TABLE 4.—AGGREGATE EXPOSURE OF DIMETHOMORPH (BAS 550 F)—Continued

Exposure	Infants (0–1 years)	Children (1–6 years)	Males (20–49 years)	Females (13–49 years)
Chronic exposure (mg/kg bwt/day)	0.001265	0.000843	0.000361	0.000402
%aRfD and %aPAD	NA	NA	NA	NA
%cRfD and %cPAD	25.30	16.87	7.23	8.03
AGGREGATE				
Acute exposure (mg/kg bwt/day)	0.174865	0.166243	0.064221	0.073462
Chronic exposure (mg/kg bwt/day)	0.009237	0.015963	0.007214	0.008173
%aRfD and %aPAD	NA	NA	NA	NA
%cRfD and %cPAD	33.27	31.99	14.08	15.80

These results indicate the aggregate exposure of dimethomorph (BAS 550 F), from potential residues in food and drinking water, will not exceed EPA's level of concern (100% of RfD). Overall, considering a ''worst-case'' scenario, we can conclude with reasonable certainty that no harm will occur from either acute or chronic aggregate exposure of dimethomorph residues in the current and pending commodities.

3. *Non-dietary exposure.* Currently, there are no registered residential uses for dimethomorph in the United States. Thus, an assessment of non-dietary exposure is not relevant to this petition.

D. Cumulative Effects

There is no information to indicate that any toxic effects produced by dimethomorph would be cumulative with those of any other chemical. The fungicidal mode of action of dimethomorph is unique; dimethomorph inhibits cell wall formation only in Oomycete fungi. The result is lysis of the cell wall that kills growing cells and inhibits spore formation in mature hyphae. This unique mode of action and limited pest spectrum suggest that there is little or no potential for cumulative toxic effects in mammals. In addition, the toxicity studies submitted to support this petition do not indicate that dimethomorph is a particularly toxic compound. No toxic end-points of potential concern were identified.

E. Safety Determination

1. *U.S. population.* Based on the acute toxicity data, BASF believes that dimethomorph does not pose any acute dietary risks. Therefore, a calculation of an acute RfD is not needed. The cPAD is 0.1 mg/kg bwt/day, based on a NOAEL of approximately 10 mg/kg bwt/day (200 ppm) from a 2–year dietary toxicity study in rats that demonstrated decreased body weight and liver foci in females at 750 ppm. The cPAD is calculated using an uncertainty factor of 100. The theoretical maximum residue concentration (TMRC) for all commodities covered in this petition is estimated at 0.003 mg/kg bwt/day for the general population. This represents a dietary exposure to the general population of the United States that is 3.0% of the cPAD. The combined TMRC for all current and pending dimethomorph tolerances in potatoes, tomatoes, grapes, hops, cereal grain commodities, lettuce (head and leaf), endive (escarole), radichio, cucurbit vegetables (crop group 9), bulb vegetables (crop group 3), and fruiting vegetables (except cucurbits) (crop group 8) will utilize less than 10% of the cPAD for the general U.S. population. Since EPA generally has no concern for exposures below 100 percent of the cPAD, EPA should conclude that there is a reasonable certainty that no harm will result from aggregate exposure to dimethomorph residues in or on commodities of the cited crops.

2. *Infants and children.* The TMRC for all commodities covered in this petition is minimal. The consumption of residues of dimethomorph on commodities associated with this request will use approximately 7.0% of the cPAD for children ages 1–6. Moreover, the combined TMRC values for all current and pending dimethomorph tolerances will utilize less than 10% of the cPAD for each of the subgroups. The results of the studies submitted to support this package provide no evidence that dimethomorph caused reproductive, developmental or fetotoxic effects. No such effects were noted at dose levels that were not maternally toxic. The NOAELs observed in the developmental and reproductive studies were 6 to 65 times higher than the NOAEL used to establish the cPAD. There is no evidence to indicate that children or infants would be more sensitive than adults to toxic effects caused by exposure to dimethomorph. Therefore, the registrant believes that the results of the toxicology and metabolism studies support both the safety of dimethomorph to humans based on the intended use as a fungicide on domestically produced fruiting vegetables (except cucurbits) (crop group 8) and the granting of the requested tolerances.

F. International Tolerances.

There are no Canadian, Mexican, or Codex maximum residue levels established for dimethomorph for the commodities associated with this request; consequently, a discussion of international harmonization is not relevant.

[FR Doc. 03–20899 Filed 8–19–03; 8:45 am]
BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[OPP–2003–0222; FRL–7316–3]

Issuance of Experimental Use Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted experimental use permits (EUP) to the following pesticide applicants. An EUP permits use of a pesticide for experimental or research purposes only in accordance with the limitations in the permit.

FOR FURTHER INFORMATION CONTACT: *For 69592–EUP–1*: Susanne Cerrelli, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 308–8077; e-mail address: *cerrelli.susanne@epa.gov*, or

For 70515–EUP–3: Carol E. Frazer, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 308–8810; e-mail address: *frazer.carol@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to those persons who conduct or sponsor research on pesticides, 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 information in this action, consult the persons 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–2003–0222. 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 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.

II. EUP

EPA has issued the following EUPs:

1. *69592–EUP–1*. Issuance. AgraQuest, Inc, 1530 Drew Ave., Davis, CA 95616. This EUP allows the use of 2,371.2 pounds of the fungicide *Bacillus pumilus* strain QST2808 on 3,955 total acres of brassica, bulb vegetables, cereal grains, cucurbits, fields of roses, forestry, fruiting vegetables, grapes, grass seed, hops, landscape, leafy vegetables, legume vegetables, mint, peanuts, pome fruits, root/tuber vegetables, stone fruits, strawberries, and sugarbeets to obtain phytotoxicity data over a large geographical area and to evaluate the control of various plant pathogens including: *Bremia lactucae*, *Cercospora spp.*, *Erysiphe spp.*, *Oidiopsis taurica*, *Peronospora parasitica*, *Puccinia spp.*, *Sclerotinia spp.*, *Sphaerotheca macularis*, *Uncinula necator*, *Uromyces phaseoli*, and *Phytophthora spp.* The program is authorized only in the States of Arizona, California, Colorado, Georgia, Florida, Idaho, Indiana, Michigan, Minnesota, North Carolina, North Dakota, New Jersey, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Texas, Virginia, Washington, Wisconsin, and West Virginia. The EUP is effective from June 6, 2003 to June 30, 2005. A temporary exemption from the requirement of a tolerance for residues of the *Bacillus pumilus* strain QST2808 in or on all agricultural commodities has been established.

2. *70515–EUP–3*. Issuance. Nutra-Park Inc., 3225 Deming Way, Suite 140, Middleton, WI 53562. This EUP allows the use of 220 gallons of the growth regulator NPI 100 10EC (containing the active ingredient lysophosphatidylethanolamine (LPE)) on 5,000 acres of apples, apricots, avocados, bananas, blackberries, blueberries, boysenberries, cherries, coffee, crabapples, cranberries, currants, eggplant, grapefruits, grapes, kiwis, lemons, limes, mandarins, mangos, mineolas, oranges, peaches, pears, peppers, pimentos, pineapples, plums, pomegranates, pummelos, raspberries, strawberries, tangelos, tangerines, and tomatoes to evaluate the control of ripening and shelf life. The program is authorized only in the States of Arizona, California, Florida, Georgia, Massachusetts, Oregon, South Carolina, Washington, and Wisconsin. The EUP is effective from July 1, 2003 to June 30, 2005. An exemption from the requirement of a tolerance has been established for residues of the active ingredient in or on all food commodities.

Authority: 7 U.S.C. 136c.

List of Subjects

Environmental protection, Experimental use permits.

Dated: August 8, 2003.

Janet L. Andersen,

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

[FR Doc. 03–21353 Filed 8–19–03; 8:45 am]

BILLING CODE 6560–50–S≤

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7546–6]

Proposed Agreement Pursuant to Sections 122(g) and (h) of the Comprehensive Environmental Response, Compensation, and Liability Act for the Chemical Recovery Systems Superfund Site

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

ACTION: Notice; request for public comment on proposed de minimis settlement.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (''CERCLA''), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement for recovery of response costs concerning the Chemical Recovery Systems Superfund Site in Elyria, Ohio. EPA proposes to enter into this agreement under the authority of sections 122(g) and (h) and 107 of CERCLA. In addition to the review by the public pursuant to this document, the agreement has been approved by the United States Department of Justice. The proposed agreement has been executed by the following eighty three (83) de minimis parties:

3M Company
Adelphia, Inc.
Aexcel Corporation (f/k/a DeSantis Coatings)