

Oakland, Alameda County, CA, Wait Period Ends: February 04, 2002, Contact: Theresa Persick Arnold (703) 697-0216.

Dated: December 31, 2001.

**Anne Norton Miller,**

*Director, Office of Federal Activities.*

[FR Doc. 02-227 Filed 1-3-02; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-6625-3]

### **Environmental Impact Statements and Regulations; Availability of EPA Comments**

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated May 18, 2001 (66 FR 27647).

#### **Draft EISs**

ERP No. D-BIA-K39071-00 Rating EC2, Truckee River Water Quality Settlement Agreement and Federal Water Right Acquisition, Implementation, Truckee River, Placer County, CA and Washoe, Storey and Lyon Counties, NV.

Summary: EPA recognized the WQSA signatories work to permanently improve Truckee River water quality and reduce violations of water quality standards. EPA encouraged them to continue to work with us in achieving full compliance with water quality standards. EPA expressed concerns with alternatives, monitoring and mitigation, and cumulative impacts.

ERP No. D-BLM-K40248-AZ Rating EC2, Diamond Bar Road Improvement Project, Road Pavement and Realignment of sections through Grapevine Wash, Right-of-Way Permits Issuance, Mohave County, AZ.

Summary: EPA expressed environmental concerns with potential cumulative impacts, particularly, those from reasonably foreseeable development scenarios. EPA suggested that alternatives further minimize adverse impacts to vegetation, wildlife and cultural resources.

ERP No. D-COE-D36179-WV Rating EO2, Marlinton Local Flood Protection, Flood Damage Reduction Measures

Evaluation, Levee and Floodwall Construction for Knapp Creek Flood Management, Greenbrier River, Town of Marlinton, Pocahontas County, WV.

Summary: EPA expressed environmental concerns that non-structural alternatives, including relocation of residential and non-residential structures to a flood safe site, were not evaluated in detail. Insufficient information is provided for a reasonably available alternative (relocation) which could reduce the environmental impacts of the proposal.

ERP No. D-NOA-L91016-AK Rating LO, American Fisheries Act Amendments 61/61/13/8: Amendment 61 Groundfish Fishery of the Bering Sea and Aleutian Islands Area; Amendment 61 Groundfish of the Gulf of Alaska; Amendment 13 Bering Sea and Aleutian Islands King and Tanner Crab, and Amendment 8 Scallop Fishery off Alaska, Fishery Management Plans, AK.

Summary: EPA lacked objections to ending the traditional race for fish by implementing action alternatives associated with the American Fisheries Act (AFA) because it results in a safer, more efficient fishery that utilizes a higher percentage of pollock biomass harvested. EPA suggested that the fishing industry could exploit the temporal and spatial discretion afforded by AFA, and extract a greater percentage of biomass to further reduce impacts of process waste discharge to water quality.

ERP No. DS-NRC-A00150-00 Rating EC2, Decommissioning of Nuclear Facilities, Updated Information on Dealing With Decommissioning of Nuclear Power Reactors (NUREG-0586).

Summary: EPA expressed environmental concerns with this supplement to a generic EIS and requested clarifications and supplementary information on: determining when a particular decommissioning activity or site or operating condition is covered by the generic analysis; explaining the differing impact levels and the assumptions used in setting them; updating the analysis of the site's environmental condition; and, providing a more robust discussion of impacts to ground water.

#### **Final EISs**

ERP No. F-AFS-L65377-OR, South Fork Burnt River Ranger Planning Area, Development of Five New Allotment Management Plans (AMPS), Wallowa-Whitman National Forest, Unity Ranger District, Baker County, OR.

Summary: While the FEIS added additional technical information on restoration actions, EPA continued to

have some environmental concerns with the project. Principally, the FEIS did not include a no-graze or reduced graze restoration alternative.

ERP No. F-COE-J64008-SD, Title VI Land Transfer South Dakota, Transfer of 91,178 Acres of Land at Lake Oahe, Lake Sharp, Lake Francise Case, and Lewis and Clark Lake, from the US Army Corps of Engineers (USACE) to the South Dakota Department of Game, Fish and Parks (SDGFP), SD.

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

ERP No. F-FHW-F50003-IL, Fox River Bridge Crossings, Construction of up to Five-Bridges across the Fox River, Funding and NPDES and US Army COE Section 10 and 404 Permits Issuance, Kane County, IL.

SUMMARY: Based upon the highway agency's commitments (on travel-related mitigation and wetland compensation), EPA had no significant environmental concerns with the preferred alternative. EPA believed that the preferred alternative can satisfy the project's purpose and need while adequately mitigating direct and indirect impacts.

ERP No. F-FRC-L05221-WA, Cowlitz River Hydroelectric Project (No. 2016-044), Relicensing of the Existing 462-Megawatt Cowlitz River Hydroelectric Project, City of Tacoma, WA.

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

ERP No. FS-NPS-K61137-AZ, Organ Pipe Cactus National Monument General Management Plan and Development Concept Plan, Updated Information concerning Re-Analysis of Cumulative Effects of the Sonoran Pronghorn Portion of the Sonoran Desert, Pima County, AZ.

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

Dated: December 28, 2001.

**Anne Norton Miller,**

*Director, Office of Federal Activities.*

[FR Doc. 02-228 Filed 1-3-02; 8:45 am]

**BILLING CODE 6560-50-U**

## **ENVIRONMENTAL PROTECTION AGENCY**

[OPP-34225F; FRL-6812-6]

### **Diazinon; Receipt of Requests for Amendments and Cancellations**

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

**ACTION:** Notice.

**SUMMARY:** Several companies that manufacture diazinon (O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate) pesticide products

have asked EPA to cancel or amend the registrations for their end-use products containing diazinon to delete all indoor uses, certain agricultural uses and certain outdoor non-agricultural uses. Pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is announcing the Agency's receipt of these requests. These requests for voluntary termination of the above mentioned uses through registration cancellations or amendments were submitted to EPA in July, August, September, and October 2001. EPA intends to grant these requests by issuing a cancellation order at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of these requests. Upon the issuance of the cancellation order, any distribution, sale, or use of diazinon products listed in this Notice will only be permitted if such distribution, sale, or use is consistent with the terms of that order.

**DATES:** Comments on the requested amendments to delete uses and the requested registration cancellations must be submitted to the address provided below and identified by docket control number OPP-34225F. Comments must be received on or before February 4, 2002.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the

**SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-34225F in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** John Hebert, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 703-308-6249; fax number: 703-308-7042; e-mail address: hebert.john@epa.gov.

**SUPPLEMENTARY INFORMATION:** This announcement consists of three parts. The first part contains general information. The second part addresses the registrants' requests for registration cancellations and amendments to delete uses. The third part proposes existing stocks provisions that will be set forth in the cancellation order that the Agency intends to issue at the close of the comment period for this announcement.

## I. General Information

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

This action is directed to the public in general. You may be potentially affected by this action if you manufacture, sell, distribute, or use diazinon products. The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, does not apply because this action is not a rule, for purposes of 5 U.S.C. 804(3). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

### B. How Can I Get 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" 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/fedrgrstr/>. To access information about the risk assessment for diazinon, go to the Home Page for the Office of Pesticide Programs or go directly to <http://www.epa.gov/pesticides/op/diazinon.htm>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-34225F. 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 Hwy., 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 OPP-34225F 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 Hwy., 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](mailto: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 OPP-34225F. 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 listed under **FOR FURTHER INFORMATION CONTACT**.

*E. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide 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. Offer alternative ways to improve the notice or collection activity.
7. Make sure to submit your comments by the deadline in this notice.
8. 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. Receipt of Requests to Cancel and Amend Registrations to Delete Uses**

*A. Background*

Certain registrants requested in letters dated June, August, and September 2001, that their diazinon registrations be

amended to delete all indoor uses, certain agricultural uses, and any other uses that the registrants do not wish to maintain. The requests also included deletions of outdoor non-agricultural uses from the labeling of certain end-use products so that such products would be labeled for agricultural uses only. Similarly, other diazinon end-use registrants requested voluntary cancellation of their diazinon end-use registrations with indoor use and/or certain outdoor non-agricultural uses, and any other uses that the registrants do not wish to maintain. Pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is announcing the Agency's receipt of these requests. These requested cancellations and amendments are consistent with the requests in December 2000 by the manufacturers of diazinon technical products, and EPA's approval of such requests, to terminate all indoor uses and certain agricultural uses from their diazinon product registrations because of EPA's concern with the potential exposure risk, especially to children. The indoor uses and agricultural uses subject to cancellation are identified in List 1 below:

**List 1--Uses to be Canceled**

Indoor uses: Pet collars, or inside any structure or vehicle, vessel, or aircraft or any enclosed area, and/or on any contents therein (except mushroom houses), including but not limited to food/feed handling establishments, greenhouses, schools, residences, commercial buildings, museums, sports facilities, stores, warehouses and hospitals.

Agricultural uses: Alfalfa, bananas\*, Bermuda grass, dried beans, dried peas,

celery\*, red chicory (radicchio), citrus, clover, coffee, cotton, cowpeas, cucumbers\*, dandelions, forestry (ground squirrel/rodent burrow dust stations for public health use)\*, kiwi, lespedeza, parsley\*, parsnips\*, pastures, peppers\*, potatoes (Irish and sweet)\*, sheep, sorghum, squash (winter and summer)\*, rangeland, Swiss chard\*, tobacco, and turnips (roots and tops)\*. (The Agency does not intend to disapprove or cancel any 24(c) Special Local Need registrations issued for the uses designated with an asterisk).

As mentioned above, the requests announced in this **Federal Register** notice also include registration cancellations and/or amendments to terminate certain uses that the registrants do not wish to maintain. The specific requests are identified in Tables 1 and 2 of this notice.

EPA has begun the process of reviewing the requested amendments which cannot be finalized until the end of the public comment period and provided that no substantial comments need to be addressed. EPA also intends to grant the requested product and use cancellations by issuing a cancellation order at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of these requests.

*B. Requests for Voluntary Cancellation of End-Use Products*

The registrants and end-use product registrations containing diazinon for which cancellation was requested are identified in the following Table 1.

**TABLE 1.—END-USE PRODUCT REGISTRATION CANCELLATION REQUESTS**

Company	Registration Number	Product
Bonide Products, Inc.	4-191 4-204 4-209 4-272 4-284 4-359 4-411 4-416 4-417	Bonide Lawn and Garden Insect Control with Diazinon 25% EC Bonide Ant Dust with Diazinon Bonide Diazinon 2 1/2 G Bonide Diazinon Soil Insect Granules Bonide Garden Soil Insecticide Diazinon 5% G Bonide Diazinon 4E Insecticide Bonide Diazinon Insect Control Ready-To-Use Bonide Lawn and Garden Spray with Diazinon Bonide Ant and Soil Insect Granules
The Scotts Company	239-2350 239-2602 239-2659 239-2660	Ortho Fruit and Vegetable Insect Control Ortho Home Pest Insect Killer Formula II Ortho Diazinon Reacy Spray Insect Killer Ortho Diazinon Lock'n Spray Insect Killer
Value Garden Supply, LLC	769-509	Diazinon 4-E
Southern Agricultural Insecticides, Inc.	829-261	SA-50 Brand Diazinon 4E Insecticide

TABLE 1.—END-USE PRODUCT REGISTRATION CANCELLATION REQUESTS—Continued

Company	Registration Number	Product
Agrilience	1381-151 1381-164	Imperial 5% Diazinon Granular Insect Control Agrox DL Plus
Voluntary Purchasing Groups, Inc.	7401-86 7401-96 7401-99 7401-102 7401-103 7401-104 7401-105 7401-110 7401-214 7401-223 7401-236 7401-262 7401-277 7401-278 7401-295 7401-442	Ferti-lome® Worm Spray Ferti-lome® Lawn Insect Killer Ferti-lome® Special Cricket Spray Ferti-lome® Bagworm Spray Ferti-lome® Diazinon Chinch Bug Spray Ferti-lome® Vegetable Spray Ferti-lome® Aphid Spray Ferti-lome® Liquid Rose Spray Ferti-lome® Improved Rose Dust Ferti-lome® White Grub Spray Ferti-lome® White Grub Killer Ferti-lome® Lawn Food Containing Diazinon Ferti-lome® Wasp and Hornet Killer Ferti-lome® Ant and Roach Spray Ferti-lome® Garden Dust Hi-Yield Diazinon 4E Insect Spray
Gowan Company	10163-68 10163-103	Prokil Diazinon 4EC Gowan Diazinon 50WP
Lesco	10404-11	Diazinon 500 Insecticide
Platte Chemical Co.	34707-229 34704-288	Clean Drop Diazinon 4E Clean Drop Diazinon Seed Protectant
Hi-Yield Chemical Company	34911-3 34911-14 34911-15 34911-22 34911-24	Hi-Yield® Diazinon Insect Spray Hi-Yield® Diazinon Dust Hi-Yield® Ready-to-Use Professional Kill-A-Bug Hi-Yield® General Purpose Garden Dust Hi-Yield® Imported Fire Ant Killer
Control Solutions Inc.	53883-47	Martin's Diazinon Household Insect Spray Ready to Use

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that EPA cancel any of their pesticide registrations. Section 6(f)(1)(B) of FIFRA requires that EPA provide a 30-day period in which the public may comment before the Agency may act on the request for voluntary cancellation. In addition, section 6(f)(1)(C) of FIFRA requires that EPA provide a 180-day comment period on a request for voluntary termination of any minor agricultural use before granting the request, unless: (1) The registrants request a waiver of the comment period, or (2) the Administrator determines that continued use of the pesticide would

pose an unreasonable adverse effect on the environment. In this case, all of the registrants have requested that EPA waive the 180-day comment period. In light of this request, EPA is granting the request to waive the 180-day comment period and is providing a 30-day public comment period before taking action on the requested cancellations. Because of risk concerns posed by certain uses of diazinon, EPA intends to grant the requested cancellations at the close of the comment period for this announcement unless the Agency receives any substantive comment within the comment period that would

merit its further review of these requests.

### C. Requests for Voluntary Amendments to Delete Uses From the Registrations of End-Use Products

Pursuant to section 6(f)(1)(A) of FIFRA, the following companies have submitted a request to amend the registrations of their pesticide end-use products containing diazinon to delete certain uses from certain products. The following Table 2 identifies the registrants, the product registrations that they wish to amend, and the uses that they wish to delete through registration amendments.

TABLE 2.—END-USE PRODUCT REGISTRATION AMENDMENT REQUESTS

Company	Registration Number	Product Name: Use Deletions
Value Garden Supply, LLC	192-161	Dexol Diazinon 5% Granules: Celery
Riverdale	228-177	Riverdale 5% Diazinon Insect Killer Granules
The Scotts Company	239-2364 239-2619 239-2643	Ortho Diazinon Insect Spray: Almonds Ortho Hi-Power Ant, Roach, and Spider Spray Formula II: Indoor Uses Diazinon Insect Spray 2: Almonds
Value Garden Supply, LLC	769-689	SMCP Diazinon AG500: Lawn Pest Control, Nuisance Pests in Outside Areas, and Barrier Strips

TABLE 2.—END-USE PRODUCT REGISTRATION AMENDMENT REQUESTS—Continued

Company	Registration Number	Product Name: Use Deletions
	769-841 769-954	Miller Diazinon AG Insecticide: Field and Forage Uses, Mushroom Houses, Olives, Figs, Filberts and Pineapples AllPro Diazinon 50 WP Insecticide: Lawn Uses, Nuisance Pests, and Grassland Pests
Voluntary Purchasing Groups, Inc.	7401-213 7401-216 7401-441	Hi-Yield Diazinon AG500 Insecticide: Almonds, celery, cucumbers, parsley, parsnips, peppers, potatoes (Irish), squash (summer and winter), sweet potatoes, swiss chard, turnips, grassland insects, and lawn pest control Ferti-lome® Diazinon Insect Spray: Almonds Ferti-lome® Diazinon Water Base Concentrate: Almonds
Gowan Company	10163-100 10163-104 10163-116 10163-163 10163-241	Diazinon 4E: Beans, cucumbers, parsley, parsnips, peas, peppers, potatoes, squash (summer and winter), sweet potatoes, swiss chard, turnips, indoor ornamentals, lawn pest control, and nuisance pests Diazinon 14G: Beans, celery, cucumbers, parsley, peas, peppers, potatoes, squash (summer and winter), sweet potatoes, swiss chard, turnips, and indoor ornamentals Diazinon 5G: Beans, celery, cucumbers, parsley, peas, peppers, potatoes, squash (summer and winter), sweet potatoes, swiss chard, turnips, indoor ornamentals, and lawn pest control Diazinon 50-WSB: Beans, cucumbers, parsley, parsnips, peas, peppers, potatoes, squash (summer and winter), sweet potatoes, swiss chard, turnips, grassland insects, livestock Insects, fly control in livestock structures, and indoor ornamentals Diazinon 5F: Beans, cucumbers, parsley, parsnips, peas, peppers, potatoes, squash (summer and winter), sweet potatoes, swiss chard, turnips, grassland insects, lawn pest control, nuisance pests, and indoor ornamentals
Hi-Yield Chemical Co.	34911-13	Hi-Yield 5% Diazinon Insect Killer Granules: Celery
Control Solutions Inc.	53883-45 53883-51	Martin's Diazinon 25E Lawn and Garden Insect Control: Almonds and Walnuts Martin's 5% Diazinon Granules: Celery

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that their pesticide registrations be amended to delete one or more pesticide uses. The aforementioned companies have requested to amend their registrations and have requested that EPA waive the 180-day comment period. In light of this request, EPA is granting the request to waive the 180-day comment period and is providing a 30-day public comment period before taking action on the requested amendments to delete uses. Because of risk concerns posed by certain uses of diazinon, EPA intends to grant the requested amendments to delete uses at the close of the comment period for this announcement, unless the Agency receives any substantive comment within the comment period that would merit its further review of these requests.

### III. Proposed Existing Stocks Provisions

EPA received requests for voluntary cancellation of the diazinon registrations identified in Tables 1 and requests for amendments to terminate certain uses of the diazinon registrations identified in Table 2. Pursuant to section 6(f) of FIFRA, EPA intends to grant these requests by issuing a cancellation order at the end of the 30-day comment period unless the Agency

receives any substantive comment within the comment period that would merit its further review of these requests. In the event that EPA issues a cancellation order, EPA intends to include in that order the existing stocks provisions set forth in this section. For purposes of that cancellation order, the term "existing stocks" will be defined, pursuant to EPA's existing stocks policy published in the **Federal Register** of June 26, 1991 (56 FR 29362), as those stocks of a registered pesticide product which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation or amendment. Any distribution, sale, or use of existing stocks after the effective date of the cancellation order that the Agency intends to issue that is not consistent with the terms of that order will be considered a violation of section 12(a)(2)(K) and/or 12(a)(1)(A) of FIFRA.

EPA intends that the cancellation order includes the following existing stocks provisions:

1. *Distribution or sale of products bearing instructions for use on agricultural crops.* The distribution or sale of existing stocks by the registrant of any product listed in Table 1 or 2 that bears instructions for use on the

agricultural crops identified in List 1 will not be lawful under FIFRA 1 year after the effective date of the cancellation order. Persons other than the registrant may continue to sell or distribute the existing stocks of any product listed in Table 1 or 2 that bears instructions for any of the agricultural uses identified in List 1 after the effective date of the cancellation order. However, it is lawful to ship such stocks for export consistent with the requirements of section 17 of FIFRA, or to properly dispose of the existing stocks in accordance with all applicable law.

2. *Distribution or sale of products bearing instructions for use on outdoor non-agricultural sites.* The distribution or sale of existing stocks by the registrant of any product listed in Table 1 or 2 that bears instructions for use on outdoor non-agricultural sites will not be lawful under FIFRA 1 year after the effective date of the cancellation order. Persons other than the registrant may continue to sell or distribute the existing stocks of any product listed in Table 1 or 2 that bears instructions for use on outdoor non-agricultural sites after the effective date of the cancellation order. However, it is lawful to ship such stocks for export consistent with the

requirements of section 17 of FIFRA, or to properly dispose of the existing stocks in accordance with all applicable law.

3. *Distribution or sale of products bearing instructions for use on indoor sites.* The distribution or sale of existing stocks by the registrant of any product listed in Table 1 or 2 that bears instructions for use at or on any indoor sites (except mushroom houses), shall not be lawful under FIFRA as of the effective date of the cancellation order, except for shipping stocks for export consistent with the requirements of section 17 of FIFRA, or properly disposing of the existing stocks in accordance with all applicable law.

4. *Retail and other distribution or sale of existing stock of products for indoor use.* The distribution or sale of existing stocks by any person other than the registrants of products listed in Table 1 or 2 bearing instructions for any indoor uses except mushroom houses will not be lawful under FIFRA after December 31, 2002, except for shipping stocks for export consistent with the requirements of section 17 of FIFRA, or properly disposing of the existing stocks in accordance with all applicable law.

5. *Use of existing stocks.* EPA intends to permit the use of existing stocks of products listed in Table 1 or 2 until such stocks are exhausted, provided such use is in accordance with the existing labeling of that product.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: December 19, 2001.

Lois A. Rossi,

Director, Special Review and Registration Division, Office of Pesticide Programs.

[FR Doc. 02-225 Filed 1-3-02 8:45 am]

BILLING CODE 6560-50-S

## ENVIRONMENTAL PROTECTION AGENCY

[PF-1059; FRL-6812-2]

### 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-1059, must be received on or before February 4, 2002.

**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-1059 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** By mail: Cynthia Giles-Parker, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 305-7740; e-mail address: giles-parker.cynthia@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" 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-1059. 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-1059 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.