

Unless the provisions of an earlier order apply, existing stocks already in the hands of dealers or users can be distributed, sold, or used legally until they are exhausted, provided that such further sale and use comply with the EPA-approved label and labeling of the affected product. Exception to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in a Special Review action, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: April 1, 2003.

Linda Vlier Moos

Acting Director, Information Resources Services Division, Office of Pesticide Programs.

[FR Doc. 03-8959 Filed 4-15-03; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2002-0281; FRL-7299-1]

Pesticides; North American Free Trade Agreement Guidance Document on Requirements for Tolerances on Imported Commodities; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This document provides detailed guidance on data requirements that meet North American Free Trade Agreement (NAFTA) standards for the establishment of pesticide import tolerances or maximum residue levels in Canada, Mexico, and the United States. It has been developed consistently with the goals of the North American Free Trade Agreement. This guidance document does not change the U.S. data requirements for obtaining a U.S. import tolerance. This notice starts a 60-day public comment period, during which the public is encouraged to submit comments to EPA in accordance with procedures described in Unit I. of this document.

DATES: Comments, identified by docket ID number OPP-2002-0281, must be received on or before June 16, 2003.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow

the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT:

Robert McNally, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8085; fax number: (703) 308-8041; e-mail address: mcnally.robert@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

Does this Action Apply to Me?

You may be potentially affected by this action if you sell, distribute, manufacture, or use pesticides for agricultural applications, produce food, distribute or sell food, or implement governmental pesticide regulations. Potentially affected entities may include, but are not limited to:

- Food manufacturers (NAICS 311), e.g., commercial processors
- Pesticide manufacturers (NAICS 32532), e.g., pesticide registrants and pesticide producers

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 this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. 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 Copies of this Document and Other Related Information?

1. **Docket.** EPA has established an official public docket for this action under docket identification (ID) number OPP-2002-0281. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m.,

Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. **Electronic access.** You may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select “search,” then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For members of the public submitting comments, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

C. How and to Whom Do I Submit Comments?

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. Electronically. If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the person who submitted the comment, and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. EPA Dockets. Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket>, and follow the online instructions for submitting comments. Once in the

system, select "search," and then key in docket ID number OPP-2002-0281. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. E-mail. Comments may be sent by e-mail to opp-docket@epa.gov, Attention: Docket ID number OPP-2002-0281. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. Disk or CD ROM. You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic 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 20460-0001, Attention: Docket ID number OPP-2002-0281.

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-2002-0281. 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 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 your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline identified.

8. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your response. It would also be helpful if you provided the name, date, and **Federal Register** citation related to your comments.

II. Background

A. What Action is the Agency Taking?

This notice constitutes and announces the availability of the NAFTA Guidance Document on Data Requirements for Tolerances on Imported Commodities. It has been developed consistently with the goals of the NAFTA. A common NAFTA approach to import tolerances will promote trade between North America and the rest of the world.

B. What is the Agency's authority for taking this action?

In the **Federal Register** of June 1, 2000 (65 FR 35069) (FRL-6559-30, EPA issued a guidance on import tolerances. The NAFTA Guidance Document on Data Requirements for Tolerances on Imported Commodities is consistent with the earlier U.S. guidance.

EPA regulates pesticides under two major statutes: The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA). FIFRA requires that pesticides be registered (licensed) by EPA before they may be sold or distributed for use in the U.S. Section 408 of the FFDCA authorizes EPA to establish, modify, or maintain tolerances or tolerance exemptions for pesticide residues in or on food. Any food with pesticide residues not covered by a tolerance or tolerance exemption or with residues in excess of the tolerance may be subject to regulatory action by the U.S. government (including seizure). Pesticide tolerances and exemptions are enforced by individual States and the U.S. Food and Drug Administration for most foods, and by the U.S. Department of Agriculture for meat, poultry, and some egg products.

EPA has an obligation under section 408 of the FFDCA to establish tolerances for pesticide chemicals at levels that are "safe." EPA also has an obligation to ensure that the tolerances continue to be "safe" over time, since new information may alter EPA's earlier safety finding under the FFDCA.

List of Subjects

Environmental protection, NAFTA pesticides and tolerances.

Dated: March 27, 2003.

Lois A Rossi,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 03-9338 Filed 4-15-03; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7484-5]

Toxicological Review of Benzene—Noncancer Effects

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: This notice announces the availability of the final document, *Toxicological Review of Benzene—Noncancer Effects* (EPA/635/R-02/001F), prepared by the Office of Research and Development's (ORD) National Center for Environmental Assessment (NCEA).

ADDRESSES: The document is available on NCEA's Web site at <http://www.epa.gov/ncea> under the *What's New and Publications* menus. A limited

number of paper copies will be available from 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 and mailing address and the title and EPA number of the requested publication.

FOR FURTHER INFORMATION CONTACT: For further information, please contact David Bayliss, National Center for Environmental Assessment-Washington (8623D), U.S. Environmental Protection Agency, Washington, DC 20460; telephone: 202-564-3294; facsimile: 202-565-0078; e-mail: bayliss.david@epa.gov. For general information contact: Technical Information Staff, NCEA-W (8623D), U.S. Environmental Protection Agency, Washington, DC 20460; telephone: 202-564-3261; facsimile: 202-565-0050; e-mail: nceadc.comment@epa.gov.

SUPPLEMENTARY INFORMATION: The *Toxicological Review of Benzene—Noncancer Effects* characterizes the potential noncancer health hazards associated with environmental exposure to benzene. This toxicological review will serve as a scientific document for hazard identification and dose-response assessment in updating the noncancer health effects summary on benzene in the EPA's Integrated Risk Information System (IRIS).

The Toxicological Review concludes that chronic benzene exposure may pose several types of noncancer human health hazards. Hematotoxicity, e.g., progressive deterioration of hematopoietic function, has been consistently reported to be the most sensitive indicator of noncancer toxicity in both experimental animal studies and occupationally exposed humans. The hazards can result from inhalation, oral or dermal exposure, though the exposure circumstances vary. The Toxicological Review includes estimates of chronic exposure levels for oral exposure (reference dose) and inhalation exposure (reference concentration) that are thought to be without appreciable risk.

Earlier drafts of the assessment were subjected to independent expert peer review, as well as to public review and comment. The comments of the expert panel and the public are addressed in the revisions of the draft document.

Dated: April 10, 2003.

Peter W. Preuss,

Director, National Center for Environmental Assessment.

[FR Doc. 03-9341 Filed 4-15-03; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7484-4]

Anniston Lead Superfund Site; Notice of Proposed Settlement

AGENCY: Environmental Protection Agency.

ACTION: Notice; request for public comment.

SUMMARY: Under the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), the United States Environmental Protection Agency ("EPA") proposes to enter into a Prospective Purchaser Agreement ("PPA") regarding the Anniston Lead Superfund Site in Anniston, Calhoun County, Alabama. EPA proposes to enter into the PPA with Habitat for Humanity of Calhoun County, Inc. (Habitat). Pursuant to the PPA, Habitat will conduct time-critical removal actions at the properties ("Properties") covered by the PPA under EPA oversight. The PPA provides Habitat with a covenant not to sue from the United States for Existing Contamination on the Properties and releases any Superfund liens on the Properties as well. EPA will consider comments on the proposed PPA until May 16, 2003.

EPA may withdraw from or modify the proposed PPA should such comments disclose facts or considerations which indicate the proposed PPA is inappropriate, improper, or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, U.S. Environmental Protection Agency, Region IV, Waste Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303, 404/562-8887.

Written comments may be submitted to Ms. Batchelor at the above address within 30 days of the date of publication.

Dated: April 3, 2003.

Archie Lee,

Chief, CERCLA Program Services Branch, Waste Management Division.

[FR Doc. 03-9349 Filed 4-15-03; 8:45 am]

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