

Due to its being used in small percentages in the proposed formulations, oral ingestion of quantifiable amounts of copper will not result from use of copper hydroxide as an inert. Copper compounds are irritating to the gastric mucosa. Ingestion of large amounts of copper results in prompt emesis. This protective reflex reduces the amount of copper ion available for absorption into the human body. Additionally, at high levels humans are also sensitive to the taste of copper. Because of this organoleptic property, oral ingestion would also serve to limit high doses. Only a small percentage of ingested copper is absorbed, and most of the absorbed copper is excreted. The copper ion occurs naturally in many foods and the metabolism of copper is well understood. There are several factors unique to copper which indicate that additional studies are not needed to regulate copper hydroxide as an inert in pesticide formulations. One of the foremost of these is the fact that copper is a required nutritional element for both plants and animals. It appears that more evidence is available to define the adverse effects of a deficiency in the diet than to show the toxic effects of an excess intake. In fact, no account has been found in the literature reviewed which describes a toxic effect to normal humans from ingestion of common foodstuffs containing copper. Because copper toxicity to man through the diet has been shown in normal persons, little is known about the minimum levels of dietary copper necessary to cause evidence of adverse effects. This situation is likely due, to an effective homeostatic mechanism that is involved in the dietary intake of copper and that protects man from excess body copper. This complex mechanism integrates absorption, retention, and excretion to stabilize the copper body burden. Given that copper is ubiquitous and is routinely consumed as part of the daily diet, it is unlikely that with current exposure patterns there would be any long-term adverse effects. The hydroxide ion is also ubiquitous in plants, animals including humans, and the environment. The use of copper hydroxide as an inert will not result in any increased burden on the environment or living organisms.

### C. Aggregate Exposure

1. *Dietary exposure.* Twelve Food and Drug Administration (FDA) total diet studies, conducted from mid 1982–1984, examined dietary intake of copper for age groups 14–16, 25–30, and 60–65 years. The copper intake ranged from 0.77 (14–16 year old females) to 1.24

mg/day (25–30 year old males). Use of copper hydroxide as an inert at rates at an order of magnitude lower than current pesticide rates will not result in any quantifiable increase in exposure to copper from dietary sources.

i. *Food.* The main source of copper for infants, children, and adults, regardless of age, is the diet. Copper is typically present in mineral rich foods like vegetables (potato, legumes (beans and peas)), nuts (peanuts and pecans), grains (wheat and rye), fruits (peach and raisins), and chocolate in levels ranging from 0.3 to 3.9 parts per million (ppm). A single day's diet may contain 10 mg or more of copper. The daily recommended allowance of copper for adults nutritional needs is 2 mg.

ii. *Drinking water.* Copper is a natural element found in the earth's crust. As a result, most of the world's surface water and ground water that is used for drinking purposes contains copper. Naturally occurring copper in drinking water is safe for human consumption, even in rare instances where it is at levels high enough to impart a metallic taste to the water. The Agency has set a maximum contaminant level for copper at 1.3 ppm. Use of copper hydroxide as an inert at rates at an order of magnitude lower than current pesticide rates will not result in any quantifiable increase in exposure to copper from drinking water.

2. *Non-dietary exposure.* Copper is a naturally occurring element present in the earth's crust, and it is therefore naturally occurring in soil, water and air. Soils would be considered copper deficient if they contain less than 2 ppm available copper in the context of plant health. Air concentrations of copper are relatively low. A study based on several thousand samples assembled by EPA's Environmental Monitoring Systems Laboratory showed copper levels ranging from 0.003 to 7.32 micrograms per cubic meter. Use of copper hydroxide as an inert at rates at an order of magnitude lower than current pesticide rates will not result in quantifiable increase in exposure to copper from non-dietary sources.

### D. Cumulative Effects

Exposure to copper occurs over a lifetime from numerous sources and does not result in any known toxicity. Use of copper hydroxide as an inert will not result in quantifiable increase in cumulative exposure to copper.

### E. Safety Determination

1. *U.S. population.* Copper is an essential trace element for which the National Academy of Sciences has issued a recommended daily allowance

of up to 3 mg/day for adults. Accordingly, there is reasonable certainty that no harm will result from aggregate exposure of the U.S. population to copper. The use of copper hydroxide as an inert in pesticide formulations will not result in any measurable increase in exposure to copper.

2. *Infants and children.* Copper is also a component of the diet of infants and children and also an essential element of their diet. The use of copper hydroxide as an inert in pesticide formulations will not result in any measurable increase in exposure of infants and children to copper.

### F. International Tolerances

There does not appear to be any international tolerances for copper or copper hydroxide, and no CODEX maximum residue levels has been established for any food crops at this time.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL–7521–6]

### Public Water Supply Supervision Program Revision for the Commonwealth of Puerto Rico

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of tentative approval and solicitation of request for a public hearing for Public Water Supply Supervision Program Revision for the Commonwealth of Puerto Rico

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has determined to approve an application by the Commonwealth of Puerto Rico to revise its Public Water Supply Supervision Primacy Program to incorporate regulations no less stringent than the EPA's National Primary Drinking Water Regulations (NPDWR) for the following: Lead and Copper Rule Technical Correction; Final Rule, promulgated by EPA on June 30, 1994 (59 FR 33860), Synthetic Organic Chemicals and Inorganic Chemicals; Final Rule, promulgated by EPA on July 1, 1994 (59 FR 34320), Analytical Methods Technical Corrections; Final Rule, promulgated by EPA on December 5, 1994 (59 FR 62456), Analytical Methods Technical Corrections; Final Rule, promulgated by EPA on June 29, 1995 (60 FR 34083), Analytical Methods for Radionuclides Technical Corrections, promulgated by EPA on

March 5, 1997 (62 *FR* 10168), Revisions to State Primacy Requirements to Implement Safe Drinking Water Act Amendments; Final Rule (Primacy Revisions), promulgated by EPA on April 28, 1998 (63 *FR* 23362), Revision of Existing Variance and Exemption Regulations To Comply With Requirements of the Safe Drinking Water Act; Final Rule, promulgated by EPA on August 14, 1998 (63 *FR* 43834), Consumer Confidence Reports; Final Rule, promulgated by EPA on August 19, 1998 (63 *FR* 44512), along with 3 separate Technical Corrections to the Consumer Confidence Reports, promulgated as follows: December 16, 1998 (63 *FR* 69475 and 63 *FR* 69516), June 29, 1999 (64 *FR* 34732) and September 14, 1999 (64 *FR* 49671); Final Rule, Suspension of Unregulated Contaminant Monitoring Requirements for Small Public Water Systems, promulgated by EPA January 8, 1999 (64 *FR* 1494), the Disinfectants and Disinfection Byproducts; Final Rule, and Interim Enhanced Surface Water Treatment; Final Rule, both promulgated December 16, 1998 (63 *FR* 69390 and 63 *FR* 69478, respectively), and the Analytical Methods for Chemical and Microbiological Contaminants and Revisions to Laboratory Certification Requirements; Final Rule, promulgated by EPA December 1, 1999 (64 *FR* 67450). Effective March 6, 2000, the Puerto Rico Department of Health (PRDOH) promulgated the General Regulation of Environmental Health (Regulation #6090) giving the Secretary of PRDOH broad discretion to enact and/or adopt regulations deemed necessary to protect the Commonwealth's drinking water. Regulation #6090 also allowed for incorporation by reference of federally promulgated regulations. The revised regulation has been submitted by the Commonwealth in an application to revise its approved Public Water Supply Supervision Primacy Program (approved primacy program). The application demonstrates that Puerto Rico has adopted drinking water regulations which satisfy the NPDWRs for the above. The USEPA has determined that Puerto Rico's regulations are no less stringent than the corresponding Federal Regulations and that Puerto Rico continues to meet all requirements for primary enforcement responsibility as specified in 40 CFR 142.10.

**DATES:** This determination to approve the Commonwealth's primacy program revision application is made pursuant to 40 CFR 142.12(d)(3). It shall become final and effective August 1, 2003 unless (1) a timely and appropriate request for

a public hearing is received or (2) the Regional Administrator elects to hold a public hearing on her own motion. Any interested person, other than Federal Agencies, may request a public hearing. A request for a public hearing must be submitted to the Regional Administrator at the address shown below by August 1, 2003. If a substantial request for a public hearing is made within the requested thirty day time frame, a public hearing will be held and a notice will be given in the **Federal Register** and a newspaper of general circulation. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. If no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on her own motion, this determination shall become final and effective August 1, 2003.

Any request for a public hearing shall include the following information: (1) Name, address and telephone number of the individual organization or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and a brief statement on information that the requesting person intends to submit at such hearing; (3) the signature of the individual making the request or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

**ADDRESSES:** Requests for Public Hearing shall be addressed to:

Regional Administrator, U.S. Environmental Protection Agency, Region 2, 290 Broadway, New York, New York 10007-1866.

All documents relating to this determination are available for inspection between the hours of 9 a.m. and 4:30 p.m. Monday through Friday, at the following offices: Puerto Rico Department of Health, Public Water Supply Supervision Program, 9th Floor, Suite 903, Nacional Plaza Building, 431 Ponce De Leon Avenue, Hato Rey, Puerto Rico, 00917.

U.S. Environmental Protection Agency, Region 2, 24th Floor, Drinking Water Section, 290 Broadway, New York, New York 10007-1866.

**FOR FURTHER INFORMATION CONTACT:** Michael J. Lowy, Drinking Water Section, U.S. Environmental Protection Agency, Region 2, (212) 637-3830.

**Authority:** (Section 1413 of the Safe Drinking Water Act, as amended, 40 U.S.C.

300g-2, and 40 CFR 142.10, 142.12(d) and 142.13)

**William J. Muszynski,**

*Acting Regional Administrator, Region 2.*

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## FEDERAL COMMUNICATIONS COMMISSION

### Public Information Collection(s) Requirement Submitted to OMB for Emergency Review and Approval

June 25, 2003.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before August 1, 2003. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts listed below as soon as possible.

**ADDRESSES:** Direct all comments to Kim A. Johnson, Office of Management and Budget, Room 10236 NEOB, Washington, DC 20503, (202) 395-3562 or via Internet at [Kim.A.Johnson@omb.eop.gov](mailto:Kim.A.Johnson@omb.eop.gov), and Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via Internet to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the