

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7228-5]

**Demonstration Program To Recognize Local Governments Taking Extraordinary Efforts To Protect Watersheds—Clean Water Partners for the 21st Century—Extension of Application Deadline**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Extension of application deadline until July 15, 2002.

**SUMMARY:** On April 8, 2002 at 67 FR 16751 EPA published a **Federal Register** notice announcing the creation of this program and requesting applications to be submitted by May 30, 2002. This notice announced the intention by the Office of Water at the Environmental Protection Agency (EPA) to undertake a demonstration program to recognize local governments of various types that are undertaking extraordinary actions now to protect and enhance watershed health and also commit to undertake specific actions in the future, over and above the requirements of the Clean Water Act (CWA). The program is intended to give local governments of all types the opportunity to be recognized, and is not limited to wastewater treatment agencies. The program is not intended to replace EPA's existing National Wastewater Excellence awards program, which will continue to recognize operational achievements in specific areas of wastewater management. A fuller description of the program and guidelines for submitting applications can be found at [www.cleanwaterpartners.org](http://www.cleanwaterpartners.org).

**DATES:** The date by which applications for this program are to be submitted is being extended from May 30, 2002 until July 15, 2002. None of the other elements of the program are affected by this Notice.

**ADDRESSES:** Applications are to be sent electronically to [www.cleanwaterpartners.org](http://www.cleanwaterpartners.org) or faxed to Clean Water Partners for the 21st Century Program at 202-833-4657.

**FOR FURTHER INFORMATION CONTACT:** Jim Horne, Office of Wastewater Management, Phone (202) 564-0571, E-mail: [horne.james@epa.gov](mailto:horne.james@epa.gov)

Dated: May, 30, 2002.

**James A. Hanlon,**

Director, Office of Wastewater Management.  
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**ENVIRONMENTAL PROTECTION AGENCY**

[OPP-2002-0096; FRL-7181-6]

**Norflurazon and Fenbutatin-Oxide Tolerance Reassessment Decisions; Notice of Availability**

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

**ACTION:** Notice.

**SUMMARY:** This notice of tolerance reassessment for norflurazon and fenbutatin-oxide starts the 30-day public comment period during which the public is invited to submit comments on the Agency's "Report of the Food Quality Protection Act (FQPA) Tolerance Reassessment Progress and Risk Management Decision (TRED) for Norflurazon" and "Report of the Food Quality Protection Act (FQPA) Tolerance Reassessment Progress and Risk Management Decision (TRED) for Fenbutatin-oxide." The Agency is providing an opportunity, through this notice, for interested parties to comment on the Agency's tolerance reassessment decisions in accordance with procedures described in Unit I of this document. All comments will be carefully considered by the Agency. If any comment causes the Agency to revise its decision on tolerance reassessment for norflurazon and/or fenbutatin-oxide, the Agency will publish notice of its amendment in the **Federal Register**.

**DATES:** Comments, identified by docket ID number OPP-2002-0096, must be received on or before July 11, 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 under

**SUPPLEMENTARY INFORMATION.** To ensure proper receipt by the EPA, it is imperative that you identify docket ID number OPP-2002-0096 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** Beth Edwards, telephone number: (703) 305-5400; e-mail address: [edwards.beth@epa.gov](mailto:edwards.beth@epa.gov) for norflurazon; and Lorilyn Montford, telephone number: (703) 308-8170; e-mail address: [montford.lorilyn@epa.gov](mailto:montford.lorilyn@epa.gov) for fenbutatin-oxide, Special Review and Reregistration Division (7508C) Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:**

**I. General Information****A. Does this Action Apply to Me?**

This action is directed to the public in general. This action may, however, be of interest to persons who are or may be required to conduct testing of chemical substances under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or the Federal Food, Drug, and Cosmetic Act (FFDCA); environmental, human health, and agricultural advocates; pesticides users; and the public interested in the use of pesticides. 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," "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/>.

To access TRED documents electronically, go directly to the TREDs table on the EPA Office of Pesticide Programs Home Page, at <http://www.epa.gov/pesticides/reregistration/status.htm>.

2. **In person.** The Agency has established an official record for this action under docket ID number OPP-2002-0096. The official record consists of the documents specifically referenced in this action, 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, including printed and 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 the EPA, it is imperative that you identify docket ID number OPP-2002-0096 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 6.1/8.0/9.0 or ASCII file format. All comments in electronic form must be identified by docket ID number OPP-2002-0096. 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 appropriate 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 burdens 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 document.
8. To ensure proper receipt by EPA, be sure to identify the docket ID 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. Background

#### A. What Action is the Agency Taking?

This notice constitutes and announces the availability of the norflurazon and fenbutatin-oxide TREDs. These decisions have been developed as part of the public participation process that EPA and the U.S. Department of Agriculture (USDA) are using to involve the public in the reassessment of pesticide tolerances under FFDCA. The EPA must review tolerances and tolerance exemptions that were in effect when FQPA was enacted in August 1996, to ensure that these existing pesticide residue limits for food and feed commodities meet the safety standard of the new law.

In reviewing these tolerances, the Agency must consider, among other things, aggregate risks from non-occupational sources of pesticide exposure, whether there is increased susceptibility to infants and children, and the cumulative effects of pesticides with a common mechanism of toxicity. The tolerances are considered reassessed once the safety finding has been made that aggregate risks are not

of concern. A reregistration eligibility decision (RED) was completed for norflurazon in June 1996 and fenbutatin-oxide in September 1994, prior to FQPA enactment, and therefore needed an updated assessment to consider the provisions of the Act.

FFDCA requires that the Agency, when considering whether to establish, modify, or revoke a tolerance, consider "available information" concerning the cumulative effects of a particular pesticide's residues and "other substances that have a common mechanism of toxicity." At this time, norflurazon and fenbutatin-oxide have not been identified as sharing a common mechanism of toxicity and are not scheduled for a cumulative risk assessment. Additionally, the tolerances for norflurazon (58) and fenbutatin-oxide (42) are now considered reassessed as safe under section 408(q) of FFDCA.

The reregistration program is being conducted under Congressionally-mandated time frames, and the EPA recognizes both the need to make timely reregistration decisions and to involve the public. Therefore, the Agency is issuing these TREDs as final documents because no risk mitigation or changes to existing labeling are necessary. All comments received within 30 days of publication of this **Federal Register** notice will be carefully considered by the Agency. If any comment significantly impacts a TRED, the Agency will amend its decision by publishing a **Federal Register** notice.

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

The legal authority for these TREDs falls under FIFRA, as amended in 1988 and 1996. Section 4(g)(2)(A) of FIFRA directs that, after submission of all data concerning a pesticide active ingredient, "the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration," and either reregistering products or taking "other appropriate regulatory action."

## List of Subjects

Environmental protection, Pesticide Tolerances.

Dated: May 31, 2002.

**Lois A. Rossi,**

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

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