

Clearance for access to TSCA CBI under Contract Number EP-W-05-014 may continue until January 31, 2010. Access will commence no sooner than February 23, 2005.

ERG, AH Environmental Consultants, and ETI Professionals, Inc. personnel have signed non-disclosure agreements and will be briefed on appropriate security procedures before they are permitted access to TSCA CBI.

#### List of Subjects

Environmental protection,  
Confidential business information.

Dated: February 7, 2005.

**Vicki A. Simons**

Director, Information Management Division,  
Office of Pollution Prevention and Toxics.

[FR Doc. 05-2980 Filed 2-15-05; 8:45 am]

BILLING CODE 6560-50-S

## ENVIRONMENTAL PROTECTION AGENCY

[FRL -7873-7]

### Science Advisory Board Staff Office; Notification of Public Meetings of the Science Advisory Board Environmental Engineering Committee

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA), Science Advisory Board (SAB) Staff Office is announcing two public meetings of the SAB's Environmental Engineering Committee (EEC). The EEC will convene to provide advice on the proposed redesign of EPA's Pollution Prevention and New Technologies research program and conduct other committee business.

**DATES:** March 10, 2005. A public conference call from 3 p.m. to 5 p.m. Eastern Time for the Committee to plan for the public face-to-face meeting March 15-17, 2005.

March 15-17, 2005. A public meeting will begin on Tuesday, March 15, 2005 at 9 a.m., and adjourn on Thursday, March 17, 2004, about 3 p.m.

**Technical Contact:** The Office of Research and Development is providing the review materials. These will be posted at: <http://www.epa.gov/ORD/NRMRL/sab>. Questions about the review materials should be directed to Ms. Alva E. Daniels, Assistant Laboratory Director-Multimedia at the U.S. EPA-ORD National Risk Management Research Laboratory, via telephone/voicemail at (513) 569-7693, fax at (513) 569-7680, e-mail at [Daniels.Alva@epa.gov](mailto:Daniels.Alva@epa.gov), or by mail at

USEPA, 26 West Martin Luther King Drive, Cincinnati, OH 45268.

**Meeting Location:** The face-to-face meeting will be held at the Science Advisory Board Conference Center located at 1025 F Street, NW., Suite 3705, Washington, DC 20004.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing further information regarding this meeting may contact Ms. Kathleen White, Designated Federal Officer (DFO), via telephone/voice mail at (202) 343-9878, via e-mail at [white.kathleen@epa.gov](mailto:white.kathleen@epa.gov), or by mail at U.S. EPA SAB (MC 1400F), 1200 Pennsylvania Ave., NW., Washington, DC 20460. General information about the SAB can be found at <http://www.epa.gov/sab>.

#### SUPPLEMENTARY INFORMATION:

**Background:** The SAB was established by 42 U.S.C. 4365 to provide independent scientific and technical advice, consultation, and recommendations to the EPA Administrator on the technical basis for Agency positions and regulations. The SAB's Environmental Engineering Committee advises on many issues relating to waste management, including pollution prevention and industrial ecology and research needs. EPA's Office of Research and Development is redesigning its Pollution Prevention and New Technologies research program and is seeking the advice of the SAB on its proposal. The EEC will provide advice to EPA through the chartered SAB and comply with the provisions of the Federal Advisory Committee Act (FACA) and all appropriate SAB procedural policies.

The SAB's EEC will also take the opportunity provided by this meeting to conduct some other committee business, such as planning for other FY2005 activities and exploration of possible FY2006 initiatives. A roster of EEC is posted on the SAB Web site at: <http://www.epa.gov/sab/>.

**Availability of Meeting Materials:** An agenda for each meeting and meeting-related materials will be posted on the SAB Web site at: <http://www.epa.gov/sab/agendas> prior to the meeting.

**Procedures for Providing Public Comments.** It is the policy of the SAB Staff Office to accept written public comments of any length, and to accommodate oral public comments whenever possible. The SAB expects that public statements presented at the meeting will not be repetitive of previously submitted oral or written statements. **Oral Comments:** In general, each individual or group requesting an oral presentation at a face-to-face meeting will be limited to a total time

of ten minutes (unless otherwise indicated). Interested parties should contact the DFO in writing (e-mail, fax or mail—see contact information above) by close of business March 4, 2005 in order to be placed on the public speaker list for the meeting. Speakers should bring at least 35 copies of their comments and presentation slides for distribution to the participants and public at the meeting. **Written Comments:** Although written comments are accepted until the date of the meeting, written comments should be received in the SAB Staff Office at least one week prior to the meeting date so that the comments may be made available to the panel for their consideration. Comments should be supplied to the DFO at the address/contact information noted above in the following formats: one hard copy with original signature, and one electronic copy via e-mail (acceptable file format: Adobe Acrobat, WordPerfect, Word, or Rich Text files (in IBM-PC/Windows 98/2000/XP format). Those providing written comments and who attend the meeting are also asked to bring 35 copies of their comments for public distribution.

**Meeting Accommodations:** Individuals requiring special accommodation to access this meeting, should contact the DFO at least five business days prior to the meeting so that appropriate arrangements can be made.

Dated: February 9, 2005.

**Vanessa T. Vu,**

Director, EPA Science Advisory Board Staff Office.

[FR Doc. 05-2989 Filed 2-15-05; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0308; FRL-7697-3]

### Nicosulfuron; Tolerance Reassessment Decision for Low Risk Pesticide; Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's Tolerance Reassessment Decision (TRED) for the pesticide nicosulfuron, and opens a public comment period on this document, related risk assessments, and other support documents. EPA has reviewed the low risk pesticide nicosulfuron through a modified, streamlined version of the public

participation process that the Agency uses to involve the public in developing pesticide tolerance reassessment and reregistration decisions. Through the tolerance reassessment program, EPA is ensuring that all pesticides meet current health and food safety standards.

**DATES:** Comments, identified by docket ID number OPP-2004-0308, must be received on or before March 18, 2005.

**ADDRESSES:** Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Meghan French, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8004; fax number: (703) 308-8005; e-mail address: [french.meghan@epa.gov](mailto:french.meghan@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

### **I. General Information**

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

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any 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-2004-0308. 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. 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.1. 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-2004-0308. 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-2004-0308. 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-2004-0308.

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-200-0308. 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 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 your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline identified.
8. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your response. It would also be helpful if you provided the name, date, and **Federal Register** citation related to your comments.

## **II. Background**

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

EPA has reassessed the uses of nicosulfuron, reassessed 7 existing tolerances or legal residue limits, and on December 22, 2004, reached a tolerance reassessment decision for this low risk pesticide. Nicosulfuron is a sulfonyl urea herbicide registered for early-postemergent and postemergent use on corn. It may be used alone or in formulation with other active ingredients (a.i.) to control annual and perennial grasses and broadleaf weeds. Application methods include band treatment, broadcast, low volume spray (concentrate) using aircraft, or ground equipment. The maximum application

rate is 0.06248 lb a.i./acre. The highest usage of nicosulfuron is on corn and approximately 200,000 pounds are used annually.

Nicosulfuron is in Toxicity Category III or IV for acute oral, dermal, inhalation, eye irritation, and dermal irritation. Nicosulfuron is not likely to be carcinogenic based on bioassays in the rat and mouse and lack of *in vitro* and *in vivo* mutagenic effects. Nicosulfuron showed no developmental or reproductive effects in rats and developmental effects in rabbits only at high doses. There were no indications of neurotoxic effects elicited by nicosulfuron in animal tests. The Agency is now issuing for comment the resulting Report on Food Quality Protection Act (FQPA) Tolerance Reassessment Progress for nicosulfuron, known as a TRED, as well as related risk assessments and technical support documents.

EPA developed the nicosulfuron TRED through a modified, streamlined version of its public process for making tolerance reassessment and reregistration eligibility decisions. Through these programs, the Agency is ensuring that pesticides meet current standards under the Federal Food, Drug, and Cosmetic Act (FFDCA) and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended by FQPA. EPA must review tolerances and tolerance exemptions that were in effect when the FQPA was enacted, to ensure that these existing pesticide residue limits for food and feed commodities meet the safety standard established by the new law. Tolerances are considered reassessed once the safety finding has been made or a revocation occurs. EPA has reviewed and made the requisite safety finding for the nicosulfuron tolerances included in this notice.

EPA is applying the principles of public participation to all pesticides undergoing reregistration and tolerance reassessment. The Agency's Pesticide Tolerance Reassessment and Reregistration; Public Participation Process, published in the **Federal Register** of May 14, 2004 (69 FR 26819) (FRL-7357-9), explains that in conducting these programs, the Agency is tailoring its public participation process to be commensurate with the level of risk, extent of use, complexity of issues, and degree of public concern associated with each pesticide. EPA can expeditiously reach decisions for pesticides like nicosulfuron, which pose no risk concerns, have low use, affect few if any stakeholders, and require no risk mitigation. Once EPA assesses uses and risks for such low risk pesticides,

the Agency may go directly to a decision and prepare a document summarizing its findings, such as the nicosulfuron TRED.

The tolerance reassessment program is being conducted under Congressionally mandated time frames, and EPA recognizes the need both to make timely decisions and to involve the public in finding ways to effectively mitigate pesticide risks. Nicosulfuron, however, poses no risks that require mitigation. The Agency therefore, is issuing the nicosulfuron TRED, its risk assessments, and related support documents simultaneously for public comment. The comment period is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to the TRED. All comments should be submitted using the methods in Unit I. of the **SUPPLEMENTARY INFORMATION**, and must be received by EPA on or before the closing date. These comments will become part of the Agency docket for nicosulfuron. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

In the absence of substantive comments requiring changes, the decisions reflected in the Nicosulfuron TRED will be implemented as presented. If any comment significantly affects the document, EPA will publish an amendment to the Nicosulfuron TRED in the **Federal Register**.

#### *B. What is the Agency's Authority for Taking this Action?*

Section 408(q) of the FFDCA, 21 U.S.C. 346a(q), requires EPA to review tolerances and exemptions for pesticide residues in effect as of August 2, 1996, to determine whether the tolerance or exemption meets the requirements of section 408(b)(2) or (c)(2) of FFDCA. This review is to be completed by August 3, 2006.

#### **List of Subjects**

Environmental protection, Pesticides and pests.

Dated: February 7, 2005.

**Debra Edwards,**

*Director, Special Review and Reregistration Division, Office of Pesticide Programs.*

[FR Doc. 05-2976 Filed 2-15-05; 8:45 am]

**BILLING CODE 6560-50-S**

## **ENVIRONMENTAL PROTECTION AGENCY**

[OPP-2004-0220; FRL-7694-9]

### **2,4-DB (4-2,4-Dichlorophenoxy) butyric acid and 2,4-DB-DMAS (Dimethylamine 4-2,4-Dichlorophenoxy) Butyrate Reregistration Eligibility Decision**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's Reregistration Eligibility Decision (RED) for the pesticide 2,4-DB (4-2,4-dichlorophenoxy) butyric acid and 2,4-DB-DMAS (dimethylamine 4-2,4-dichlorophenoxy) butyrate. The Agency's risk assessments and other related documents also are available in the 2,4-DB butyric acid and 2,4-DB-DMAS butyrate docket. 2,4-DB is a member of the chlorophenoxy class of herbicides which function by mimicking the action of auxins, plant growth hormones. 2,4-DB is used to control broadleaf weeds in alfalfa, clover, soybeans, peanuts, peppermint, spearmint, and birdfoot trefoil. 2,4-DB is manufactured as an acid and as the dimethylamine salt, 2, 4-DB-DMAS. EPA has reviewed 2,4-DB butyric acid and 2,4-DB-DMAS butyrate through the public participation process that the Agency uses to involve the public in developing pesticide reregistration and tolerance reassessment decisions. Through these programs, EPA is ensuring that all pesticides meet current health and safety standards.

**FOR FURTHER INFORMATION CONTACT:** Mika J. Hunter, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-0041; fax number: (703) 308-8041; e-mail address: [Hunter.Mika@epa.gov](mailto:Hunter.Mika@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **I. General Information**

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

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any 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 identification (ID) number OPP-2004-0220. 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 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.

#### **II. Background**

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

Under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is reevaluating existing pesticides to ensure that they meet current scientific and regulatory standards. EPA has completed a Reregistration Eligibility Decision (RED) for the pesticide, 2,4-DB butyric acid and 2,4-DB-DMAS butyrate under section 4(g)(2)(A) of FIFRA. 2,4-DB and 2,4-DB-DMAS are chlorophenoxy herbicides used to control broadleaf weeds in alfalfa, clover, soybeans,