

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 your comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-2002-0057 in the subject line of 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, Ariel Rios Bldg., 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, Suite 8, or ASCII file format. All comments in electronic form must be identified by docket control

number OPP-2002-0057. 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 final rule or collection activity.
7. Make sure to submit your comments by the deadline in this final rule extension.
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. Background

#### A. What Action is EPA Taking?

On February 25, 2002, March 19, 2002, and May 7, 2002, NRDC filed objections with EPA regarding final rules establishing certain tolerances under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21

U.S.C. 346a, for the following seven pesticides:

- (1) Imidacloprid;
- (2) Mepiquat;
- (3) Bifenazate;
- (4) Zeta-cypermethrin;
- (5) Diflufenzuron;
- (6) Halosulfuron methyl; and
- (7) Pymetrozine.

NRDC's objections concern a number of issues under section 408 of the FFDCA including the additional 10x safety factor for the protection of infants and children and aggregate exposure to pesticide chemical residues. In the **Federal Register** of June 19, 2002, 67 FR 41628 (FRL-7167-7), the Agency announced the availability of, and sought public comment on these objections. EPA has received a request to extend the comment period. An extension was requested due to the broad nature of the NRDC objections documents and the large number of issues raised. The requestor felt that an extension to the comment period would give all interested parties the opportunity to develop detailed and comprehensive comments on these issues. The objections are available on EPA's website at <http://www.epa.gov/fedrgrstr/EPA-PEST/2002/June/Day-19/p15465.htm>

The Agency provided a 60-day comment period, which was scheduled to end August 19, 2002. In response to the request for an extension, the Agency is extending the comment period on the NRDC tolerance objections to September 17, 2002.

#### List of Subjects

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Tolerances.

**Authority:** 21 U.S.C. 346(a).

Dated: August 8, 2002.

**James Jones,**

*Acting Director, Office of Pesticide Programs.*

[FR Doc. 02-20748 Filed 8-15-02; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-7259-4]

### National Oil and Hazardous Substances Contingency Plan; National Priorities List Update

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Deletion for a portion of the Joslyn Manufacturing and Supply

Superfund Site from the National Priorities List (NPL).

**SUMMARY:** The Environmental Protection Agency (EPA) announces the deletion of a portion of the Joslyn Manufacturing and Supply Superfund Site in Brooklyn Center, Minnesota from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. This action is being taken by EPA because it has been determined that Responsible Parties have implemented all appropriate response actions required for this portion of the Site. Moreover, EPA has determined that remedial actions conducted at this portion of the site to date remain protective of public health, welfare, and the environment.

**EFFECTIVE DATE:** August 19, 2002.

**FOR FURTHER INFORMATION CONTACT:** Gladys Beard at (312) 886-7253, State NPL Deletion Process Manager, Superfund Division, U.S. EPA—Region V, 77 West Jackson Blvd., Chicago, IL 60604. Information on the site is available at the local information repository located at: the Minnesota Pollution Control Agency, 520 Lafayette Rd. North, St. Paul, Minnesota 55155-4194, (651) 296-6300, Monday through Friday 8:00 a.m. to 4:30. Requests for comprehensive copies of documents should be directed formally to the

Regional Docket Office. The contact for the Regional Docket Office is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

**SUPPLEMENTARY INFORMATION:** The site to be partially deleted from the NPL is: Joslyn Manufacturing and Supply Superfund Site located in Brooklyn Center, Minnesota. A Notice of Intent to Delete for this site was published February 19, 2002 (67 FR 7326). The closing date for comments on the Notice of Intent to Delete was March 21, 2002. EPA received comments and therefore a Responsiveness Summary was prepared. The Responsiveness Summary was placed in the repository and with the Regional Docket Office.

A direct final notice of deletion was published on February 19, 2002 (67 FR 7279) which included the details of the partial deletion. While the direct final notice amendment is being removed in today's **Federal Register**, the details contained in the February 19, 2002 direct final deletion amendment describe the portion of the site being deleted by this notice.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section

300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

**List of Subjects in 40 CFR Part 300**

Environmental Protection, Air pollution control, Chemicals, Hazardous substances, Hazardous Waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: August 6, 2002.

**Bharat Mathur,**

*Acting Regional Administrator, U.S. EPA, Region V.*

40 CFR part 300 is amended as follows:

**PART 300—[AMENDED]**

1. The authority citation for part 300 continues to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp.; p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp.; p. 193.

**Appendix B [AMENDED]**

2. Table 1 of Appendix B to part 300 is amended by revising the entry for "Joslyn Manufacturing and Supply Co, Brooklyn Center, Minnesota" to read as follows:

TABLE 1.—GENERAL SUPERFUND SECTION

State	Site name	City/County	Notes <sup>1</sup>
MN	Joslyn Manufacturing and Supply Co	Brooklyn Center	P

<sup>1</sup>P= Sites with partial deletion(s).

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[FR Doc. 02-20741 Filed 8-15-02; 8:45 am]  
BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 300**

[FRL-7259-3]

**National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Removal of direct final notice of deletion amendment.

**SUMMARY:** On February 19, 2002, EPA published a notice of intent to delete (67 FR 7326) and a direct final notice of deletion (67 FR 7279) for a portion of the Joslyn Manufacturing and Supply Superfund Site from the National Priorities List. The EPA is removing the direct final notice of deletion amendment due to adverse comments that were received during the public comment period. After consideration of the comments received, EPA is publishing today a notice of deletion in the **Federal Register** based on the

parallel notice of intent to delete. EPA will place a copy of the final deletion package, including a response to the comments (Responsiveness Summary) in the Site repositories.

**EFFECTIVE DATE:** This removal of the direct final notice of deletion amendment is effective as of August 16, 2002.

**ADDRESSES:** Comprehensive information on the Site, as well as the comments that were received during the comment period can be obtained from Dave Novak, Community Involvement Coordinator, U.S. EPA, P19J, 77 W. Jackson, Chicago, IL, (312) 886-7478 or 1-800-621-8431.