

public comment period and agreed to BAAQMD.

On May 25, 2004, the Administrator issued an order partially granting and partially denying the petition. The order explains the reasons behind EPA's conclusion that BAAQMD must reopen the permit to make available for public and EPA comment an adequate statement of basis. The order also explains the reasons for denying the Petitioners' remaining claims.

Through this notice, EPA is also correcting a non-substantive factual finding in the final Los Medanos order. Footnote 6 of the order found that OCE had submitted its comments on the draft Los Medanos permit to BAAQMD after the close of the 30-day public comment period. After further review, EPA has determined that OCE actually submitted those comments on time, as OCE submitted its comments on August 1, 2001 and the public comment period ended August 2, 2001.

II. Dow Chemical

On December 1, 2003, BAAQMD issued a final title V operating permit to Dow. CBE ("Petitioner") submitted a petition to the Administrator on January 12, 2004, seeking EPA's objection to BAAQMD's issuance of the Dow permit. The Petitioner alleged in the petition that EPA must object to the permit because BAAQMD improperly denied Petitioner's request for a public hearing.

The Administrator issued an order denying the petition on July 2, 2004. The order explains the reasons behind EPA's finding that the petitioner failed to demonstrate that the permit was not issued in compliance with the requirements of the Clean Air Act.

Dated: July 26, 2004.

Wayne Natri,

Regional Administrator, Region 9.

[FR Doc. 04-18381 Filed 8-10-04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6654-5]

Notice of Intent To Prepare an Environmental Impact Statement (EIS) for the Oxnard Plain Groundwater Recharge Project, Santa Clara River, Ventura County, CA

AGENCY: Environmental Protection Agency (EPA).

Purpose: To comply with the National Environmental Policy Act (NEPA) of 1969.

SUMMARY: The primary goal of the project is to increase the amount of

water recharged into the Oxnard Plain aquifers to achieve a long-term balance between recharge and extractions. The benefits of additional recharge are a continued reduction in seawater intrusion, development of local water supplies to reduce the need for imported water, and increased flexibility and reliability in meeting future water demands through the conjunctive use of surface and groundwater supplies. United Water Conservation District (UWCD) manages groundwater and delivers water to cities and agricultural users in the Oxnard Plain region of Ventura County. One of UWCD's many responsibilities is recharge of the Oxnard Plain groundwater basins. To accomplish this recharge, the Freeman Diversion and related facilities were constructed in 1991 and are now used to divert 375 cfs from the Santa Clara River. The river water supply diverted by UWCD through these facilities is used for groundwater recharge and agricultural irrigation. Groundwater recharge is accomplished through the use of various UWCD-owned and operated facilities that include: the Freeman Diversion, lined and unlined canals, pipelines, desilting basins, and storage/recharge ponds and basins. The project will involve the purchase and use of abandoned aggregate mining pits and construction of water conveyance facilities for groundwater recharge using water diverted from the river in order to maximize recharge potential under current diversions. In addition, the project may include an increase in the maximum diversion rate, alternatives range from 375 to 1000 cfs, at the Freeman Diversion located along the Santa Clara River. An increase in diversion will require a modification of UWCD's water rights permits from the State of California. This Notice of Intent (NOI) to prepare a Draft EIS is being published because EPA has determined that the proposed action may result in a significant impact to the environment.

Alternatives: The alternatives include different configurations of new recharge basins using the mining pits, and varying peak diversion rates. All alternatives include the following facility improvements: (1) Modification of the fish screen at the Freeman Diversion to increase its effectiveness, improve flow capacity, and improve operations and maintenance of the screen; and (2) modification of the culvert at the outlet of the desilting basin to improve hydraulic capacity. EPA may approve or deny the proposed diversion, or approve with modifications to mitigate or reduce

adverse impacts to acceptable levels. Other reasonable alternatives, including those outside EPA's authority, may also be evaluated in the EIS. Depending on the final alternative, the project could affect the federally endangered southern steelhead trout (South Coast Evolutionarily Significant Unit), which occurs along the Santa Clara River and passes through the Freeman Diversion through fish passage facilities. EPA will be consulting with National Marine Fisheries Service (NMFS) regarding impacts of the project pursuant to Section 7 of the Endangered Species Act. Similarly, EPA will consult with U.S. Fish and Wildlife Service regarding potential effects on a downstream listed species, the tidewater goby.

Scoping: The public scoping period begins with the publication of this Notice and concludes September 15, 2004. EPA invites Federal agencies, Native American tribes, State and local governments, and members of the public to comment on the scope of this EIS. EPA will consider fully all comments received by the close of the scoping period and will consider comments received after that date to the extent practicable.

Contact Information: EPA invites public comment on the proposed scope of this EIS. Comments may be submitted by mail, electronic mail, or fax, and addressed as follows: Jared Vollmer, Project Officer, Water 10, U.S. EPA Region 9, 75 Hawthorne St., San Francisco, CA, 94105. Electronic mail: vollmer.jared@epa.gov, Fax: (415) 947-3537, Telephone: (415) 972-3447. A project summary is available upon request.

Estimated Date of Release for Draft EIS: October 2004.

Responsible Official: Wayne Natri, Regional Administrator.

Dated: August 5, 2004.

Anne Norton Miller,

Director, Office of Federal Activities.

[FR Doc. 04-18387 Filed 8-10-04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0248; FRL-7372-5]

Tribal Pesticide Program Council; Notice of Public Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Tribal Pesticide Program Council (TPPC) will hold a 2-day meeting, beginning on September 8 and

ending on September 9, 2004, concerning the TPPC's information exchange in relationship with EPA regarding important issues related to human health, environmental exposure to pesticides, and insight into EPA's decision making process. This notice announces the location and times for the meeting, and sets forth the tentative agenda topics. One Tribal Caucus is scheduled each day.

DATES: The meeting will be held on Wednesday, September 8, 2004, from 9 a.m. to 5 p.m., and Thursday, September 9, 2004, from 9 a.m. to 5 p.m.

ADDRESSES: The meeting will be held at the Tradewinds on the Bay, 4305 Pomeroy Lane, Tokeland, WA. The telephone number is (360) 267-7500.

FOR FURTHER INFORMATION CONTACT: Georgia McDuffie, Field and External Affairs Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 605-0195; fax number: (703) 308-1850; e-mail address: mcduffie.georgia@epa.gov or Lillian Wilmore, TPPC Facilitator, P.O. Box 470829 Brookline Village, MA 02447-0829; telephone number: (617) 232-5742; fax (617) 277-1656; e-mail address: naecology@aol.com.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are interested in TPPC's information exchange relationship with EPA regarding important issues related to human health, environmental exposure to pesticides, and insight into EPA's decisionmaking process.

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 persons 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-2004-0248. 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 St., 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 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.

II. Tentative Agenda

1. TPPC State of the Council Report
2. Presentation and Questions and Answers by EPA's Office of Pesticide Programs and Field and External Affairs Division
3. Reports from Working Groups and TPPC Participation in Other Meetings:
 - Subsistence, Environmental Indicators, FOSTTA, Pesticide Program Dialogue Committee, Tribal Pesticide Program Training, Worker Protection
4. Tribal Caucus (two)
5. Reports from Other Organizations:
 - State FIFRA Issues Research & Evaluation Group
 - American Indian Environmental Office
 - Tribal Operations Committee
 - Regional Tribal Operations Committee
 - Intertribal Agriculture Council
 - National Tribal Environmental Council
 - Intertribal Agriculture Council
 - Tribal Air Group
6. Endangered Species Protection Program—Update

7. Report on Funding of Special Projects and Water Quality Projects to Tribes

8. Government Performance Results Act (GPRA) and Measurable Results

9. Office of Enforcement and Compliance Assurance (OECA) Enforcement Priorities

10. National Pesticide Field Data Base

11. TPPC Database: Building and Maintaining the Database

12. Updates from the Regional Offices: Sub-Lead, Region 9, and Region 10

13. OECA updates: EPA Federal Inspector Credentials Guidance; Reporting Issues

14. Certification and Training: Tribal Issues: Navajo Federal Certification Plan

15. Tribal and State Memorandum of Understanding: Aerial Applicators

16. Tribal Pesticide Codes—Panel Presentation

17. Building the TPPC Invasive Species Working Group

List of Subjects

Environmental protection.

Dated: August 4, 2004.

Jay S. Ellenberger,

Division Director, Field External Affairs Division, Office of Pesticide Programs.

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0129; FRL-7367-5]

Diazinon; Product Registrations Cancellation Order

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's cancellation order for the cancellations, as requested by registrants, of all outdoor non-agricultural end-use products containing diazinon [*O,O*-Diethyl *O*-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate] and accepted by EPA, pursuant to section 6(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This order follows up a December 10, 2003 Notice of Receipt of Requests from diazinon registrants for cancellations of all of their diazinon outdoor non-agricultural end-use product registrations. In the December 10, 2003 Notice, EPA indicated that it would issue an order granting the voluntary product registration cancellations, unless the Agency received substantive comments within