

contribute to human exposures because these chemicals can travel to non-target receptors, such as nearby human populations. Commonly referred to as bystander exposure, it is considered by the Agency to be the primary pathway through which human exposure to fumigants may occur. In order to address bystander exposures, the Agency developed a method based on a deterministic use of the Office of Air model entitled Industrial Source Complex Model (ISC3) that is routinely used for regulatory decisions. ISC3 is publicly available from the following Agency website (<http://www.epa.gov/scram001/tt22.htm#isc>). In this approach, the Agency uses chemical-specific measures of volatility to quantify field emission rates for modeling purposes. Additionally, the Agency uses standardized meteorological conditions which represent a stable atmosphere and unidirectional wind patterns that provide conservative estimates of exposure.

Stakeholders expressed concern that the conditions represented by the current approach provide results that are not sufficiently refined for risk mitigation purposes. In response, the registrants for metam-sodium, which include the Amvac Corporation and other members of the Metam Sodium Task Force, have submitted a model entitled the Fumigant Exposure Monitoring System (FEMS) to the Agency for consideration as a possible refinement to the Agency's approach. The Agency believes that this model also may have the potential to be used generically to calculate risks for the six soil fumigants being evaluated in the current risk assessment. The key differences between FEMS and the current Agency approach are that it incorporates ranges of both field emission rates and actual meteorological conditions. The information it uses includes ranges in the available emission data as well as 5 years of meteorological data from representative weather stations from areas where metam-sodium is used.

The purpose of this meeting of the FIFRA Science Advisory Panel (SAP) is to evaluate the approaches contained in the FEMS model for integrating actual meteorological data into ISC3 analyses. Additionally, the Agency is also seeking a specific evaluation of the methods used pertaining to field emission rates, statistical approaches for data analysis, receptor locations, and defining the exposed populations. Finally, the Agency is seeking a determination as to the scientific validity of the overall approach included in FEMS. The

proposed agenda for this SAP meeting will involve an introductory overview of the current risk assessment approach by the EPA. On behalf of the metam sodium registrants, a detailed presentation of the FEMS model will then be given Dr. David Sullivan of Sullivan Environmental Consulting, Inc. located in Alexandria, Virginia. Staff from California's Department of Pesticide Regulation will also be participating with EPA in this SAP meeting.

C. FIFRA SAP Meeting Minutes

The FIFRA SAP will prepare meeting minutes summarizing its recommendations to the Agency in approximately 60 days after the meeting. The meeting minutes will be posted on the FIFRA SAP web site or may be obtained by contacting the PIRIB at the address or telephone number listed in Unit I.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: July 20, 2004.

Joseph J. Merenda, Jr.

Director, Office of Science Coordination and Policy.

[FR Doc. 04-16954 Filed 7-22-04; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0242]; FRL-7371-8]

FIFRA Scientific Advisory Panel; Notice of Public Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On August 24-25, 2004, August 26-27, 2004 and September 9-10, 2004, the FIFRA Scientific Advisory Panel (SAP) will hold three separate meetings to consider and review three fumigant bystander exposure models. This particular notice announces the September 9-10, 2004 meeting at which the SAP will review the SOil Fumigant Exposure Assessment system (SOFEA[®]) using telone as a case study. On August 24-25, 2004 the SAP will review the Probabilistic Exposure and Risk model for FUMigants (PERFUM) using iodomethane as a case study. On August 26-27, 2004 the SAP will review the Fumigant Exposure Modeling System (FEMS) using metam sodium as a case study. Additional details about the September 9-10, 2004 meeting are provided below. Separate notices are available for each of the other meetings

that provide additional details specific to those meetings.

DATES: The meeting will be held on September 9-10 from 8:30 a.m. to approximately 5 p.m., eastern time.

Comments: For the deadlines for the submission of requests to present oral comments and the submission of written comments, see Unit I.E. of the **SUPPLEMENTARY INFORMATION.**

Nominations: Nominations of scientific experts to serve as ad hoc members of the FIFRA SAP for this meeting should be provided on or before August 6, 2004.

Special seating: Requests for special seating arrangements should be made at least 5 business days prior to the meeting.

ADDRESSES: The meeting will be held at the Holiday Inn National Airport, 2650 Jefferson Davis Hwy, Arlington, VA 22202 (703) 684-7200. The telephone number for the Holiday Inn National Airport is (703) 684-7200.

Comments: Written comments may be submitted electronically preferred), through hand delivery/courier, or by mail. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION.**

Nominations, Requests to present oral comments, and Special seating: To submit nominations for ad hoc members of the FIFRA SAP for this meeting, requests for special seating arrangements, or requests to present oral comments, notify the Designated Federal Officer (DFO) listed under **FOR FURTHER INFORMATION CONTACT.** To ensure proper receipt by EPA, your request must identify docket ID number OPP-2004-0242 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: Joseph Bailey, DFO, Office of Science Coordination and Policy (7201M), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-2045; fax number: (202) 564-8382; e-mail addresses: bailey.joseph@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 persons who are or may be required to conduct testing of chemical substances under the Federal Food, Drug, and Cosmetic Act (FFDCA), FIFRA, and the Food Quality Protection Act of 1996 (FQPA). 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 DFO 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-2004-0242. 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, 1801 S. Bell Street, 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/fedrgrstr/>.

EPA's position paper, charge/questions to FIFRA SAP, FIFRA SAP composition (i.e., members and consultants for this meeting) and the meeting agenda will be available as soon as possible, but no later than mid August, 2004. In addition, the Agency may provide additional background documents as the materials become available. You may obtain electronic copies of these documents, and certain other related documents that might be available electronically, from the FIFRA SAP Internet Home Page at <http://www.epa.gov/scipoly/sap>.

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 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.1. 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 in hard copy 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 (preferred), through hand delivery/courier, or by mail. 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. 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-2004-0242. 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-2004-0242. 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 deliver as described in Unit I.C.2 or

mail to the address provided in Unit I.C.3. 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 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, 1801 S. Bell St., Arlington, VA, Attention: Docket ID number OPP-2004-0242. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

3. *By mail.* Due to potential delays in EPA's receipt and processing of mail, respondents are strongly encouraged to submit comments either electronically or by hand delivery or courier. We cannot guarantee that comments sent via mail will be received prior to the close of the comment period. If mailed, please 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-2004-0242.

D. 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. Provide specific examples to illustrate your concerns.
5. Make sure to submit your comments by the deadline in this document.
6. 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.

E. How May I Participate in this Meeting?

You may participate in this meeting by following the instructions in this unit. To ensure proper receipt by EPA, it is imperative that you identify docket ID number OPP-2004-0242 in the subject line on the first page of your request.

1. *Oral comments.* Oral comments presented at the meetings should not be repetitive of previously submitted oral

or written comments. Although requests to present oral comments are accepted until the date of the meeting (unless otherwise stated), to the extent that time permits, interested persons may be permitted by the Chair of FIFRA SAP to present oral comments at the meeting. Each individual or group wishing to make brief oral comments to FIFRA SAP is strongly advised to submit their request to the DFO listed under **FOR FURTHER INFORMATION CONTACT** no later than noon, eastern time, September 2, 2004, in order to be included on the meeting agenda. The request should identify the name of the individual making the presentation, the organization (if any) the individual will represent, and any requirements for audiovisual equipment (e.g., overhead projector, 35 mm projector, chalkboard). Oral comments before FIFRA SAP are limited to approximately 5 minutes unless prior arrangements have been made. In addition, each speaker should bring 30 copies of his or her comments and presentation slides for distribution to FIFRA SAP at the meeting.

2. *Written comments.* Although, submission of written comments are accepted until the date of the meeting (unless otherwise stated), the Agency encourages that written comments be submitted, using the instructions in Unit I., no later than noon, eastern time, August 26, 2004, to provide FIFRA SAP the time necessary to consider and review the written comments. There is no limit on the extent of written comments for consideration by FIFRA SAP. Persons wishing to submit written comments at the meeting should contact the DFO listed under **FOR FURTHER INFORMATION CONTACT** and submit 30 copies.

3. *Seating at the meeting.* Seating at the meeting will be on a first-come basis. Individuals requiring special accommodations at this meeting, including wheelchair access and assistance for the hearing impaired, should contact the DFO at least 5 business days prior to the meeting using the information under **FOR FURTHER INFORMATION CONTACT** so that appropriate arrangements can be made.

4. *Request for nominations of prospective candidates for service as ad hoc members of the FIFRA SAP for this meeting.* As part of a broader process for developing a pool of candidates for each meeting, the FIFRA SAP staff routinely solicit the stakeholder community for nominations of prospective candidates for service as ad hoc members of the FIFRA SAP. Any interested person or organization may nominate qualified individuals to be considered as prospective candidates for a specific

meeting. Individuals nominated for the current meeting should have expertise in one or more of the following areas: Exposure assessment, statistics, meteorology, air modeling, fumigant volatility and fumigant agronomic practices. Nominees should be scientists who have sufficient professional qualifications, including training and experience, to be capable of providing expert comments on the scientific issues for this meeting. Nominees should be identified by name, occupation, position, address, and telephone number. Nominations should be provided to the DFO listed under **FOR FURTHER INFORMATION CONTACT** on or before August 6, 2004. The Agency will consider all nominations of prospective candidates for this meeting that are received on or before this date. However, final selection of ad hoc members for this meeting is a discretionary function of the Agency.

The selection of scientists to serve on the FIFRA SAP is based on the needs of the FIFRA SAP and includes consideration of such issues as adequately covering the areas of expertise (including the different scientific perspectives within each discipline) necessary to address the Agency's charge questions. In addition, ad hoc members of the FIFRA SAP must be available to fully participate in the review; they must not have any conflicts of interest or appearance of lack of impartiality; and they must be independent and unbiased with respect to the matter under review. No interested scientists shall be ineligible to serve by reason of their membership on any other advisory committee to a Federal Department or agency or their employment by a Federal department or agency (except the EPA). In order to have the collective breadth of experience needed to address the Agency's charge for this meeting, the Agency anticipates selecting more than 10 ad hoc scientists.

If a prospective candidate for service on the FIFRA SAP is considered for participation in a particular session, the candidate is subject to the provisions of 5 CFR part 2634, Executive Branch Financial Disclosure, as supplemented by the EPA in 5 CFR part 6401. As such, the FIFRA SAP candidate is required to submit a Confidential Financial Disclosure Form for Special Government Employees Serving on Federal Advisory Committees at the U.S. Environmental Protection Agency (EPA Form 3110-48 [5-02]) which shall fully disclose, among other financial interests, the candidate's employment, stocks, and bonds, and where applicable, sources of research support.

The EPA will evaluate the candidate's financial disclosure form to assess that there are no financial conflicts of interest, no appearance of lack of impartiality and no prior involvement with the development of the documents under consideration (including previous scientific peer review) before the candidate is considered further for service on the FIFRA SAP.

Those who are selected from the pool of prospective candidates will be asked to attend the public meetings and to participate in the discussion of key issues and assumptions at these meetings. In addition, they will be asked to review and to help finalize the meeting minutes. The list of FIFRA SAP members participating at this meeting will be posted on the FIFRA SAP web site or may be obtained by contacting the PIRIB at the address or telephone number listed in Unit.

II. Background

A. Purpose of the FIFRA SAP

Amendments to FIFRA enacted November 28, 1975 (7 U.S.C. 136w(d)), include a requirement under section 25(d) of FIFRA that notices of intent to cancel or reclassify pesticide regulations pursuant to section 6(b)(2) of FIFRA, as well as proposed and final forms of rulemaking pursuant to section 25(a) of FIFRA, be submitted to a SAP prior to being made public or issued to a registrant. In accordance with section 25(d) of FIFRA, the FIFRA SAP is to have an opportunity to comment on the health and environmental impact of such actions. The FIFRA SAP also, shall make comments, evaluations, and recommendations for operating guidelines to improve the effectiveness and quality of analyses made by Agency scientists. Members are scientists who have sufficient professional qualifications, including training and experience, to be capable of providing expert comments as to the impact on health and the environment of regulatory actions under sections 6(b) and 25(a) of FIFRA. The Deputy Administrator appoints seven individuals to serve on the FIFRA SAP for staggered terms of 4-years, based on recommendations from the National Institutes of Health and the National Science Foundation.

Section 104 of FQPA (Public Law 104-170) established the FQPA Science Review Board (SRB). These scientists shall be available to the FIFRA SAP on an ad hoc basis to assist in reviews conducted by the FIFRA SAP.

B. Public Meeting

EPA's Office of Pesticide Programs is engaged in pesticide tolerance reassessment activities as mandated by the Food Quality Protection Act (1996). As part of that process, the Agency is currently involved in the development of a comparative risk assessment for six soil fumigant pesticides that include chloropicrin, dazomet, iodomethane, methyl bromide, metam-sodium, and telone. Each of these chemicals has a degree of volatility associated with it which is a key characteristic needed to achieve a satisfactory measure of efficacy. This volatility, however, can contribute to human exposures because these chemicals can travel to non-target receptors, such as nearby human populations. Commonly referred to as bystander exposure, it is considered by the Agency to be the primary pathway through which human exposure to fumigants may occur.

In order to address bystander exposures, the Agency developed a method based on a deterministic use of the Office of Air model entitled Industrial Source Complex Model (ISC3) that is routinely used for regulatory decisions. ISC3 is publicly available from the following Agency website (<http://www.epa.gov/scram001/tt22.htm#isc>). In this approach, the Agency uses chemical-specific measures of volatility to quantify field emission rates for modeling purposes. Additionally, the Agency uses standardized meteorological conditions which represent a stable atmosphere and unidirectional wind patterns that provide conservative estimates of exposure.

Stakeholders expressed concern that the conditions represented by the current approach provide results that are not sufficiently refined for regulatory actions such as risk mitigation. In response, the Dow Agrosociences Corporation, the registrant for telone, has submitted a model entitled SOil Fumigant Exposure Assessment system (SOFEA[®]) for consideration as a possible refinement to the Agency's approach. The Agency believes that this model also, may have the potential to be used generically to calculate risks for the six soil fumigants being evaluated in the current risk assessment. The key differences between SOFEA[®] and the current Agency approach are that it calculates fumigant concentrations in air arising from volatility losses from treated fields for entire agricultural regions using multiple transient source terms (e.g., different treated fields), GIS

information, agronomic specific variables, user specified buffer zones and field re-entry intervals. A modified version of the ISC3 is used for air dispersion calculations.

The purpose of this meeting of the FIFRA Science Advisory Panel (SAP) is to evaluate the approaches contained in SOFEA[®] for integrating these different factors into an analysis that considers exposures on a regional level. Additionally, the Agency is seeking a specific evaluation of the methods used pertaining to field emission rates, statistical approaches for data analysis, receptor locations, modifications to ISC3, and defining the exposed populations. Finally, the Agency is seeking a determination as to the scientific validity of the overall approach included in SOFEA[®]. The proposed agenda for this SAP meeting will involve an introductory overview of the current risk assessment approach by the EPA. A detailed presentation of the SOFEA[®] model will then be given by S. A. Cryer, I. J. van Wesenbeeck, and B. A. Houtman of Dow Agrosociences Corporation. Staff from California's Department of Pesticide Regulation will also be participating with EPA in this SAP meeting.

C. FIFRA SAP Meeting Minutes

The FIFRA SAP will prepare meeting minutes summarizing its recommendations to the Agency in approximately 60 days after the meeting. The meeting minutes will be posted on the FIFRA SAP web site or may be obtained by contacting the PIRIB at the address or telephone number listed in Unit I.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: July 20, 2004.

Joseph J. Merenda, Jr.

Director, Office of Science Coordination and Policy.

[FR Doc. 04-16955 Filed 7-22-04; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0165; FRL-7368-6]

Pesticide Product Registrations; Conditional Approval

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces Agency approval of applications to conditionally register the pesticide