

concerns regarding the adequacy of the standard MOE/safety factor.

The toxicology data base for methoxyfenozide included acceptable developmental toxicity studies in both rats and rabbits as well as a 2-generation reproductive toxicity study in rats. The data provided no indication of increased sensitivity of rats or rabbits to *in utero* and/or postnatal exposure to methoxyfenozide. There is a complete toxicity data base for methoxyfenozide and exposure data are complete or are estimated based on data that reasonably accounts for potential exposures. Based on the completeness of the data base and the lack of prenatal and postnatal toxicity, EPA determined that an additional safety factor was not needed for the protection of infants and children.

Since no acute toxicological endpoints were established, acute aggregate risk is considered to be negligible. Using the exposure assumptions described in this unit, Rohm and Haas has concluded that aggregate exposure to methoxyfenozide from food will utilize 37.6% of the cPAD for infants and children. EPA generally has no concern for exposures below 100% of the cPAD because the cPAD represents the level at or below which daily aggregate dietary exposure over a lifetime will not pose appreciable risks to human health. Despite the potential for exposure to methoxyfenozide in drinking water, Rohm and Haas does not expect the aggregate exposure to exceed 100% of the cPAD. Short and intermediate term risks are judged to be negligible due to the lack of significant toxicological effects observed. Based on these risk assessments, Rohm and Haas concludes that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to methoxyfenozide residues.

#### F. International Tolerances

There are no established or proposed Codex, Canadian or Mexican limits for residues of methoxyfenozide in/on plant or animal commodities. Therefore, no compatibility issues exist with regard to the proposed U.S. tolerances.

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-50885; FRL-6777-9]

### Issuance of an Experimental Use Permit

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

**ACTION:** Notice.

**SUMMARY:** EPA has granted an experimental use permit (EUP) to the following pesticide applicant. 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:** By mail: Barbara Mandula, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Office location, telephone number, and e-mail address: 1921 Jefferson Davis Hwy., Rm. 9016, Crystal Mall #2, Arlington, VA; (703) 308-7378; e-mail address: mandula.barbara@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 designated contact person listed for the individual EUP.

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

You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the "Federal Register—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

##### II. EUP

EPA has issued the following EUP: 73417-EUP-1. Issuance. Greenville Farms, 1689 N. 1200 E. Logan, Utah

84341. This EUP allows the use of 83 pounds of the herbicide dyers woad rust on 12 acres of rangeland to evaluate the control of dyers woad. The program is authorized only in the State of Utah. The EUP is effective from March 1, 2001 to March 1, 2002.

Persons wishing to review this EUP are referred to the designated contact person. Inquiries concerning this permit should be directed to the person cited above. It is suggested that interested persons call before visiting the EPA office, so that the appropriate file may be made available for inspection purposes from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

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

#### List of Subjects

Environmental protection,  
Experimental use permits.

Dated: May 2, 2001.

**Janet L. Andersen,**

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

[FR Doc. 01-12902 Filed 5-22-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6982-8]

### Massachusetts Marine Sanitation Device Standard; Receipt of Petition

Notice is hereby given that a petition has been received from the State of Massachusetts requesting a determination of the Regional Administrator, U.S. Environmental Protection Agency, pursuant to section 312(f)(3) of Public Law 92-500 as amended by Public Law 95-217 and Public Law 100-4, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the Three Bay/Centerville Harbor Area in the Town of Barnstable, County of Barnstable, State of Massachusetts, to qualify as a "No Discharge Area" (NDA). The areas covered under this petition include Cotuit Bay, West Bay, East Bay, and Squaw Island Marsh, north of a line drawn 500 feet south of their mouths at Nantucket Sound. The area also includes the following sub-embayments: North Bay, Prince Cove, Marstons Mills River South of Route 28, Scudder Bay South of Bumps River Road, Bumps River East of Bumps River Road, Centerville River West of Craigville Beach Road, and Halls Creek South of

Craigville Beach Road. The proposed NDA encompasses approximately 2,150 surface acres in the Southwest corner in the Town of Barnstable. The area is roughly bounded by: 41°36'40.0" N by 70°26'41.1" W, 41°37'26.9" N by 70°19'05.4" W, 41°38'19.8" N by 70°19'21.9" W, and 41° 39'03.2" N—70°24'53.8" W.

The State of Massachusetts has certified that there will be two pump-out facilities located within the proposed area to service vessels in the Three Bay/Centerville Harbor Area. The first, is a pump-out boat operated by the Harbormasters Office, and docked at the Oyster Harbor Marine when not in use. The boat has a holding capacity of 300 gallons. The pump-out boat is available Wednesday through Sunday from 0930 to 1630 (9:30 a.m.—4:30 p.m.) from Memorial Day to Thanksgiving. The pump-out boat is accessible by VHF marine radio via Channel 9 and by calling the Marine and Environmental Affairs Division (MEAD) in Barnstable at (508) 790-6273. The second pump-out facility is a self service trailer unit and located at the Oyster Harbor Marine, with a holding capacity of 250 gallons, and provides access for vessels up to 50 feet in length and a draft of 4 feet at mean low water. This facility is available daily from June 15 through September 15 from approximately 0800 to 1700 (8 a.m. to 5 p.m.). During the early spring and late fall this facility is available by contacting the Harbormaster Office by phone at (508) 790-6273.

The town of Barnstable maintains public facilities at four locations, Loops Beach, Craigville Beach, Covells Beach and Dowse's Beach, and are seasonal. In addition the three marinas located within the proposed NDA provide on-shore toilet facilities for marina patrons and their guests.

The waste from the pump-out boat is off loaded to the trailer unit and then transported to the Barnstable Water Pollution Control Facility. The Barnstable Board of Health issues a waste permit for this disposal.

The number of mooring permits indicate that 1,667 vessels reside within the Three Bay/Centerville Harbor Area and 1584 are identified as recreational and 83 are commercial vessels. The Three Bay/Centerville Harbor Area is primarily a "parking lot" harbor and 70% of the vessel population is under 25 feet in length, and therefore do not have any type of Marine Sanitation Device (MSD). There are a number of locations in the Three Bay/Centerville Harbor Area with public launching ramps, however, the size and condition of the ramps and the depth of the water

generally limit use to vessels 25 feet and under. In addition to the vessels that reside in the Three Bay/Centerville Harbor Area, there is a transient population estimated at 110 vessels which have MSDs.

The resources of the Three Bay/Centerville Harbor Area are recreational and commercial. There are four public beaches, the Dead Neck Audubon Bird/Wildlife Refuge, and town conservation lands located within the proposed No Discharge Area. The area is also used by both recreational and commercial shell fishermen for the harvest of quahogs, and soft-shell clams.

Comments and reviews regarding this request for action may be filed on or before June 22, 2001. Such communications, or requests for information or a copy of the applicant's petition, should be addressed to Ann Rodney, U.S. Environmental Protection Agency—New England Region, 1 Congress Street, Suite 1100, CWQ, Boston, MA 02114-2023. Telephone: (617) 918-1538.

**Ira Leighton,**

*Acting Regional Administrator, Region 1.*

[FR Doc. 01-12890 Filed 5-22-01; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6983-7]

### Notice of Availability for Public Review and Comment of the Continuing Planning Process (CPP) for the State of Missouri

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

**ACTION:** Notice of availability for public review and comment of the continuing planning process (CPP) for the State of Missouri.

**SUMMARY:** The Clean Water Act (the Act) at section 303(e) and EPA's implementing regulation at 40 CFR 130.5, require that each State shall establish and maintain a continuing planning process (CPP) consistent with the Act. Each State is responsible for managing its water quality program to implement the processes specified in the CPP, and EPA is responsible for periodically reviewing the adequacy of the State's CPP. This document is being published in accordance with paragraph 3 of the settlement agreement in the matter of American Canoe Association, *et al.*, v. EPA, No. 98-1195-CV-W-SOW-ECF Cons. with 98-4282-CV-W-SOW-ECF. Consistent with the settlement agreement, EPA is publishing

this notice of availability of the CPP to interested parties. The current CPP in force for the Missouri Department of Natural Resources (MDNR) is the 58 page document entitled Continuing Planning Process dated May 1984. By November 27, 2001 EPA will prepare a preliminary written summary of its review of the CPP and will make that summary available upon request to interested parties for their review and comment. There will be a 60 day comment period following the completed summary. Copies of the CPP will be available beginning May 28, 2001 by contacting the person listed in the following **FOR FURTHER INFORMATION CONTACT** section. Once available, copies of EPA's preliminary written summary may also be requested.

**Footnote—**The Missouri Department of Natural Resources (MDNR) has acknowledged that the 1984 CPP needs updating. The MDNR 2000 Water Planning 604(b) grant contains a workplan element that calls for the review and revision of the current CPP, with a preliminary draft scheduled for May, 2001 and a final draft tentatively scheduled for submission to the Missouri Clean Water Commission in late 2001. This process is underway. When an official draft is made available by MDNR for public review, this office will likewise make it available for public review. EPA intends to review and comment on the draft.

**FOR FURTHER INFORMATION CONTACT:** Robert Steiert, Water, Wetlands and Pesticide Division, Geographic Planning and Coordination Branch at (913) 551-7433 or by E-mail at steiert.robert@epa.gov .

Dated: May 16, 2001,

**Nat Scurry,**

*Acting Deputy Regional Administrator, Region VII.*

[FR Doc. 01-13047 Filed 5-22-01; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6983-1]

### Clean Water Act Section 303(d): Final Agency Action on 11 Total Maximum Daily Loads (TMDLs) and Final Agency Action on 26 Determinations That TMDLs Are Not Needed

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces final agency action on 11 TMDLs prepared by EPA Region 6 for waters listed in