concentrations of clethodim and its sulfoxide metabolite in drinking water. Because there are no identified short- or intermediate-term dermal toxic endpoints of concern, these risk analyses are not necessary.

It can be concluded that there is a reasonable certainty that no harm will result to individuals in the U.S. population or in any sub-group of the U.S. population, including infants and children, from aggregate chronic exposures to clethodim residues resulting from approved and pending uses.

1. *U.S. population*. Using the dietary exposure assessment procedures described above for clethodim, calculated chronic dietary exposure — taking into account percent of crop treated and using anticipated residues — from existing and proposed uses of clethodim is minimal. The estimated chronic dietary exposure from food for the overall U.S. population and many non-child/infant subgroups is 0.000174 to 0.000204 mg/kg bwt/day, 1.7 to 2.0% of the RfD. Addition of the small but worse case potential chronic exposure from drinking water (calculated above) increases exposure by 0.0003 mg/kg bwt/day and the maximum occupancy of the RfD from 2.0 per cent to 5.0%. Generally, the Agency has no cause for concern if total residue contribution is less than 100% of the RfD. It can be concluded that there is a reasonable certainty that no harm will result to the overall U.S. Population and many non-child/infant subgroups from aggregate, chronic exposure to clethodim residues.

2. *Infants and children*. Safety Factor for Infants and Children: In assessing the potential for additional sensitivity of infants and children to residues of clethodim, FFDCA section 408 provides that EPA shall apply an additional margin of safety, up to ten-fold, for added protection for infants and children in the case of threshold effects unless EPA determines that a different margin of safety will be safe for infants and children.

The toxicological data base for evaluating pre- and post-natal toxicity for clethodim is complete with respect to current data requirements. There are no special pre- or post-natal toxicity concerns for infants and children, based on the results of the rat and rabbit developmental toxicity studies or the 3–generation reproductive toxicity study in rats. Reliable data support use of the standard 100-fold uncertainty factor and an additional uncertainty factor is not needed for clethodim to be further protective of infants and children.

Chronic Exposure and Risk — Infant and child sub-populations: Using the conservative exposure assumptions described above (anticipated residues and percent of crop treated), the percentage of the RfD that will be utilized by dietary (food only) exposure to residues of clethodim ranges from 0.7% for nursing infants (<1 year old), up to 4.8 % for children (1–6 years). Adding the worse case potential incremental exposure to infants and children from clethodim in drinking water (0.001 mg/kg bwt/day) greatly increases the aggregate, chronic dietary exposure and the occupancy of the RfD by 10.0 % to 14.8 % for Children (1–6 years). EPA generally has no concern for exposures below 100% of the RfD because the RfD represents the level at or below which daily aggregate dietary exposure over a lifetime will not pose appreciable risks to human health. It can be concluded that there is a reasonable certainty that no harm will result to infants and children from aggregate, chronic exposure to clethodim residues.

*F. International Tolerances*

Although some have been proposed, there are no Canadian, Mexican, or Codex tolerances or maximum residue limits established for clethodim. There are no conflicts between this proposed action and international residue limits.

[FR Doc. 01–21447 Filed 8–23–01; 8:45 am]

BILLING CODE 6560–50–S

## ENVIRONMENTAL PROTECTION AGENCY

**[PF–1039; FRL–6796–2]**

## 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 control number PF–1039, must be received on or before September 24, 2001.

**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 control number PF–1039 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** By mail: Joseph M. Tavano, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 305–6411; e-mail address: tavano.joseph@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:

| Categories | NAICS codes | Examples of potentially affected entities |
|---|---|---|
| Industry | 111 | Crop production |
| | 112 | Animal production |
| | 311 | Food manufacturing |
| | 32532 | Pesticide manufacturing |

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 table 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 Additional Information, Including Copies of this Document and Other Related Documents?*

1. *Electronically*. 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/.

2. *In person*. The Agency has established an official record for this action under docket control number PF–1039. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

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

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number PF–1039 in the subject line on the first page of your response.

1. *By mail*. Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier*. Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

3. *Electronically*. You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in Wordperfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number PF–1039. Electronic comments may also be filed online at many Federal Depository Libraries.

*D. How Should I Handle CBI That I Want to Submit to the Agency?*

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as 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 version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified 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 control 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: August 14, 2001.

**Peter Caulkins,**

*Acting Director, Registration 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 the petitioner and represents the view of the petitioner. EPA is publishing the petition summary verbatim without editing it in any way. 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.

### Rohm and Haas Company

*1F6287*

EPA has received a pesticide petition (1F6287) from Rohm and Haas Company, 100 Independence Mall West, Philadelphia, PA 19106–2399 proposing, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing a tolerance for residues of methoxyfenozide [benzoic acid, 3-methoxy-2-methyl-, 2-(3,5-dimethylbenzoyl)-2-(1,1-dimethylethyl) hydrazide] in or on the raw agricultural commodity tree nut crop group and almond hulls at 0.1 and 45 parts per million (ppm), respectively. EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; 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.

*A. Residue Chemistry*

1. *Plant metabolism*. The qualitative nature of methoxyfenozide residues in plants and animals is adequately understood and was previously published in the **Federal Register** of July 5, 2000, (65 FR 41355) (FRL–6496–5).

2. *Analytical method*. A high performance liquid chromotography/ using ultra-violet detection (HPLC/UV) Method TR 34–00–107 for the enforcement of tolerances in tree nuts and almond hulls has been developed. Confirmatory method validation data have been submitted for this method. The validated limit of quantitation (LOQ) of the analytical method was 0.02 ppm in all nut matrices and 0.05 ppm for almond hulls.

3. *Magnitude of residues*. Magnitude of residue, geographically representative field trials with methoxyfenozide 80WP and 2F formulations were conducted to support the proposed crop group tolerance for the tree nut representative crops pecans and almonds. The results of the field trials indicate that residues of methoxyfenozide will not exceed the proposed crop group tolerance of 0.1 ppm for tree nuts or 45 ppm for almond hulls.

*B. Toxicological Profile*

The toxicological profile and endpoints for methoxyfenozide which supports this petition to establish tolerances were previously published in the **Federal Register** of July 5, 2000 (65 FR 41355) (FRL–6496–5).

*C. Aggregate Exposure*

i. *Food—Acute exposure and risk*. Acute dietary risk assessments are performed for a food-use pesticide if a toxicological study has indicated the possibility of an effect of concern occurring as a result of a 1–day or single exposure. No appropriate toxicological endpoint attributable to a single exposure was identified in the available toxicology studies on methoxyfenozide including the acute neurotoxicity study in rats, the developmental toxicity study in rats, and the developmental toxicity study in rabbits. Since no acute toxicological endpoints were established, Rohm and Haas considers acute aggregate risk to be negligible.

ii. *Chronic exposure and risk*. Rohm and Haas used the dietary exposure evaluation model (DEEM) software for conducting a chronic dietary (food) risk analysis. DEEM is a dietary exposure analysis system that is used to estimate exposure to a pesticide chemical in foods comprising the diets of the U.S. population, including population subgroups. DEEM contains food consumption data as reported by respondents in the United States Department of Agriculture (USDA) continuing surveys of food intake by individuals conducted in 1994–1996. Rohm and Haas assumed 100% of crops would be treated and contain methoxyfenozide residues at the tolerance level. The following tolerance levels were used in the analysis:

| Commodity | Tolerance Level ppm |
|---|---|
| Almond hulls | 45 ppm |
| Bulb vegetables | 0.1 ppm |
| Corn, aspirated grain fractions | 1.0 ppm |
| Corn, field, forage | 15 ppm |
| Corn, field, grain | 0.05 ppm |
| Corn, field, stover (fodder) | 105 ppm |
| Corn, oil | 0.2 ppm |
| Corn, silage | 5.0 ppm |
| Corn, sweet, forage | 30 ppm |
| Corn, sweet (K+CWHR) | 0.05 ppm |
| Corn, sweet, stover (fodder) | 60 ppm |
| Cotton, undelinted seed | 2.0 ppm |
| Fat* | 0.5 ppm |
| Fruiting vegetables | 2.0 ppm |
| Grapes | 1.0 ppm |
| Head and stem Brassica (5A) | 6.5 ppm |
| Herbs and spices | 8 ppm |
| Leaf petioles (4B) | 10.0 ppm |
| Leafy Brassica greens (5B) | 20.0 ppm |
| Leafy vegetables (4A) | 25 ppm |
| Leaves of root and tuber vegetables | 0.1 ppm |
| Legume vegetables | 0.05 ppm |
| Liver | 0.4 ppm |
| Meat* | 0.02 ppm |
| Meat byproducts* (except liver) | 0.1 ppm |
| Milk | 0.1 ppm |
| Pome fruit | 1.5 ppm |
| Prunes | 7.0 ppm |
| Raisins | 1.5 ppm |
| Root and tuber vegetables | 0.05 ppm |
| Stone fruits | 5.0 ppm |
| Tree nuts | 0.1 ppm |

*Of cattle, goats, hogs, horses, and sheep.

Processing factors were also applied to grape juice (1.2x), grape juice concentrate (3.6x), apple juice/cider (1.3x), apple juice concentrate (3.9x), dried apples (8x), dried pears (6.25x), tomato juice (1.5x), tomato puree (3.3x), tomato paste (5.4x), tomato catsup (2.5x), dried tomatoes (14.3x), dehydrated onions (9x), white dry potatoes (6.5x), sprouted soybean seeds (0.33x), corn grain sugar (high, fructose corn syrup 1.5x), dried beef (1.92x), dried veal (1.92x), dried apricots (6.0x), dried cherries (4.0x), cherry juice (1.5x), dried peaches (7.0x), dried plums (5.0x), and plum/prune juice (1.4x). The processing factors are default values from DEEM.

As shown in the following table, the resulting dietary food exposures occupy up to 37.6% of the chronic PAD (cPAD) for the most highly exposed population subgroup, children 1 to 6 years old. These results should be viewed as conservative (health protective) risk estimates. Refinements such as use of percent crop-treated information and/or anticipated residue values would yield even lower estimates of chronic dietary exposure.

SUMMARY: CHRONIC DIETARY EXPOSURE ANALYSIS BY DEEM (TIER 1)

| Population Subgroup | Exposure milligrams/ kilograms (mg/kg/day) | % of cPAD |
|---|---|---|
| U.S. population (48 contiguous States) | 0.0189 | 18.9 |
| All infants (<1 year old) | 0.0315 | 31.5 |
| Nursing infants (<1 year old) | 0.0134 | 13.4 |
| Non-nursing infants (<1 year old) | 0.0368 | 36.8 |
| Children (1 to 6 years old) | 0.0376 | 37.6 |

SUMMARY: CHRONIC DIETARY EXPOSURE ANALYSIS BY DEEM (TIER 1)—Continued

| Population Subgroup | Exposure milligrams/kilograms (mg/kg/day) | % of cPAD |
|---|---|---|
| Children (7 to 12 years old) | 0.0216 | 21.6 |
| Females 13+ (nursing) | 0.0191 | 19.1 |
| U.S. population (autumn season) | 0.0191 | 19.1 |
| U.S. population (spring season) | 0.0190 | 19.0 |
| Northeast region | 0.0206 | 20.6 |
| Western region | 0.0210 | 21.0 |
| Hispanics | 0.0191 | 19.1 |
| Non-Hispanic/non- white/non-black | 0.0249 | 24.9 |

Percent cPAD = (Exposure divided by cPAD) x 100%.

The subgroups listed are:

- The U.S. population (total).
- Those for infants and children.
- The other subgroup(s), if any, for which the percentage of the cPAD occupied is greater than that occupied by the subgroup U.S. population (total).
- The most highly exposed of the females subgroups (in this case, females (13+ years, nursing).

iii. *Drinking water.* There is no water-related exposure data from monitoring to complete a quantitative drinking water exposure analysis and risk assessment for methoxyfenozide. Generic expected environmental concentration (GENEEC) and/or pesticide root zone model/exposure analysis modeling system (PRZM/EXAMS) (both produce estimates of pesticide concentration in a farm pond) are used to generate estimated environmental concentrations (EECs) for surface water and screening concentration in ground water (SCI-GROW) (an empirical model based upon actual monitoring data collected for a number of pesticides that serve as benchmarks) predicts EECs in ground water. These models take into account the use patterns and the environmental profile of a pesticide, but do not include consideration of the impact that processing raw water for distribution as drinking water would likely have on the removal of pesticides from the source water. The primary use of these models at this stage is to provide a coarse screen for assessing whether a pesticide is likely to be present in drinking water at concentrations which would exceed human health levels of concern.

A drinking water level of comparison (DWLOC) is the concentration of a pesticide in drinking water that would be acceptable as a theoretical upper limit in light of total aggregate exposure to that pesticide from food, water, and residential uses. HED uses DWLOCs internally in the risk assessment process as a surrogate measure of potential exposure associated with pesticide exposure through drinking water. In the absence of monitoring data for a pesticide, the DWLOC is used as a point of comparison against the conservative EECs provided by computer modeling (SCI-GROW, GENEEC, PRZM/EXAMS).

a. *Acute exposure and risk.* Because no acute dietary endpoint was determined, Rohm and Haas concludes that there is a reasonable certainty of no harm from acute exposure from drinking water.

b. *Chronic exposure and risk.* Tier II screening-level assessments can be conducted using the simulation models SCI-GROW and PRZM/EXAMS to generate EECs for ground and surface water, respectively. The modeling was conducted based on the environmental profile and the maximum seasonal application rate proposed for methoxyfenozide (1.0 lb active iingredient/acre/season). PRZM/EXAMS was used to generate the surface water EECs, because it can factor the persistent nature of the chemical into the estimates.

The EECs for assessing chronic aggregate dietary risk used by HED are 6 parts per billion (ppb) (in ground water, based on SCI-GROW) and 98.5 ppb (in surface water, based on the PRZM/EXAMS, long-term mean). The back-calculated DWLOCs for assessing chronic aggregate dietary risk range from 624 ppb for the most highly exposed population subgroup (children 1 to 6 years old) to 2,839 ppb for the U.S. population (48 contiguous States—all seasons).

The SCI-GROW and PRZM/EXAMS chronic EECs are less than the Agency's level of comparison (the DWLOC value for each population subgroup) for methoxyfenozide residues in drinking water as a contribution to chronic aggregate exposure. Rohm and Haas thus concludes with reasonable certainty that residues of methoxyfenozide in drinking water will not contribute significantly to the aggregate chronic human health risk and that the chronic aggregate exposure from methoxyfenozide residues in food and drinking water will not exceed the Agency's level of concern (100% of the cPAD) for chronic dietary aggregate exposure by any population subgroup. EPA generally has no concern for exposures below 100% of the cPAD, because it is a level at or below which daily aggregate dietary exposure over a lifetime will not pose appreciable risks to the health and safety of any population subgroup. This risk assessment is considered high confidence, conservative, and very protective of human health.

DRINKING WATER LEVELS OF COMPARISON FOR CHRONIC EXPOSURE TO METHOXYFENOZIDE

| Population Subgroup | cPAD (mg/kg/day) | Food Exposure (mg/kg/day) | Maximum Water Exposure (mg/kg/day) | SCI-GROW (µg/L) | GENEEC 56–Day Average (µg/L) | DWLOC (µg/L) |
|---|---|---|---|---|---|---|
| U.S. population (48 contiguous States) | | 0.0189 | 0.0811 | | | 2839 |
| Females 13+ (nursing) | | 0.0191 | 0.0809 | | | 2427 |
| Non-nursing Infants <1 year old | 0.10 | 0.0368 | 0.0632 | 6 | 98.5 | 632 |

DRINKING WATER LEVELS OF COMPARISON FOR CHRONIC EXPOSURE TO METHOXYFENOZIDE—Continued

| Population Sub-group | cPAD (mg/kg/day) | Food Exposure (mg/kg/day) | Maximum Water Exposure (mg/kg/day) | SCI-GROW (µg/L) | GENEEC 56–Day Average (µg/L) | DWLOC (µg/L) |
|---|---|---|---|---|---|---|
| Children (1 to 6 years old) | | 0.0376 | 0.0624 | | | 624 |
| Children (7 to 12 years old) | | 0.0216 | 0.0784 | | | 784 |

Maximum water exposure (mg/kg/day) = cPAD (mg/kg/day) - chronic food exposure DWLOC (µg/L) = maximum water exposure (mg/kg/day) x body weight kg divided by 1/1,000 mg/µg x water consumed daily (L/day). Body weights for adults is 70 kg, for females 13+ is 60 kg, and for all children is 10 kg. Drinking water consumption is 2 liters per day for adults and 1 liter per day for children.

2. *Non-dietary exposure*. Methoxyfenozide is not currently registered for use on any residential non-food sites. Therefore, there is no non-dietary acute, chronic, short-or intermediate-term exposure.

*D. Cumulative Effects*

Section 408(b)(2)(D)(v) requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider ''available information'' concerning the cumulative effects of a particular pesticide's residue and ''other substances that have a common mechanism of toxicity.''

EPA does not have, at this time, available data to determine whether methoxyfenozide has a common mechanism of toxicity with other substances or how to include this pesticide in a cumulative risk assessment. Unlike other pesticides for which EPA has followed a cumulative risk approach based on a common mechanism of toxicity, methoxyfenozide does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance action, therefore, it is assumed that methoxyfenozide does not have a common mechanism of toxicity with other substances.

*E. Safety Determination*

1. *U.S. population*. Using the DEEM exposure assumptions described in this unit, Rohm and Haas has concluded that aggregate exposure to methoxyfenozide from food will utilize 18.9% of the cPAD for the U.S. population. The major identifiable subgroup with the highest aggregate exposure is children 1 to 6 years old at 37.6% of the cPAD and is discussed below. 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, the aggregate exposure is not expected to exceed 100% of the cPAD. Rohm and Haas concludes that there is a reasonable certainty that no harm will result from aggregate exposure to methoxyfenozide residues.

2. *Infants and children*. In assessing the potential for additional sensitivity of infants and children to residues of methoxyfenozide, EPA considered data from developmental toxicity studies in the rat and rabbit and a 2–generation reproduction study in the rat. The developmental toxicity studies are designed to evaluate adverse effects on the developing organism resulting from maternal pesticide exposure during gestation. Reproduction studies provide information relating to effects from exposure to the pesticide on the reproductive capability of mating animals and data on systemic toxicity.

FFDCA section 408 provides that EPA shall apply an additional ten-fold margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the data base unless EPA determines that a different margin of safety will be safe for infants and children. Margins of safety are incorporated into EPA risk assessments either directly through use of a margin of exposure (MOE) analysis or through using uncertainty (safety) factors in calculating a dose level that poses no appreciable risk to humans. EPA believes that reliable data support using the standard uncertainty factor (usually 100 for combined interspecies and intraspecies variability) and not the additional ten-fold MOE/UF when EPA has a complete data base under existing guidelines and when the severity of the effect in infants or children or the potency or unusual toxic properties of a compound do not raise 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.

3. *Conclusion*. 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 discussed in this petition review.

[FR Doc. 01–21448 Filed 8–23–01; 8:45 am]

**BILLING CODE 6560–50–S**

## ENVIRONMENTAL PROTECTION AGENCY

**[FRL–7042–3]**

### Proposed CERCLA Administrative Cost Recovery Settlement; Atlantic Richfield Company, International Smelter Site, Tooele, Utah

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**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 past response costs concerning the International Smelter site in Tooele, Utah, with Atlantic Richfield Company. The settlement requires the settling party to pay $185,066 to the Hazardous Substance Superfund and to perform and fund the remedial investigation/feasibility study for the site. The settlement includes a covenant not to sue the settling party pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a). For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate.

**DATES:** Comments must be submitted on or before September 24, 2001.

**ADDRESSES:** Written comments may be mailed to Dawn Tesorero, Technical Enforcement Program, 8ENF–T, Environmental Protection Agency (EPA), Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202. Comments should reference the International Smelter Site, Tooele, Utah. Copies of the documents relevant to this settlement are available for public inspection at the Superfund Records Center, EPA, Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202.

**FOR FURTHER INFORMATION CONTACT:** Dawn Tesorero, EPA, Technical Enforcement Program, (303) 312–6883 at the earlier mentioned address.

Dated: August 9, 2001.

**Carol Rushin,**

*Assistant Regional Administrator, Office of Enforcement, Compliance, and Environmental Justice, Region 8.*

[FR Doc. 01–21443 Filed 8–23–01; 8:45 am]

**BILLING CODE 6560–50–P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

August 17, 2001.

**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, as required by the Paperwork Reduction Act 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 comments should be submitted on or before October 23, 2001. 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 comments to Les Smith, Federal Communications Commissions, 445 12th Street, S.W., Room 1-A804, Washington, DC 20554 or via the Internet to *lesmith@fcc.gov.*

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collections contact Les Smith at (202) 418–0217 or via the Internet at *lesmith@fcc.gov.*

**SUPPLEMENTARY INFORMATION:**

*OMB Approval No.:* 3060–0991.

*Title:* AM Measurement Data.

*Form No.:* n/a.

*Type of Review:* Extension of currently approved collection.

*Respondents:* Businesses or other for-profit.

*Number of Respondents:* 1,900.

*Estimated Hours Per Response:* 0.5–25 hours.

*Frequency of Response:* recordkeeping, third party disclosure, reporting, on occasion.

*Cost to Respondents:* $72,500.

*Estimated Total Annual Burden:* 29,180.

*Needs and Uses:* In order to control interference between stations and assure adequate community coverage, AM stations must conduct various engineering measurements to demonstrate that the antenna system operates as authorized. The data is used by station engineers to correct the operating parameters of an antenna. The data is also used by FCC staff in field operations to ensure that stations are in compliance with the technical requirements of the Commission's rules.

*OMB Approval Number:* 3060–0798.

*Title:* FCC Application for Wireless Telecommunications Bureau Radio Service Authorization.

*Form No.:* FCC 601.

*Type of Review:* Revision of an existing collection..

*Respondents:* Individuals or households; Business or other for-profit; Not-for-profit institutions; State, Local or Tribal Government.

*Number of Respondents:* 240,576.

*Estimated Time Per Response:* 1.25 hours.

*Total Annual Burden:* 210,504 hours.

*Needs and Uses:* FCC 601 is used as the general application (long form) for market based licensing and site-by-site licensing in the Wireless Telecommunications Radio Services. The purpose of this revision is to make the necessary form changes for radio communication services in the 900 MHz band for Multiple Address Systems, for 700 MHz band State License for public safety services, to make the necessary adjustments to the instructions for implementation of Aviation Radio Service and to further clarify various instructions for the applicants. We are seeking emergency clearance on these changes in order to allow form changes to be in place for the auctions scheduled for the middle of November.

The information is used by the Commission to determine whether the applicant is legally, technically and financially qualified to be licensed.