

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. What Action is EPA Taking?

In the **Federal Register** of June 13, 2002 (67 FR 40732) (FRL-7177-9), EPA published a notice of availability soliciting comments on a document "methodology for determining the data needed and the types of assessments necessary to make FFDC section 408 safety determinations for lower toxicity pesticide chemicals." In response to a request for an extension, EPA is extending the comment period for 30 days, from September 11, 2002 to October 11, 2002. The methodology is available on the Agency's Web site at www.epa.gov/oppfead1/cb/csb__page/updates/lowertox.pdf.

List of Subjects

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

Dated: August 22, 2002.

Deborah Edwards,

Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 02-21937 Filed 8-27-02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-2002-0165; FRL-7190-5]

Pesticides; Guidance for Pesticide Registrants on Submitting Requests for Threshold of Regulation (TOR) Decisions and Standard Operating Procedures (SOP) for Making TOR Decisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Agency is announcing the availability of Pesticide Registration Notice 2002-2 (PR-Notice) Entitled "Guidance for Submitting Requests for Threshold of Regulation (TOR) Decisions." The Office of Pesticide Programs (OPP) issues PR-Notices to inform pesticide registrants and other

interested persons about important policies, procedures and registration-related decisions and to provide guidance to pesticide registrants and OPP personnel. PR-Notice 2002-2 provides guidance concerning procedures to use when a registrant or other person wants the Agency to determine whether a use of a pesticide in a manner that has the possibility of resulting in residues in food qualifies under the Agency's October 27, 1999 "Threshold of Regulation" policy. If EPA concludes a use is below the threshold of regulation, no tolerance or tolerance exemption would be required. The accompanying SOP explains how the Agency will process TOR requests.

FOR FURTHER INFORMATION CONTACT: Vivian Prunier, Field and External Affairs Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-9341; fax number: (703) 305-5884; e-mail address: Prunier.Vivian@epa.gov.

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 those persons who are required to register pesticides under the Federal Fungicide, Insecticide and Rodenticide Act (FIFRA) or to persons who may be interested in ascertaining whether a tolerance or tolerance exemption is required under the Federal Food, Drug and Cosmetic Act (FFDCA) as a condition of FIFRA registration of a pesticide. 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/>. You may view the PR Notice and the SOP described in this notice on the Office of Pesticide Programs Internet Home Page at http://www.epa.gov/oppmsd1/PR_Notices/.

2. *In person.* The Agency has established an official record for this action under docket ID number OPP-2002-0165. 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.

II. Background

In the **Federal Register** of October 27, 1999 (64 FR 57881), the Environmental Protection Agency (EPA) announced the availability of a document entitled "Threshold of Regulation Policy — Deciding Whether a Pesticide with a Food Use Pattern Needs a Tolerance." The Threshold of Regulation (TOR) policy listed criteria and procedures for considering whether a tolerance is required for the use of a pesticide. A use may qualify as a TOR use if: (a) Using a reliable and appropriately sensitive analytical method to measure residues in the commodity, no residues are detected in the commodity under the expected conditions of use; and (b) using reasonably protective criteria, the estimated potential risk of any theoretically possible residues in food is not of concern.

In the **Federal Register** of October 5, 2001 (55 FR 51040), the Agency announced the availability of, and asked for comments on, a draft PR- Notice entitled "Guidance for Submitting Requests for Threshold of Regulation (TOR) Decisions." The draft PR-Notice would provide guidance on how to submit a request for a TOR decision and would explain how EPA will make TOR decisions in the course of pesticide

registration or reregistration. The October 5, 2001 notice also announced the availability of and asked for comments on a draft SOP for the Agency's use in processing TOR requests.

EPA received one comment in response to the October 5, 2001 notice. This comment discussed the TOR policy but did not address the procedures described in either the draft PR-Notice or the draft SOP for implementing the October 1999 Threshold of Regulation policy. Accordingly, it will be addressed in other ways.

III. What Guidance Does this PR-Notice Provide?

This PR-Notice provides guidance to the registrant concerning implementation of the Agency's Threshold of Regulation policy.

PR-Notice 2002-2 advises that a registrant or other person may submit a request for a TOR decision for a new pesticide use as part of FIFRA section 3 registration process or for an existing use during reregistration under FIFRA section 4 or tolerance reassessment under the FFDCA. Before registering a use under FIFRA 24(c), a State may ask EPA to decide whether the use is below the threshold of regulation. A State may request a TOR decision when requesting an emergency exemption under FIFRA section 18.

EPA expects to follow an SOP for processing TOR requests. The SOP is intended to guide EPA reviewers through the review process for TOR decision requests.

IV. Do PR-Notices Contain Binding Requirements?

The PR-Notice discussed in this notice is intended to provide guidance to EPA personnel and decision-makers and to pesticide registrants. While the requirements in the statutes and Agency regulations are binding on EPA and the applicants, this PR-Notice is not binding on either EPA or pesticide registrants, and EPA may depart from the guidance where circumstances warrant and without prior notice. Likewise, pesticide registrants may assert that the guidance is not appropriate generally or not applicable to a specific pesticide or situation.

List of Subjects

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

Dated: August 20, 2002.

Marcia E. Mulkey,
Director, Office of Pesticide Programs.

[FR Doc. 02-21753 Filed 8-27-02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7268-6]

Proposed CERCLA Administrative Cost Recovery Settlement; C.F.H., Inc., Patrick G. Canonica, Carl Franson, Christopher Hickey, Lydall Filtration/Separation, Inc., Richard F. Atkinson, Beverly A. Atkinson, Saco River Industries, Inc., and Silvex, Inc., Rogers Fibre Mill Superfund Site, Bar Mills, Maine

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement; 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 and projected future response costs concerning the Rogers Fibre Mill Superfund Site in Bar Mills, Maine with the following settling parties: C.F.H., Inc., Patrick G. Canonica, Carl Franson, Christopher Hickey, Lydall Filtration/Separation, Inc., Richard F. Atkinson, Beverly A. Atkinson, Saco River Industries, Inc., and Silvex, Inc. The settlement requires the settling parties to pay \$300,000.00 to the Hazardous Substance Superfund. The settlement includes a covenant not to sue the settling parties pursuant to section 107(a) of CERCLA, 42 U.S.C. 9606 and 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.

The Agency's response to any comments received will be available for public inspection at One Congress Street, Boston, MA 02214-2023.

DATES: Comments must be submitted on or before September 27, 2002.

ADDRESSES: Comments should be addressed to the Regional Hearing Clerk, U.S. Environmental Protection Agency,

Region I, One Congress Street, Suite 1100, Mailcode RAA, Boston, Massachusetts 02114-2023 and should refer to: In re: Rogers Fibre Mill Superfund Site, U.S. EPA Docket No. 1-2002-0008.

FOR FURTHER INFORMATION CONTACT: A copy of the proposed settlement may be obtained from John Beling, U.S. Environmental Protection Agency, Region I, Office of Environmental Stewardship, One Congress Street, Suite 1100, Mailcode SES, Boston, MA 02114-2023.

Dated: June 20, 2002.

Richard Cavagnero,
Acting Director, Office of Site Remediation & Restoration.

[FR Doc. 02-21939 Filed 8-27-02; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, NW., Room 940. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

Agreement No.: 010050-011.

Title: U.S. Flag Far East Discussion Agreement.

Parties: American President Lines, Ltd., A.P. Moller-Maersk Sealand.

Synopsis: The proposed agreement modification would add authority for the parties to discuss service contracts and establish voluntary guidelines for individual service contracts.

Agreement No.: 011817.

Title: CMA CGM/Trans Pacific Lines Space Charter Agreement.

Parties: CMA CGM, S.A., Trans Pacific Lines (TPL).

Synopsis: The agreement authorizes CMA CGM to charter space to TPL in the trade between U.S. West Coast ports and ports in the Far East. The parties request expedited review.

Agreement No.: 011818.

Title: HL/MSC Charter Agreement.

Parties: Mediterranean Shipping Company, S.A.(MSC), Hapag-Lloyd Container Linie GmbH.

Synopsis: The agreement authorizes MSC to charter space to Hapag-Lloyd in the trade between U.S. Atlantic Coast ports and ports in North Europe.