wilkins.raderrio@epa.gov](mailto:wilkins.raderrio@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. General Information

##### A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

- Crop production (NAICS code 111)
- Animal production (NAICS code 112)
- Food manufacturing (NAICS code 311)
- Pesticide manufacturing (NAICS code 32532)

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 in the unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

##### B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPP-2004-0241. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although, a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall

#2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although, not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. Although, not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or on paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. 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 EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

#### *C. How and to Whom Do I Submit Comments?*

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also, include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. 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.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit

comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket/>, and follow the online instructions for submitting comments. Once in the system, select "search," and then key in docket ID number OPP-2004-0241. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by e-mail to [opp-docket@epa.gov](mailto:opp-docket@epa.gov), Attention: Docket ID number OPP-2004-0241. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID number OPP-2004-0241.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID number OPP-2004-0241. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

#### *D. How Should I Submit CBI to the Agency?*

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then

identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### *E. What Should I Consider as 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.
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. Provide specific examples to illustrate your concerns.
6. Make sure to submit your comments by the deadline in this notice.
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.

## **II. What Action is the Agency Taking?**

EPA has received a pesticide petition as follows proposing the establishment and/or amendment of regulations for residues of a certain pesticide chemical in or on various food commodities under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that this petition contains data or information regarding the elements set forth in section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

## **List of Subjects**

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: December 15, 2004.

**Janet L. Andersen,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

## **Summary of Petition**

The petitioner summary of the pesticide petition is printed below as required by section 408(d)(3) of the FFDCA. The summary of the petition was prepared by Environmentally Safe Systems, Inc. and represents the view of Environmentally Safe Systems, Inc. The petition summary announces the availability of a description of the analytical methods available to EPA for the detection and measurement of the pesticide chemical residues, or an explanation of why no such method is needed.

## **Environmentally Safe Systems, Inc.**

*PP 2E6381*

EPA has received a pesticide petition [2E6381] from Interregional Research Project Project Number 4 (IR-4), Technology Centre of New Jersey, Rutgers University, 681 U.S. Highway #1 South, New Brunswick, NJ 08902-3390, proposing pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180 to establish an exemption from the requirement of a tolerance for the biochemical pesticide sodium metasilicate in or on all food commodities.

Pursuant to section 408(d)(2)(A)(i) of the FFDCA, as amended, Environmentally Safe Systems, Inc. has submitted the following summary of information, data, and arguments in support of their pesticide petition. EPA has not fully evaluated the merits of the pesticide petition. The summary may have been edited by EPA if the terminology used was unclear, the summary contained extraneous material, or the summary unintentionally made the reader conclude that the findings reflected EPA's position and not the position of the petitioner.

### *A. Product Name and Proposed Use Practices*

Sodium metasilicate, the active ingredient in the end use product known as TRIAD, when used as a foliar spray controls or suppresses mealybugs and leafhoppers. It also suppresses powdery mildew. Applications of

TRIAD are made at 1½ to 4½ gallons per 100 gallons beginning as soon as possible after the pest is observed and repeated at 14- to 21-day intervals as needed.

### *B. Product Identity/Chemistry*

1. *Identity of the pesticide and corresponding residues.* Sodium metasilicate is mixed with other ingredients to prepare the end use product known as TRIAD, which contains 2.41% sodium metasilicate.

2. *Magnitude of residue at the time of harvest and method used to determine the residue.* This section is not applicable, as this proposes an exemption from the requirement of a tolerance.

3. *A statement of why an analytical method for detecting and measuring the levels of the pesticide residue are not needed.* An analytical method for residues is not applicable, as this proposes an exemption from the requirement of a tolerance.

### *C. Mammalian Toxicological Profile*

Sodium metasilicate is not very toxic via the oral route. Sodium metasilicate has an acute oral LD<sub>50</sub> of 1,153 milligrams/kilogram (mg/kg) in rats and 770 mg/kg in mice. Primary skin irritation and primary eye irritation tests, as well as acute inhalation and acute oral toxicity tests on an end use formulation containing 2.41% sodium metasilicate have been submitted to EPA. Sodium metasilicate when used as a plant desiccant (not to exceed 4% by weight in aqueous solution) is considered safe (40 CFR 180.2). Sodium metasilicate is classified as a generally recognized as safe (GRAS) substance and is cleared as a direct food ingredient. Residues of sodium metasilicate are exempted from the requirement of a tolerance when used as a surfactant, emulsifier, wetting agent, suspending agent, dispersing agent, or buffer in accordance with good agricultural practices as inert (or occasionally active) ingredients in pesticide formulations applied to growing crops or to raw agricultural commodities after harvest (40 CFR 180.1001(c)).

### *D. Aggregate Exposure*

1. *Dietary exposure—i. Food.* Currently, dietary exposure to sodium metasilicate occurs primarily from its use as a direct food additive (21 CFR 184.1769a). Sodium metasilicate is used in many other products such as dishwashing soaps, other soaps and detergents. Dietary exposure to residues of sodium metasilicate as a result of uses covered under this tolerance

exemption is expected not to be significant.

ii. *Drinking water.* Sodium metasilicate residues in drinking water from use as a pesticide are expected to be minimal when compared to the ubiquity of naturally occurring forms of silicon dioxide in the environment and the widespread use of sodium metasilicate in dishwashing soaps, other soaps and detergents, etc. Because of the gel-forming properties of sodium metasilicate, leaching from the soil is very unlikely. In fact, sodium metasilicate is used for soil stabilization.

2. *Non-dietary exposure.* There may be non-dietary exposure to sodium metasilicate from non-pesticidal uses of sodium metasilicate, but significantly increased non-dietary exposure and non-occupational exposure from sodium metasilicate when used as a pesticide is not expected.

#### E. Cumulative Exposure

Because of the low oral toxicity of sodium metasilicate and because of the fact that its presence in the diet is, for the most part, as a direct food additive, no cumulative mode of exposure is expected for sodium metasilicate.

#### F. Safety Determination

1. *U.S. population.* Based on its low toxicity, there is reasonable certainty that no harm will result from aggregate exposure of the U.S. population, including infants and children, to residues of sodium metasilicate. This includes all anticipated dietary exposures and all other exposures for which there is reliable information. There is an inconsequential increase in dietary exposure resulting from application as a pesticide.

2. *Infants and children.* Based on the low toxicity of sodium metasilicate, there is a reasonable certainty that no harm to children or adults will result from aggregate exposure to sodium metasilicate. Exempting sodium metasilicate from the requirement of a tolerance should pose no significant risk to humans.

#### G. Effects on the Immune and Endocrine Systems

To date there is no evidence to suggest that sodium metasilicate functions in a manner similar to any known hormone, or that it acts as an endocrine disruptor.

#### H. Existing Tolerances

There are no existing tolerances for sodium metasilicate in the United States.

#### I. International Tolerances

There are no known approved codex maximum residue levels established for residues of sodium metasilicate.

[FR Doc. 04-28499 Filed 12-28-04; 8:45 am]

BILLING CODE 6560-50-S

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### FEDERAL COMMUNICATIONS COMMISSION

[DA 04-3840]

#### The Federal Communications Commission's Form 501 Approved by the Office of Management and Budget (OMB)

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In this document, the Office of Management and Budget issued a Notice of Action approving the revised Federal Communications Commission Form 501, Slamming Complaint Form. The form was revised to ensure that consumers have to file a slamming complaint only once, rather than having to seek multiple avenues of redress.

**DATES:** Effective November 29, 2004.

**FOR FURTHER INFORMATION CONTACT:** David Marks or Kelli Farmer of the Consumer & Governmental Affairs Bureau at (202) 418-2512 (voice).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document, DA 04-3840, released December 7, 2004. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document can also be downloaded in Text and ASCII formats at: <http://www.fcc.gov/cgb/policy/slamming>.

Federal Communications Commission.

**Jay Keithley,**

*Deputy Bureau Chief, Consumer & Governmental Affairs Bureau.*

[FR Doc. 04-28421 Filed 12-28-04; 8:45 am]

BILLING CODE 6712-01-P

### FEDERAL COMMUNICATIONS COMMISSION

#### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority

December 20, 2004.

**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 (PRA) comments should be submitted on or before February 28, 2005. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all Paperwork Reduction Act (PRA) comments to Cathy Williams, Federal Communications Commission, Room 1-C823, 445 12th Street, SW, Washington, DC 20554 or via the Internet to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Cathy Williams at 202-418-2918 or via the Internet at [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0170.  
*Title:* Section 76.1030, Notifications Concerning Interference to Radio Astronomy, Research and Receiving Installations.