

established by the new law. Tolerances are considered reassessed once the safety finding has been made or a revocation occurs. EPA has reviewed and made the requisite safety finding for the methyl eugenol tolerances included in this notice.

EPA is applying the principles of public participation to all pesticides undergoing reregistration and tolerance reassessment. The Agency's Pesticide Tolerance Reassessment and Reregistration; Public Participation Process, published in the **Federal Register** on May 14, 2004, (69 FR 26819) (FRL-7357-9) explains that in conducting these programs, the Agency is tailoring its public participation process to be commensurate with the level of risk, extent of use, complexity of issues, and degree of public concern associated with each pesticide. EPA can expeditiously reach decisions for pesticides like methyl eugenol, which pose no risk concerns, have low use, affect few if any stakeholders, and require no risk mitigation. Once EPA assesses uses and risks for such pesticides, the Agency may go directly to a decision and prepare a document summarizing its findings. The Agency therefore is issuing the low-risk methyl eugenol TRED, risk assessments, and related documents simultaneously for public comment.

The tolerance reassessment program is being conducted under Congressionally mandated time frames, and EPA recognizes the need both to make timely decisions and to involve the public in finding ways to effectively mitigate pesticide risks. Methyl eugenol, however, poses no risks that require mitigation. The Agency therefore is issuing the methyl eugenol TRED, its risk assessments, and related support documents simultaneously for public comment. The comment period is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to the TRED. All comments should be submitted using the methods in Unit I. of the **SUPPLEMENTARY INFORMATION**, and must be received by EPA on or before the closing date. These comments will become part of the Agency Docket for Methyl Eugenol. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

EPA will carefully consider all comments received by the closing date and will provide a response to comments memorandum in the Docket and electronic EDOCKET. If any comment significantly affects the document, EPA also will publish an

amendment to the TRED in the **Federal Register**. In the absence of substantive comments requiring changes, the decisions reflected in the TRED will be implemented as presented.

B. What is the Agency's Authority for Taking this Action?

Section 408(q) of the FFDC, 21 U.S.C. 346a(q), requires EPA to review tolerances and exemptions for pesticide residues in effect as of August 2, 1996, to determine whether the tolerance or exemption meets the requirements of section 408(b)(2) or (c)(2) of FFDC. This review is to be completed by August 3, 2006.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: January 4, 2005.

Debra Edwards,

Director, Special Review and Reregistration Division, Office of Pesticide Programs.

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ENVIRONMENTAL PROTECTION AGENCY

[OAR-2001-0017; FRL-7866-9]

Second Draft Staff Paper for Particulate Matter

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of a draft for public review and comment.

SUMMARY: On or about January 31, 2005, the Office of Air Quality Planning and Standards (OAQPS) of EPA will make available for public review and comment a draft document, Review of the National Ambient Air Quality Standards for Particulate Matter: Policy Assessment of Scientific and Technical Information (Second Draft Staff Paper). The purpose of the Staff Paper is to evaluate the policy implications of the key scientific and technical information contained in a related EPA document, Air Quality Criteria for Particulate Matter, required under sections 108 and 109 of the Clean Air Act (CAA) for use in the periodic review of the national ambient air quality standards (NAAQS) for particulate matter (PM). The OAQPS also will make available for public review and comment a related draft technical support document, Particulate Matter Health Risk Assessment for Selected Urban Areas (Second Draft Risk Assessment).

DATES: Comments on the second draft Staff Paper and second draft Risk

Assessment should be submitted on or before March 31, 2005.

ADDRESSEES: Submit your comments, identified by Docket ID No. OAR-2001-0017, by one of the following methods:

- Agency Web site: EDOCKET, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

- E-mail: Comments may be sent by electronic mail (e-mail) to *a-and-r-Docket@epa.gov*, Attention Docket ID No. OAR-2001-0017.

- Fax: Fax your comments to: 202-566-1741, Attention Docket ID. No. OAR-2001-0017.

- Mail: Send your comments to: Air and Radiation Docket Center, Environmental Protection Agency, Mailcode: 6102T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. OAR-2001-0017.

- Hand Delivery or Courier: Deliver your comments to: EPA Docket Center, 1301 Constitution Ave., NW., Room B108, Washington, DC 20004.

Instructions: Direct your comments to Docket ID No. OAR-2001-0017. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://docket.epa.gov/edkpub/do/EDKStaffCollectionDetailView?objectId=0b0007d48006d9eb>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through EDOCKET, regulations.gov, or e-mail. The EPA EDOCKET and the Federal regulations.gov Web sites are "anonymous access" systems, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through EDOCKET or regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit EDOCKET on-line or see the **Federal Register** of May 31, 2002 (67 FR 38102).

Docket: All documents in the docket are listed in the EDOCKET index at the web address provided under "Instructions" above. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in EDOCKET or in hard copy at the Air Docket in the EPA Docket Center, (EPA/DC) EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. This Docket Facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (202) 566-1744; fax (202) 566-1741.

Availability of Related Information: Documents referred to in this notice are available from the following sources:

- **Public Docket.** The EPA has established an official public docket for this action under Docket ID No. OAR-2001-0017. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to the PM NAAQS review. 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 Air Docket in the EPA Docket Center, (EPA/DC) EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The Docket telephone number is (202) 566-1744; fax (202) 566-1741. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying.

- **Electronic Access.** 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 access the documents specifically referenced in this action. These documents are also available at http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_index.html;

the draft Staff Paper is available under "Staff Papers" and the draft Risk Assessment technical support document is available under "Technical Documents." If assistance is needed in accessing the system, call the help desk at (919) 541-5384 in Research Triangle Park, NC.

FOR FURTHER INFORMATION CONTACT: Dr. Mary Ross, Office of Air Quality Planning and Standards (mail code C539-01), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; e-mail: ross.mary@epa.gov; telephone: (919) 541-5170; fax: (919) 541-0237.

SUPPLEMENTARY INFORMATION: Section 108(a) of the Clean Air Act directs the Administrator to identify certain pollutants which "may reasonably be anticipated to endanger public health and welfare" and to issue air quality criteria for them. These air quality criteria are to "accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of [a] pollutant in the ambient air. * * *" Under section 109 of the Act, EPA is then to establish National Ambient Air Quality Standards (NAAQS) for each pollutant for which EPA has issued criteria. Section 109(d) of the Act subsequently requires periodic review and, if appropriate, revision of existing air quality criteria to reflect advances in scientific knowledge on the effects of the pollutant on public health and welfare. EPA is also to revise the NAAQS, if appropriate, based on the revised criteria.

Particulate matter is one of six "criteria" pollutants for which EPA has established air quality criteria and NAAQS. EPA is presently reviewing the criteria and NAAQS for PM. This review includes preparation of two key documents, the Air Quality Criteria for particulate matter ("Criteria Document") and a related "Staff Paper". EPA completed its Criteria Document for PM in October 2004 (69 FR 63111, October 29, 2004).

The purpose of the Staff Paper is to evaluate the policy implications of the key scientific and technical information contained in the Air Quality Criteria document and identify critical elements that EPA staff believe should be considered in reviewing the NAAQS. The Staff Paper is intended to "bridge the gap" between the scientific review contained in the Air Quality Criteria document and the public health and welfare policy judgments required of the Administrator in reviewing the NAAQS.

In August 2003, a first draft of this Staff Paper was released by EPA for public review and comment and for review by the Clean Air Scientific Advisory Committee (CASAC) of EPA's Science Advisory Board (68 FR 51774, August 28, 2003) at a public meeting held in November 2003. Comments received from review of the first draft document have been considered in preparing this second draft Staff Paper.

Based on the information contained in the Air Quality Criteria document, this second draft Staff Paper includes assessments and analyses related to: (1) Air quality characterization; (2) integration and evaluation of health information; (3) health risk assessment; and (4) evaluation of information on visibility impairment and other welfare effects. The second draft Staff Paper also includes staff conclusions and recommendations on potential revision or retention of the 1997 PM NAAQS. Staff recommendations include consideration of revising both the primary (health-based) and secondary (welfare-based) PM NAAQS.

The second draft Risk Assessment technical support document describes and presents the results from an updated PM health risk assessment. A scoping plan, methodology documents, and the first draft Risk Assessment technical support document were previously reviewed by CASAC and the public. Comments received have been considered in developing the second draft Risk Assessment technical support document being released at this time. The risk assessment methodology and results are also discussed in the second draft Staff Paper.

The second draft Staff Paper and second draft Risk Assessment technical support document will be reviewed at an upcoming public meeting of the CASAC. A future **Federal Register** notice will inform the public of the date and location of that meeting. Following the CASAC meeting, EPA will consider comments received from CASAC and the public in completing the Staff Paper and Risk Assessment technical support document.

Dated: January 26, 2005.

Gregory A. Green,

Acting Director, Office of Air Quality Planning and Standards.

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