

Dated: October 16, 2003.

**Joseph J. Merenda,**

*Director, Office of Science Coordination and Policy.*

[FR Doc. 03-26758 Filed 10-23-03; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7578-4]

### Meeting of the Mobile Sources Technical Review Subcommittee

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

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, Public Act, Public Law 92-463, notice is hereby given that the Mobile Sources Technical Review Subcommittee (MSTRS) will meet in December 2003. This is an open meeting. The meeting will focus on diesel and school bus retrofits and will include presentations from industry, states, and EPA representatives. The preliminary agenda for this meeting will be available on the Subcommittee's Web site. Draft minutes from the previous meetings are available on the Subcommittee's Web site now at: [http://www.epa.gov/air/caaac/mobile\\_sources.html](http://www.epa.gov/air/caaac/mobile_sources.html). MSTRS listserver subscribers will receive notification when the agenda is available on the Subcommittee Web site. To subscribe to the MSTRS listserver, go to <https://lists.epa.gov/cgi-bin/lyris.pl?enter=mstrs>. The site contains instructions and prompts for subscribing to the listserver service.

**DATES:** Wednesday, December 3, 2003 from 9 am. to 4 pm. Registration begins at 8:30 am.

**ADDRESSES:** The meeting will be held at Westin Detroit Metropolitan Airport, 2501 WorldGateway Place, Detroit, Michigan 48242; (734) 942-6500. (The airport is located at the Detroit Metro Airport.) Cut-off date to make reservations for discounted rooms associated with this meeting is November 10, 2003.

**FOR FURTHER INFORMATION CONTACT:** For technical information: Mr. Barry Garelick, Technical Staff Contact, Transportation and Regional Programs Division, MC: 6406J, U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Ph: (202) 564-9028; FAX: (202) 565-2085, e-mail: [garelick.barry@epa.gov](mailto:garelick.barry@epa.gov).

For logistical and administrative information: Ms. Kim Derksen, FACA Management Officer, U.S. EPA, 2000

Traverwood Drive, Ann Arbor, Michigan, Ph: 734-214-4272; FAX 734-214-4906, e-mail:

[derksen.kimberly@epa.gov](mailto:derksen.kimberly@epa.gov).

Background on the work of the Subcommittee is available at: <http://transaq.ce.gatech.edu/epatac>.

For more current information: [http://epa.gov/air/caaac/mobile\\_sources.html](http://epa.gov/air/caaac/mobile_sources.html).

Individuals or organizations wishing to provide comments to the Subcommittee should submit them to Mr. Garelick at the address above by November 15, 2003. The Mobile Sources Technical Review Subcommittee expects that public statements presented at its meetings will not be repetitive of previously submitted oral or written statements.

**SUPPLEMENTARY INFORMATION:** During this meeting, the Subcommittee may also hear progress reports from some of its workgroups as well as updates and announcements on activities of general interest to attendees.

Dated: October 17, 2003.

**Margo Tsirigotis Oge,**

*Director, Office of Transportation and Air Quality.*

[FR Doc. 03-26925 Filed 10-23-03; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2003-0330; FRL-7330-6]

### N-Propyl-S-Lactate; Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

**DATES:** Comments, identified by docket identification (ID) number OPP-2003-0330, must be received on or before November 24, 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:** Princess Campbell, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW.,

Washington, DC 20460-0001; telephone number: (703) 308-8033; e-mail address: [campbell.princess@epa.gov](mailto:campbell.princess@epa.gov).

**SUPPLEMENTARY INFORMATION:**

### I. General Information

#### A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS 32532)

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 ID number OPP-2003-0330. 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. 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.1. Once in the system, select "search," then key in the appropriate docket ID number.

Certain types of information will not be placed in EPA's 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 public commenters, 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 submitter of 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-2003-0330. 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](mailto:opp-docket@epa.gov), Attention: Docket ID Number OPP-2003-0330. 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) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID Number OPP-2003-0330.

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-2003-0330. 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. Make sure to submit your comments by the deadline in this notice.
7. 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. What Action is the Agency Taking?**

EPA has received a pesticide petition as follows proposing the establishment and/or amendment of regulations for residues of a certain pesticide chemical in or on various food commodities under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that this petition contains data or information regarding the elements set forth in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

**List of Subjects**

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 10, 2003.

**Debra Edwards,**

*Director, Registration Division, Office of Pesticide Programs.*

**Summary of Petition**

The petitioner's summary of the pesticide petition is printed below as required by FFDCA section 408(d)(3). The summary of the petition was prepared by the petitioner and represents the view of the petitioner. The summary may have been edited by EPA if the terminology used was unclear, the summary contained extraneous material, or the summary unintentionally made the reader conclude that the findings reflected EPA's position and not the position of the petitioner. The petition summary announces the availability of a description of the analytical methods available to EPA for the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed.

**PURAC America, Inc.**

*PP OF6180*

EPA has received a pesticide petition (OF6180) from PURAC America, Inc., 111 Barclay Blvd., Lincolnshire Corporate Center, Lincolnshire, IL 60069 proposing, pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing a tolerance exemption for n-propyl-S-lactate, also known as n-propyl-L-lactate, under 40 CFR 180.950, when used in accordance with good agricultural or manufacturing practice. EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

*A. Toxicological Profile*

1. *Acute toxicity.* No mortality in either male or female rats occurred during the 14-day observation period, setting the oral lethal dose (LD)<sub>50</sub> greater than 2,000 milligrams/kilogram (mg/kg) for n-propyl lactate. In the acute oral study, five rats per sex per group were used. The test substance was undiluted and given by gastric lavage at a dose of 2 milliliter/kilogram (mL/kg) body weight (bwt). Clinical observations, mortality, body weights, and gross pathological changes were recorded during a 14-day observation period. All animals gained weight. There were no

gross pathological changes at the end of the study.

Lactate esters generally have an inhalation lethal concentration (LC)<sub>50</sub> above 5,000 milligrams/meters<sup>3</sup> (mg/m<sup>3</sup>).

2. *Genotoxicity.* Ames testing of a similar lactate, ethyl-L-lactate did not show any activity.

3. *Reproductive and developmental toxicity.* No evidence of teratogenicity or maternal toxicity was observed in an inhalation study of a related lactate, 2-ethylhexyl-L-lactate or in a dermal study of ethyl-L-lactate.

4. *Subchronic toxicity.* Subacute inhalation studies have been conducted at concentrations up to 600 mg/m<sup>3</sup> or higher on four lactate esters (ethyl, n-butyl, isobutyl, and 2-ethylhexyl-L-lactate). Degenerative and regenerative changes in the nasal cavity were noted in all studies. The no observed adverse effect level (NOAEL) in ethyl, n-butyl, and isobutyl-L-lactate vapor studies was 200 mg/m<sup>3</sup>. Lactates do not appear to cause systemic toxicity, except at very high concentration (1,800 mg/m<sup>3</sup> or higher). These systemic effects may be secondary to severe irritation seen at high doses.

5. *Animal metabolism.* The *in vitro* hydrolysis of lactate esters (methyl, ethyl, butyl, pentyl, isoamyl, isopropyl, isobutyl, 2-ethylhexyl) in rat olfactory epithelium homogenate has been evaluated. In general, of the eight lactates evaluated, the rat nasal epithelium showed increased capacity to hydrolyze the lactates and increased affinity with increasing molecular weight (increase in alcohol chain length). Based on the similarity of effects and kinetic parameters, it appears that lactic acid is most likely the cause of the lactate toxicity.

6. *Metabolite toxicology.* n-Propyl-L-lactate is rapidly hydrolyzed in the body and environment to lactic acid and n-propanol (both are listed as exempt from requirements for a tolerance under 40 CFR 180.1001). Lactic acid is a metabolic break down product of all lactates. It is a normal metabolite in humans and is found in or added to foods (21 CFR 172.515). Endogenous production of L(+) lactate in a resting human is 100–124 grams per day. Lactic acid oral LD<sub>50</sub> in rats is 3,730 mg/kg. It is not active in mutagenic tests. It will produce skin and eye irritation at high concentrations. The n-propanol has an exemption from the requirement of a tolerance under 40 CFR 180.1001 with no limit on use as a solvent for all pesticides applied to growing crops or to raw agricultural commodities after harvest.

*B. Aggregate Exposure*

*Non-dietary exposure.* n-Propyl-L-lactate will be used at an application rate of between 0.4 and 1.7 lb/acre as part of the emulsion concentrate or as a solvent for herbicides, fungicides, insecticides, and other pesticide formulations. The low vapor pressure would tend to keep airborne exposure low.

[FR Doc. 03-26759 Filed 10-23-03; 8:45 am]

BILLING CODE 6560-50-S

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7578-2]

### Agreement for Recovery of Past Response Costs and Covenant Not To Sue Under the Comprehensive Environmental Response, Compensation, and Liability Act Regarding the Universal Oil Products Superfund Site, East Rutherford, NJ

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed administrative settlement and request for public comment.

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9601 *et seq.*, the U.S. Environmental Protection Agency ("EPA") announces a proposed administrative settlement to resolve claims under CERCLA. This settlement is intended to resolve the liability of responsible parties for certain past response costs incurred by EPA at the Universal Oil Products (Chemical Division) Superfund Site, East Rutherford, New Jersey ("Site"). The proposed administrative settlement is contained in an Agreement for Recovery of Past Response Costs ("Agreement") between Honeywell International Inc., Honeywell Specialty Materials, LLC ("the Settling Parties") and EPA. By this Notice, EPA is informing the public of the proposed settlement and of the opportunity to comment.

The soil and groundwater at the approximately 75-acre Site became contaminated with hazardous substances from the operations of a former chemical manufacturing facility. The New Jersey Department of Environmental Protection (NJDEP) is the lead agency responsible for cleanup of the Site, and EPA serves as the support agency. With EPA's concurrence, NJDEP issued a Record of Decision selecting

interim soil and groundwater remedies for the Site. The interim soil and groundwater remedies were completed in 2001. Further studies will be required to select a final remedy for the Site.

Section 122(h) of CERCLA authorizes EPA to consider, compromise and settle certain claims incurred by the United States. Under the terms of the Agreement, the Settling Parties will pay a total of \$219,491.64 to reimburse EPA for certain response costs incurred at the Site. In exchange, EPA will grant a covenant not to sue or take administrative action against the Settling for reimbursement of past-response costs pursuant to Section 107(a) of CERCLA.

EPA will consider any comments received during the comment period and may withdraw or withhold consent to the proposed settlement if comments disclose facts or considerations that indicate the proposed settlement is inappropriate, improper, or inadequate. EPA's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, New York 10007-1866. Telephone: (212) 637-3111.

**DATES:** Comments must be provided by November 24, 2003.

**ADDRESSES:** Comments should be sent to the U.S. Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, NY 10007-1866 and should refer to: Universal Oil Products (Chemical Division) Superfund Site, U.S. EPA Index No. CERCLA-02-2003-2019.

**FOR FURTHER INFORMATION CONTACT:** U.S. Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, New York 10007-1866. Telephone: (212) 637-3111.

**SUPPLEMENTARY INFORMATION:** A copy of the proposed administrative settlement may be obtained in person or by mail from John Prince, U.S. Environmental Protection Agency, 290 Broadway—19th Floor, New York, NY 10007-1866. Telephone: (212) 637-4380.

Dated: October 2, 2003.

**George Pavlou,**

*Director, Emergency and Remedial Response Division, Region 2.*

[FR Doc. 03-26924 Filed 10-23-03; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

October 8, 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 (PRA) 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 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 Paperwork Reduction Act (PRA) comments should be submitted on or before December 23, 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 contact listed below as soon as possible.

**ADDRESSES:** Direct all Paperwork Reduction Act (PRA) comments to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554; or via the Internet to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Les Smith at (202) 418-0217 or via the Internet at [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**SUPPLEMENTARY INFORMATION:** OMB Control Number: 3060-0968.

*Title:* Slamming Complaint Form.

*Form Number:* FCC 501.

*Type of Review:* Revision of a currently approved collection.