

submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency (7502C), 1200 Pennsylvania Ave., NW., Washington, DC 20460. Attention: Docket ID number OPP-2002-0255.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, Attention: Docket ID number OPP-2002-0255. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

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

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is 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 docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket 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 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?

The Agency has issued a RED for the pesticide active ingredient listed in this document. Under FIFRA, as amended in 1988, EPA is conducting an accelerated reregistration program to reevaluate existing pesticides to make sure they meet current scientific and regulatory standards. The data base to support the reregistration of the chemical listed in this document is substantially complete, and the pesticide's risks have been mitigated so that it will not pose unreasonable risks to people or the environment when used according to its approved labeling. In addition, EPA is reevaluating existing pesticides and reassessing tolerances under the Food Quality Protection Act (FQPA) of 1996. The pesticides included in this notice also have been found to meet the FQPA safety standard.

All registrants of pesticide products containing the active ingredient listed in this document have been sent the appropriate RED, and must respond to labeling requirements and product specific data requirements (if applicable) within 8 months of receipt. Products also containing other pesticide active ingredients will not be reregistered until those other active ingredients are determined to be eligible for reregistration.

The reregistration program is being conducted under Congressionally mandated time frames, and EPA recognizes both the need to make timely reregistration decisions and to involve the public. Therefore, EPA is issuing this RED as a final document with a 60-day comment period. Although the 60-day public comment period does not affect the registrant's response due date, it is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to

the RED. All comments will be considered by the Agency. If any comment significantly affects the RED, EPA will amend the RED by publishing the amendment in the **Federal Register**.

### B. What Is the Agency's Authority for Taking This Action?

The legal authority for these REDs 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," before calling in product-specific data on individual end-use products, and either reregistering products or taking "other appropriate regulatory action."

### List of Subjects

Environmental protection, Chemicals, Pesticides and pests.

Dated: October 24, 2002.

**Betty Shackelford,**

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

[FR Doc. 02-27626 Filed 10-29-02; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7402-2]

### Health Assessment of 1,3-Butadiene

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Availability.

**SUMMARY:** This notice announces the availability of a final report titled, Health Assessment of 1,3-Butadiene (EPA/600/P-98/001F), which was prepared by the U.S. Environmental Protection Agency's (EPA) National Center for Environmental Assessment (NCEA) of the Office of Research and Development (ORD).

**DATES:** This document will be available on or about October 30, 2002.

**ADDRESSES:** The document will be made available electronically through the NCEA Web site (<http://www.epa.gov/ncea>). A limited number of paper copies will be available from the EPA's National Service Center for Environmental Publications (NSCEP), P.O. Box 42419, Cincinnati, OH 45242; telephone: 1-800-490-9198 or 513-489-8190; facsimile: 513-489-8695. Please provide your name, your mailing address, the title and the EPA number of the requested publication.

**FOR FURTHER INFORMATION CONTACT:** The Technical Information Staff, National Center for Environmental Assessment/ Washington Office (8623D), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Telephone: 202-564-3261; fax: 202-565-0050; e-mail: [nceadc.comment@epa.gov](mailto:nceadc.comment@epa.gov).

**SUPPLEMENTARY INFORMATION:** This assessment was conducted to review the new information that has become available since EPA's 1985 health assessment of 1,3-butadiene.

1,3-Butadiene is a gas used commercially in the production of styrene-butadiene rubber, plastics, and thermoplastic resins. The major environmental source of 1,3-butadiene is the incomplete combustion of fuels from mobile sources (*e.g.*, automobile exhaust). Tobacco smoke can be a significant source of 1,3-butadiene in indoor air.

This assessment concludes that 1,3-butadiene is carcinogenic to humans by inhalation, based on the total weight of evidence. The specific mechanisms of 1,3-butadiene-induced carcinogenesis are unknown, however, it is virtually certain that the carcinogenic effects are mediated by genotoxic metabolites of 1,3-butadiene.

Animal data suggest that females may be more sensitive than males for cancer effects; nevertheless, there are insufficient data from which to draw any conclusions on potentially sensitive subpopulations.

The human incremental lifetime unit cancer (incidence) risk estimate is based on extrapolation from leukemias observed in an occupational epidemiologic study. A twofold adjustment to the epidemiologic-based unit cancer risk is then applied to reflect evidence from the rodent bioassays suggesting that the epidemiologic-based estimate may underestimate total cancer risk from 1,3-butadiene exposure in the general population.

1,3-Butadiene also causes a variety of reproductive and developmental effects in mice; no human data on these effects are available. The most sensitive effect was ovarian atrophy observed in a lifetime bioassay of female mice. Based on this critical effect and using the benchmark concentration methodology, an RfC (*i.e.*, a chronic exposure level presumed to be "without appreciable risk" for noncancer effects) was calculated.

Dated: October 23, 2002.

**Paul Gilman,**

*Assistant Administrator, Office of Research and Development.*

[FR Doc. 02-27625 Filed 10-29-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7402-4]

### Clean Water Act—Notice of Issuance and Opportunity for Public Comment on an Administrative Complaint Filed by the Environmental Protection Agency, Region IX

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

**ACTION:** Notice.

**SUMMARY:** On September 25, 2002, the U.S. Environmental Protection Agency, Region IX issued an Administrative Complaint: *In the Matter of Bruce Birch and Future Mountain Development Trust, 3808 Rosecrans Street, #281, San Diego, California 92110*. This Complaint proposes to issue a Final Order to Bruce Birch and Future Mountain Development Trust pursuant to section 309(g) of the Clean Water Act, 33 U.S.C. 1319(g), assessing a civil penalty of up to \$137,500 for violations of the Clean Water Act.

The Complaint alleges that Bruce Birch and Future Mountain Development Trust violated the Clean Water Act by authorizing the discharge of dredge and fill material into a federally regulated water course, the San Luis Rey River in San Diego County, on numerous days in 1998 and 1999 without a Clean Water Act section 404 permit issued by the U.S. Army Corps of Engineers.

The U.S. Environmental Protection Agency is required by Clean Water Act section 309(g)(4)(A), 33 U.S.C. 1319(g)(4)(A), to provide public notice of and reasonable opportunity to comment on the proposal to issue an Administrative Order before issuing the final Order.

Any person who comments on the proposal to issue a final Administrative Order shall be given notice of any hearing held in this matter. If a hearing is held, the commenter will be entitled to an opportunity to be heard and to present evidence. If no hearing is held, commenters may petition EPA to set aside any subsequent final Order and to hold a hearing. Commenters may also seek judicial review of the final Order pursuant to Clean Water Act section 309(g)(8), 33 U.S.C. 1319(g)(8).

**DATES:** Persons wishing to comment on the proposal to issue a final Administrative Order may do so by submitting written comments, postmarked no later than fifteen days from the date this Notice is published, to the address below.

**ADDRESSES:** U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

**FOR FURTHER INFORMATION CONTACT:** Requests for copies of the Administrative Complaint or further information on the matter should be directed to Marcela von Vacano at (415) 972-3905, or via mail at the above address, Mail Code ORC-2.

**Catherine Kuhlman,**

*Acting Director, Water Division.*

[FR Doc. 02-27618 Filed 10-29-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7402-5]

### Clean Water Act—Notice of Issuance and Opportunity for Public Comment on an Administrative Complaint Filed by the Environmental Protection Agency, Region IX

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

**ACTION:** Notice.

**SUMMARY:** On September 25, 2002, the U.S. Environmental Protection Agency, Region IX issued an Administrative Complaint: *In the Matter of Al Julian, 29814 Margale Lane, Vista, California 92084*. This Complaint proposes to issue a Final Order to Al Julian pursuant to section 309(g) of the Clean Water Act, 33 U.S.C. 1319(g), assessing a civil penalty of up to \$137,500 for violations of the Clean Water Act.

The Complaint alleges that Al Julian violated the Clean Water Act by discharging dredge and fill material into a federally regulated water course, the San Luis Rey River in San Diego County, on numerous days in 1998 and 1999 without a Clean Water Act section 404 permit issued by the U.S. Army Corps of Engineers. Furthermore, Mr. Julian violated section 308(a), 33 U.S.C. 1318(a), which authorizes EPA to require persons subject to the Act to furnish information, by failing to respond to EPA's request.

The U.S. Environmental Protection Agency is required by Clean Water Act section 309(g)(4)(A), 33 U.S.C. 1319(g)(4)(A), to provide public notice of and reasonable opportunity to comment on the proposal to issue an