

the Allotment Plans to Allow Permitted Livestock Grazing, National Forest System Lands, Sawtooth and Challis National Forests, Custer County, ID.

*Summary:* No formal comment letter was sent to the preparing agency.

*ERP No. F-AFS-L65424-ID*, North End Sheep Allotment Management Plan (AMP) Revision, Proposal to Authorize Continued Livestock Use, Caribou-Targhee National Forest, Soda Springs Ranger District, Caribou and Bonneville Counties, ID.

*Summary:* No formal comment letter was sent to the preparing agency.

*ERP No. F-FHW-L40202-WA*, I-5 Toutle Park Road to Maytown Transportation Improvements, Funding, U.S. Army COE section 404 Permit, U.S. Coast Guard Permit and NPDES Permit Issuance, Cowlitz, Lewis and Thurston Counties, WA.

*Summary:* EPA has environmental concerns with the proposed project regarding the cumulative effects analyses in that many of the conclusions were either not presented clearly or did not appear to be supported by technical information. EPA recommends the use of the information in the cumulative effects analyses be augmented, as appropriate, in the further development and evaluation of projects that would tier from this EIS.

*ERP No. F-FTA-G40170-TX*, Northwest Corridor Light Rail Transit (LRT) Line to Farmers Branch and Carrollton, Construction and Operation, NPDES and U.S. Army COE section 404 Permits Issuance, Dallas Area Rapid Transit, Dallas and Denton Counties, TX.

*Summary:* No formal comment letter was sent to the preparing agency.

*ERP No. F-FTA-G54006-TX*, Southeast Corridor Light Rail Transit Project, Construction and Operation, Funding, NPDES Permit and U.S. Army COE section 404 Permit Issuance and, Mobility 2025 Plan Update, Dallas Area Rapid Transit (DART), City of Dallas, Dallas County, TX.

*Summary:* No formal comment letter was sent to the preparing agency.

*ERP No. F-SFW-K99032-CA*, Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), Implementation, Incidental Take Permits Issuance, Riverside and Orange County, CA.

*Summary:* EPA has continuing environmental concerns and recommended that the following issues be addressed in the Record of Decision: (1) Once the Section 7 evaluation is concluded, the findings should be incorporated to verify which species will be covered within the MSHCP; (2) The ROD should include a timeline for

executing legal agreements with public/quasi-public land owners; and (3) U.S. Fish and Wildlife Service should provide criteria to prioritize land acquisitions to ensure key areas are incorporated into the Reserve.

*ERP No. FS-FHW-L50009-WA*, Elliott Bridge No. 3166 Replacement, Updated and Reevaluated Information concerning Replacement of the 149th Avenue SE Crossing over the Cedar River, Funding, U.S. CGD Bridge Permit and U.S. Army COE section 404 Permit Issuance, City of Renton, King County, WA.

*Summary:* No formal comment letter was sent to the preparing agency.

Dated: December 9, 2003.

**B. Katherine Biggs,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 03-30779 Filed 12-11-03; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[6646-4]

**Environmental Impact Statements; Notice of Availability**

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 or <http://www.epa.gov/compliance/nepa/>

Weekly receipt of Environmental Impact Statements

Filed December 1, 2003 Through

December 5, 2003

Pursuant to 40 CFR 1506.9.

EIS No. 030546, Draft EIS, AFS, PA, Sugar Run Project Area (SRPA), To Achieve and Maintain the Desired Conditions as stated in Forest Plan, Allegheny National Forest, Bradford Ranger District, McKean County, PA, Due: January 26, 2004, Contact: Heather Whittier (814) 362-4713.

EIS No. 030547, Final EIS, COE, AK, King Cove Access Project, Provision of a Transportation System between the City of King Cove and the Cold Bay Airport, U.S. Army COE Section 10 and 404 Permits Issuance, Aleutians East Borough (AEB), Alaska Peninsula, AK, Due: January 12, 2004, Contact: G. Leroy Phillips (907) 753-2712. This document is available on the Internet at: <http://www.kingcoveaccessseis.com>.

EIS No. 030548, Final EIS, BLM, AZ, Dos Pobres/San Juan Mining Plan and Land Exchange, Implementation of two Open Pit Copper Mines and one Central Ore Facility, NPDES and COE Section 404 Permits, Graham County, AZ, Due: January 12, 2004, Contact: Scott Evans (928) 348-4400.

EIS No. 030549, Draft EIS, NRC, IL, Dresden Nuclear Power Station, Unit 2 and 3, Supplement 17, NUREG 1437, Renewal of a Nuclear Power Plant Operating License, Grundy County, IL, Due: February 24, 2004, Contact: Louis L. Wheeler (301) 415-1444. This document is available on the Internet at: <http://www.nrc.gov/reading-rm.htm/>

EIS No. 030550, Draft EIS, COE, MS, Enhanced Evaluation of Cumulative Effects Associated with U.S. Army Corps of Engineers Permitting Activity for Large-Scale Development in Coastal Mississippi, Mississippi, Hancock, Harrison and Jackson Counties, MS, Due: February 14, 2004, Contact: Dr. Susan I. Rees (251) 694-4141.

EIS No. 030551, Draft EIS, FHW, NC, U.S. 74 Improvements Corridor, between U.S. 601, North of Monroe Union County and I-485 (Charlotte Outer Loop), U.S. Army COE Section 404 Permit, Mecklenburg and Union Counties, NC, Due: January 26, 2004, Contact: Clarence Coleman (919) 856-4350.

EIS No. 030552, Final EIS, AFS, NM, Magdalena Ridge Observatory Project, Construct and Operate an Observatory in the Magdalena Mountains, Cibola National Forest, Magdalena Ranger District, Socorro County, NM, Due: January 12, 2004, Contact: Laura Hudnell (505) 854-2281.

EIS No. 030553, Final EIS, AFS, MT, Programmatic EIS—Winter Motorized Recreation Amendment 24, Proposal to Change the Flathead National Land and Resource Management Plan, Flathead National Forest, Flathead, Lake and Lincoln Counties, MT, Due: January 12, 2004, Contact: Kimberly Smolt (406) 758-5332. This document is available on the Internet at: <http://www.fs.fed.us/r1/flathead/>

Dated: December 9, 2003.

**B. Katherine Biggs,**

*Associate Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 03-30780 Filed 12-11-03; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[OPP-2003-0322; FRL-7328-2]

**Intent to Suspend Certain Pesticide Registrations**

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

**ACTION:** Notice of issuance of notice of intent to suspend.

**SUMMARY:** This Notice, pursuant to section 6(f)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 *et seq.*, announces that EPA issued Notices of Intent to Suspend pursuant to section 3(c)(2)(B) of FIFRA. The Notices of Intent to Suspend were issued following issuance of Data Call-In Notices (DCI). The DCIs required registrants of products containing captan and DCPA used as an active ingredient to develop and submit certain data. These data were determined to be necessary to maintain the continued registration of affected products. Failure to comply with the data requirements of a DCI is a basis for suspension under section 3(c)(2)(B) of FIFRA. This Notice includes the text of the Notices of Intent to Suspend issued to Riverdale Chemical Company and Voluntary Purchasing Group. As required by section 6(f)(2), the Notices of Intent to Suspend were sent by certified mail, return receipt requested to each affected registrant at its address of record.

**FOR FURTHER INFORMATION CONTACT:** Harold Day, Agriculture Division, 2225A, Office of Enforcement and Compliance Assurance, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: 202-564-4133; fax number: 202-564-0029; e-mail address: [day.harold@epa.gov](mailto:day.harold@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

You may be potentially affected by this action if you hold EPA registrations for products that contain captan or DCPA. Potentially affected entities may include, but are not limited to, pesticide registrants. Other types of entities not listed in this unit could also be affected. To determine whether you or your business may be affected by this action, you should carefully examine the applicability provisions in the above-mentioned Data Call-Ins and FIFRA, specifically section 3(c)(2)(B). 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-2003-0322. 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, 1921 Jefferson Davis Hwy., 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. What Action is the Agency Taking?**

This Notice, pursuant to section 6(f)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 *et seq.*, announces that EPA issued Notices of Intent to Suspend pursuant to section 3(c)(2)(B) of FIFRA to Riverdale Chemical Company and Voluntary Purchasing Group. The Notices of Intent to Suspend were issued on September 25, 2003.

**III. Text of the Notice to Suspend**

The text of the Notices of Intent to Suspend absent specific chemical, product, or factual information issued to Riverdale Chemical Company and Voluntary Purchasing Group follows: United States Environmental Protection Agency  
Office of Prevention, Pesticides and Toxic Substances  
Washington, DC 20460  
September 25, 2003

Certified Mail  
Return Receipt Requested

SUBJECT: Suspension of Registration of Pesticide Product(s) Containing \_\_\_\_\_ for Failure to Comply with the \_\_\_\_\_ Section

4 Phase 5 Reregistration Eligibility Document Data Call-In Notice Issued \_\_\_\_\_

Dear Sir/Madam:

This letter gives you notice that the pesticide product registration(s) listed in Attachment I will be suspended 30 days from your receipt of this letter unless you take steps within that time to prevent this Notice from automatically becoming a final and effective order of suspension. The Agency's authority for suspending the registrations of your products is section 3(c)(2)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Upon becoming a final and effective order of suspension, any violation of the order will be an unlawful act under section 12(a)(2)(f) of FIFRA.

You are receiving this Notice of Intent to Suspend because you have failed to comply with the terms of the 3(c)(2)(B) Data Call-In Notice. The specific basis for issuance of this Notice is stated in the Explanatory Appendix (Attachment III) to this Notice. The affected product(s) and the requirement(s) which you failed to satisfy are listed and described in the following three attachments:

Attachment I Suspension Report – Product List

Attachment II Suspension Report – Requirement List

Attachment III Suspension Report – Explanatory Appendix

The suspension of the registration of each product listed in Attachment I will become final unless at least one of the following actions is completed.

1. You may avoid suspension under this Notice if you or another person adversely affected by this Notice properly request a hearing within 30 days of your receipt of this Notice. If you request a hearing, it will be conducted in accordance with the requirements of section 6(d) of FIFRA and the Agency's Procedural Regulations in 40 CFR part 164.

Section 3(c)(2)(B), however, provides that the only allowable issues which may be addressed at the hearing are whether you have failed to take the actions which are the bases of this Notice and whether the Agency's decision regarding the disposition of existing stocks is consistent with FIFRA. Therefore, no substantive allegation or legal argument concerning other issues, including but not limited to the Agency's original decision to require the submission of data or other information, the need for or utility of any of the required data or other information or deadlines imposed, any allegations of errors or unfairness in any proceedings before an arbitrator, and the risks and benefits associated with continued registration of the affected product, may be considered in the proceeding. The Administrative Law Judge shall by order dismiss any objections which have no bearing on the allowable issues which may be considered in the proceeding.

Section 3(c)(2)(B)(iv) of FIFRA provides that any hearing must be held and a determination issued within 75 days after receipt of a hearing request. This 75-day period may not be extended unless all parties in the proceeding stipulate to such an extension. If a hearing is properly requested, the Agency will issue a final order at the

conclusion of the hearing governing the suspension of your product(s).

A request for a hearing pursuant to this Notice must: (1) include specific objections which pertain to the allowable issues which may be heard at the hearing, (2) identify the registrations for which a hearing is requested, and (3) set forth all necessary supporting facts pertaining to any of the objections which you have identified in your request for a hearing. If a hearing is requested by any person other than the registrant, that person must also state specifically why he asserts that he would be adversely affected by the suspension action described in this Notice. Three copies of the request must be submitted to:

Hearing Clerk, 1900  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

An additional copy should be sent to the signatory listed below. The request must be received by the Hearing Clerk by the 30th day from your receipt of this Notice in order to be legally effective. The 30-day time limit is established by FIFRA and cannot be extended for any reason. Failure to meet the 30-day time limit will result in automatic suspension of your registration(s) by operation of law and, under such circumstances, the suspension of the registration for your affected product(s) will be final and effective at the close of business 30 days after your receipt of this Notice and will not be subject to further administrative review.

The Agency's Rules of Practice at 40 CFR 164.7 forbid anyone who may take part in deciding this case, at any stage of the proceeding, from discussing the merits of the proceeding ex parte with any party or with any person who has been connected with the preparation or presentation of the proceeding as an advocate or in any investigative or expert capacity, or with any of their representatives. Accordingly, the following EPA offices, and the staffs thereof, are designated as judicial staff to perform the judicial function of EPA in any administrative hearings on this Notice of Intent to Suspend: the Office of the Administrative Law Judges, the Office of the Environmental Appeals Board, the Administrator, the Deputy Administrator, and the members of the staff in the immediate offices of the Administrator and Deputy Administrator. None of the persons

designated as the judicial staff shall have any ex parte communication with trial staff or any other interested person not employed by EPA on the merits of any of the issues involved in this proceeding, without fully complying with the applicable regulations.

2. You may also avoid suspension if, within 30 days of your receipt of this Notice, the Agency determines that you have taken appropriate steps to comply with the section 3(c)(2)(B) Data Call-In Notice. In order to avoid suspension under this option, you must satisfactorily comply with Attachment II, Requirement List, for each product by submitting all required supporting data/information described in Attachment II and in the Explanatory Appendix (Attachment III) to the following address (preferably by certified mail):

Office of Compliance (2225A)  
Agriculture Division  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

For you to avoid automatic suspension under this Notice, the Agency must also determine within the applicable 30-day period that you have satisfied the requirements that are the bases of this Notice and so notify you in writing. You should submit the necessary data/information as quickly as possible for there to be any chance the Agency will be able to make the necessary determination in time to avoid suspension of your product(s).

The suspension of the registration(s) of your company's product(s) pursuant to this Notice will be rescinded when the Agency determines you have complied fully with the requirements which were the bases of this Notice. Such compliance may only be achieved by submission of the data/information described in the attachments to the signatory below.

Your product will remain suspended, however, until the Agency determines you are in compliance with the requirements which are the bases of this Notice and so informs you in writing.

After the suspension becomes final and effective, the registrant subject to this Notice, including all supplemental registrants of product(s) listed in Attachment I, may not legally distribute, sell, use, offer for sale, hold for sale, ship, deliver for shipment, or receive and (having so received) deliver or offer to deliver, to any person, the product(s) listed in Attachment I.

Persons other than the registrant subject to this Notice, as defined in the preceding sentence, may continue to distribute, sell, use, offer for sale, hold for sale, ship, deliver for shipment, or receive and (having so received) deliver or offer to deliver, to any person, the product(s) listed in Attachment I.

Nothing in this Notice authorizes any person to distribute, sell, use, offer for sale, hold for sale, ship, deliver for shipment, or receive and (having so received) deliver or offer to deliver, to any person, the product(s) listed in Attachment I in any manner which would have been unlawful prior to the suspension.

If the registration(s) for your product(s) listed in Attachment I are currently suspended as a result of failure to comply with another section 3(c)(2)(B) Data Call-In Notice or Section 4 Data Requirements Notice, this Notice, when it becomes a final and effective order of suspension, will be in addition to any existing suspension, i.e., all requirements which are the bases of the suspension must be satisfied before the registration will be reinstated.

You are reminded that it is your responsibility as the basic registrant to notify all supplementary registered distributors of your basic registered product that this suspension action also applies to their supplementary registered products and that you may be held liable for violations committed by your distributors.

If you have any questions about the requirements and procedures set forth in this suspension notice or in the subject section 3(c)(2)(B) Data Call-In Notice, please contact Frances Liem at (202) 564-2365.

Sincerely yours,

Director, Agriculture Division, Office of Compliance.

Attachment I Suspension Report – Product List  
Attachment II Suspension Report – Requirement List  
Attachment III Suspension Report – Explanatory Appendix

#### IV. Registrants Receiving and Affected by the Notices of Intent to Suspend

The following is a list of products for which a Notice of Intent to Suspend has been sent:

TABLE A.—PRODUCT LIST

Registrant Affected	EPA Registration Number	Active Ingredient	Product Name	Date DCI Issued
Riverdale Chemical Company	228-99	DCPA	Riversale 10% Dacthal Granules	11/25/98
	228-157	DCPA	Riverdale Crabgrass Control and Fertilizer	11/25/98
	228-222	DCPA	Riverdale 25% Dacthal Dust	11/25/98
Voluntary Purchasing Group	7401-438	Captan	Ferti-Lome Liquid Fruit Tree Spray	11/2/99

**V. Basis for Issuance of Notice of Intent;  
Requirement List**

The following companies failed to submit the following required data or information:

**TABLE B.—REQUIREMENT LIST**

Company	Active Ingredient	Guideline Reference Number	Requirement Name	Due Date
Riverdale Chemical Company	DCPA	---	30-Day response	7/12/01
		---	4-Month response	10/12/01
		61-1	Product identity and composition	10/12/01
		61-2(a)	Description of starting materials	10/12/01
		61-2(b)	Discussion of impurity formation	10/12/01
		62-1	Preliminary analysis	10/12/01
		62-2	Certification of limits	10/12/01
		62-3	Analytical method	10/12/01
		63-2	Color	10/12/01
		63-3	Physical state	10/12/01
		63-4	Odor	10/12/01
		63-7	Density	10/12/01
		63-12	pH	10/12/01
		63-14	Oxidation/reduction	10/12/01
		63-15	Flammability	10/12/01
		63-16	Explosibility	10/12/01
		63-17	Storage Stability	10/12/01
		63-18	Viscosity	10/12/01
		63-19	Miscibility	10/12/01
		63-20	Corrosion characteristics	10/12/01
		81-1	Acute oral toxicity	10/12/01
		81-2	Acute dermal toxicity	10/12/01
		81-3	Acute inhalation toxicity	10/12/01
81-4	Primary eye irritation	10/12/01		
81-5	Primary dermal irritation	10/12/01		
81-6	Skin sensitization	10/12/01		
Voluntary Purchasing Group	Captan	830.1750	Certification of limits	04/12/03
		830.1800	Enforcement analytical method	04/12/03
		830.6317	Storage stability	04/12/03
		830.6320	Corrosion characteristics	04/12/03
		---	Revised Confidential Statements of Formula	04/12/03

## VI. Attachment III Suspension Report—Explanatory Appendix

The Explanatory Appendix provides a discussion of the basis for the Notice of Intent to Suspend issued herewith.

### A. Captan

On November 2, 1999, the Agency issued the Phase 5 Reregistration Eligibility Document Data Call-In Notice pursuant to sections 4(g)(2)(B) and 3(c)(2)(B) of FIFRA which required the registrants of products containing captan used as an active ingredient to develop and submit certain data. These data/information were determined to be necessary to satisfy reregistration requirements of section 4(g). Failure to comply with the requirements of a Phase 5 Reregistration Eligibility Document Data Call-In Notice is a basis for suspension under section 3(c)(2)(B) of FIFRA.

Voluntary Purchasing Group, Inc. received the Captan Reregistration Eligibility Document (RED) on November 20, 1999, as evidenced by a U.S. Postal Service domestic return receipt card. Therefore, the 90-day response was due on February 20, 2000, and the 8-month response was due on July 20, 2000. The company's 90-day response, dated April 18, 2000 was received by the Agency on April 18, 2000. The company agreed to satisfy the data requirements by developing and submitting the data to the Agency. It stated that the studies would be initiated within 2 weeks and it estimated that the studies would take approximately 5 months to complete.

By a letter dated February 8, 2001, the Agency informed Mr. Michael Jackson (Brazos Associates, Inc., Agent for Voluntary Purchasing Group) that Voluntary Purchasing Group's 8-month response was overdue. In a letter dated March 7, 2001, Brazos Associates, Inc. requested a time extension of an additional 4 months for submission of the product chemistry and acute toxicity studies. Additionally, the registrant asked for more time to submit the storage stability/corrosion data. The rationale for the time extension requests was based on problems that Brazos stated were being encountered with the test material and analytical procedures employed by Stillmeadow, Inc. (Laboratory). Brazos stated that these problems had delayed the development of studies, particularly the storage stability and corrosion characteristics studies. The Agency agreed to place these latter two studies on hold until Stillmeadow resolved problems with the analytical procedures. The registrant agreed to provide quarterly progress

reports. The 4-month time extension was granted in an Agency letter dated March 21, 2001.

The Agency received the 8-month response on November 16, 2001. Product specific data purporting to address product chemistry and acute toxicity guidelines were received. In the transmittal letter dated November 14, 2001, Brazos Associates noted that Stillmeadow was still experiencing problems with the test material for storage stability, corrosion characteristics, and enforcement analytical method studies. Therefore, Brazos Associates initiated a second set of these studies with Product Safety Labs to determine if it was a laboratory/company problem or actual problem with the analytical methods being utilized.

On January 31, 2003, the Agency completed the review of the product chemistry data submitted to support the reregistration of Voluntary Purchasing Group's captan product and found remaining deficiencies in the data that prevented the requirements from being satisfied. An Agency letter to Brazos Associates dated March 12, 2003 outlined the product chemistry deficiencies. Voluntary Purchasing Group was required to submit revised Confidential Statements of Formula, and product chemistry data for Guidelines 830.1750 Certified Limits, and 830.1800 Enforcement Analytical Method. Additionally, Voluntary Purchasing Group was also required to notify the Agency within 30 days of their receipt of the letter whether the storage stability and corrosion characteristics studies have been initiated and their expected completion dates. Brazos received the letter on behalf of Voluntary Purchasing Group on March 17, 2003.

On July 8, 2003, Ms. Karen Jones contacted Brazos Associates to determine if Voluntary Purchasing Group planned to submit the outstanding product chemistry data. Mr. Jackson of Brazos Associates indicated that Voluntary Purchasing Group did not plan to submit a response or data. Ms. Jones informed Mr. Jackson that the Agency would issue a Notice of Intent to Suspend (NOIS) for Voluntary Purchasing Group's failure to respond to the Agency's letter dated March 12, 2003 and to adequately satisfy the data requirements imposed by the Captan RED DCI.

To date, the Agency has not received required product chemistry data for Certification of Limits, Enforcement Analytical Method, or a Revised Confidential Statement of Formula. Additionally, the Agency has not received the required Storage Stability

and Corrosion Characteristics product chemistry data, nor required progress reports.

Because the registrant has not supplied the required data to support its captan product registration, this Notice of Intent to Suspend is being issued.

### B. DCPA

On November 25, 1998, the Agency issued the Phase 5 Reregistration Eligibility Document (RED) Data Call-In Notice pursuant to sections 4(g)(2)(B) and 3(c)(2)(B) of FIFRA which required the registrants of products containing DCPA used as an active ingredient to develop and submit certain data. These data/information were determined to be necessary to satisfy reregistration requirements of section 4(g). Failure to comply with the requirements of a Phase 5 Reregistration Eligibility Document Data Call-In Notice (DCI) is a basis for suspension under section 3(c)(2)(B) of FIFRA.

An Agency letter dated June 4, 2001, was sent to all DCPA registrants. The letter modified the DCI and established new time frames for submitting the generic and product specific data required in the DCPA RED. Riverdale Chemical Company received the letter modifying the deadlines imposed by the DCPA RED on June 12, 2001, as evidenced by a U.S. Postal Service Domestic return receipt card. Therefore, Riverdale's 30-day response was due on July 12, 2001, and the 4-month response was due on October 12, 2001.

On August 15, 2001, Ms. Venus Eagle on behalf of the Agency contacted Mr. Sawyer, the Regulatory Affairs Manager at Riverdale Chemical Company, to inquire why Riverdale had not responded to the June 4, 2001 letter which Riverdale received on June 12, 2001. Riverdale was required to respond 30 days after its receipt of the letter, that is, by July 12, 2001. Mr. Sawyer stated that his colleagues had not decided whether they wanted to support the DCPA end-use products or not. Ms. Eagle stated he had in effect already had 30 additional days since the deadline of July 12, 2001 to inform the Agency of its decision. Mr. Sawyer then responded that the Agency could issue a NOIS in lieu of waiting for Riverdale's answer.

On September 7, 2001, three letters (dated September 6, 2001) were received (for EPA Registration Nos. 228-99, 228-157, and 228-222) stating that Riverdale planned to "respond positively to the reregistration" of the subject products and that it "will be sending in the necessary documentation to continue" the registrations. However, by the deadline of October 12, 2001, no product specific data had been

submitted for any of Riverdale's affected products. On March 11, 2002, Ms. Eagle spoke with Mr. Sawyer about the overdue product specific data. Mr. Sawyer responded that the samples got lost in December 2001, and they were just starting the data. Ms. Eagle told him that the Agency would have to issue a NOIS. Mr. Sawyer stated "go ahead then."

Since the required product chemistry and acute toxicity data have not been submitted for EPA Registration Nos. 228-99, 228-157, and 228-222, this Notice of Intent to Suspend is being issued.

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

The Agency's authority for taking this action is section 6(f)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 *et seq.*

#### List of Subjects

Environmental protection.

Dated: November 6, 2003.

#### Richard Colbert,

Director, Agriculture Division, Office of Compliance, Office of Enforcement and Compliance Assurance.

[FR Doc. 03-30777 Filed 12-11-03; 8:45 am]

BILLING CODE 6560-50-S

## EXPORT-IMPORT BANK OF THE UNITED STATES

### Sunshine Act Meeting

**ACTION:** Notice of a partially open meeting of the Board of Directors of the Export-Import Bank of the United States.

**TIME AND PLACE:** Wednesday, December 17, 2003 at 9:30 a.m. The meeting will be held at Ex-Im Bank in Room 1143, 811 Vermont Avenue, NW., Washington, DC 20571.

**OPEN AGENDA ITEM:** Ex-Im Bank Advisory Committee Members for 2004.

**PUBLIC PARTICIPATION:** The meeting will be open to public participation for Item No. 1 only. Attendees that are not employees of the Executive Branch will be required to sign in prior to the meeting.

**FOR FURTHER INFORMATION CONTACT:** Office of the Secretary, 811 Vermont Avenue, NW., Washington, DC 20571 (Telephone No. (202) 565-3957).

#### Peter B. Saba,

General Counsel.

[FR Doc. 03-30883 Filed 12-10-03; 12:19 pm]

BILLING CODE 6690-01-M

## FEDERAL HOUSING FINANCE BOARD

[No. 2003-N-09]

### Proposed Collection; Comment Request

**AGENCY:** Federal Housing Finance Board.

**ACTION:** Notice.

**SUMMARY:** In accordance with the requirements of the Paperwork Reduction Act of 1995, the Federal Housing Finance Board (Finance Board) hereby gives notice that it is seeking public comments concerning a three-year extension by the Office of Management and Budget (OMB) of the information collection entitled "Federal Home Loan Bank Acquired Member Assets, Core Mission Activities, Investments and Advances."

**DATES:** Interested persons may submit comments on or before February 10, 2004.

**ADDRESSES:** Send comments by electronic mail to [comments@fhfb.gov](mailto:comments@fhfb.gov), by facsimile to 202/408-2580, or by regular mail to the Federal Housing Finance Board, 1777 F Street, NW., Washington, DC 20006 ATTN: Public Comments.

**FOR FURTHER INFORMATION CONTACT:** David Roderer, Financial Analyst, Office of Supervision, by electronic mail at [rodererd@fhfb.gov](mailto:rodererd@fhfb.gov), by telephone at 202/408-2540, or by regular mail at the Federal Housing Finance Board, 1777 F Street, NW., Washington, DC 20006.

#### SUPPLEMENTARY INFORMATION:

#### A. Need For and Use of the Information Collection

The Finance Board has authorized the Federal Home Loan Banks (FHLBanks) to acquire mortgage loans and other assets from their members or housing associates under certain circumstances. 12 CFR part 955. The regulation refers to these assets as acquired member assets or AMA. As part of this regulatory authorization, each FHLBank that acquires residential mortgage loans must provide to the Finance Board certain loan-level data elements on a quarterly basis. While the FHLBanks provide this data directly to the Finance Board, each FHLBank initially must collect the information from the private-

sector member or housing associate from which the FHLBank acquires the mortgage loan.

FHLBank members and housing associates already collect the vast majority of the data elements the Finance Board rule requires as part of their customary and usual business practices. They must collect this data in order to do business with the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) under regulatory requirements issued by the Department of Housing and Urban Development (HUD) and pursuant to the information collection requirements under the Home Mortgage Disclosure Act (HMDA). Thus, this information collection imposes only a minor incremental additional burden on FHLBank members and housing associates.

The primary duty of the Finance Board is to ensure that the FHLBanks operate in a safe and sound manner. 12 U.S.C. 1422a(a)(3)(A). To the extent consistent with the safety and soundness charge, the Finance Board also ensures that the FHLBanks carry out their housing finance mission. 12 U.S.C. 1422a(a)(3)(B). The Finance Board believes that the information collection is essential in order to monitor the safety and soundness of the FHLBanks. The Finance Board also believes that the information collection is necessary to monitor the extent to which the FHLBanks are fulfilling their statutory housing finance mission through their acquired member asset programs.

The OMB number for the information collection is 3069-0058. The OMB clearance for the information collection expires on February 29, 2004.

The likely respondents are institutions that sell acquired member assets to the FHLBanks.

#### B. Burden Estimate

The Finance Board estimates the total annual average number of respondents at 600, with 12 responses per respondent. The estimate for the average hours per response is 8 hours. The estimate for the total annual hour burden is 57,600 hours (600 respondents × 12 responses per respondent × 8 hours).

#### C. Comment Request

The Finance Board requests written comments on the following: (1) Whether the collection of information is necessary for the proper performance of Finance Board functions, including whether the information has practical utility; (2) the accuracy of the Finance