

system, select "search," and then key in docket ID number OPP-2004-0414. 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-2004-0414. 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), Office of Pesticide Programs (OPP), Environmental Protection Agency (7502C), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID Number OPP-2004-0414.

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, 1801 S. Bell St., Arlington, VA, Attention: Docket ID Number OPP-2004-0414. 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. Offer alternative ways to improve the registration activity.
7. Make sure to submit your comments by the deadline in this notice.
8. 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. Registration Applications**

EPA received applications as follows to register pesticide products containing active ingredients not included in any previously registered products pursuant to the provision of section 3(c)(4) of FIFRA. Notice of receipt of these applications does not imply a decision by the Agency on the applications.

##### *Products Containing Active Ingredients not Included in any Previously Registered Products*

1. *File Symbol:* 29964-L. *Applicant:* Pioneer Hi-Bred International, A Dupont Company, 7250 N.W. 62nd Ave., P.O. Box 552, Johnston, IA 50131-0552. *Product Name:* Herculex Xtra Insect Protection. Plant-incorporated protectant. *Active ingredient:* *Bacillus*

*thuringiensis* Cry34/35Ab1 insecticidal crystal protein and the genetic material for its production (plasmid insert PHP 17662) in event DAS-59122-7 corn and *Bacillus thuringiensis* Cry1F protein and the genetic material for its production (plasmid insert PHI 8999) in corn. *Proposed classification/Use:* None. For use on corn.

2. *File Symbol:* 68467-A. *Applicant:* Mycogen Seeds c/o Dow AgroSciences LLC, 9330 Zionsville Road, Indianapolis, IN 46268. *Product Name:* Mycogen Seeds Herculex Xtra Insect Protection. Plant-incorporated protectant. *Active ingredient:* *Bacillus thuringiensis* Cry34/35Ab1 insecticidal crystal protein and the genetic material for its production (plasmid insert PHP 17662) in event DAS-59122-7 corn and *Bacillus thuringiensis* Cry1F protein and the genetic material for its production (plasmid insert PHI 8999) in corn. *Proposed classification/Use:* None. For use on corn.

#### **List of Subjects**

Environmental protection, Pesticides and pest.

Dated: May 17, 2005.

#### **Phil Hutton,**

*Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. 05-11104 Filed 6-2-05; 8:45 am]

**BILLING CODE 6560-50-S**

#### **ENVIRONMENTAL PROTECTION AGENCY**

[OPP-2005-0132; FRL-7715-9]

#### **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 products MeloCon WG, *Chondrostereum purpureum* strain HQ1 Concentrate, and Myco-Tech Paste containing new active ingredients not included in any previously registered products pursuant to the provisions of section 3(c)(7)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Action Leader, Biopesticides and Pollution Prevention Division (7511C), listed in the table in this unit:

Regulatory Action Leader	Telephone number/e-mail address	Mailing address	Product/EPA Reg. No.
Barbara Mandula	(703) 308-7378; <a href="mailto:Mandula.Barbara@epa.gov">Mandula.Barbara@epa.gov</a> .	Biopesticides and Pollution Prevention Division (7511C), Office of Pesticides Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001	MeloCon 72444-2
Jim Downing	(703) 308-9071; <a href="mailto:Downing.Jim@epa.gov">Downing.Jim@epa.gov</a> .	Do.	<i>Chondrostereum purpureum</i> strain HQ1 Concentrate 74128-1 Mycotech Paste 74128-2

**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 code 111)
- Animal production (NAICS code 112)
- Food manufacturing (NAICS code 311)
- Pesticide manufacturing (NAICS code 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. To determine whether you or your business may be affected by this action, you should carefully examine the applicability provisions. 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 identification (ID) number OPP-2005-0132. 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.

In accordance with section 3(c)(2) of FIFRA, a copy of the approved label, the list of data references, the data and other scientific information used to support registration, except for material specifically protected by section 10 of FIFRA, are available for public inspection in the Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 119, Crystal Mall #2, Arlington, VA (703) 305-5805. Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. Such requests should: Identify the product name and registration number and specify the data or information desired.

A paper copy of the fact sheet, which provides more detail on this registration, may be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Rd., Springfield, VA 22161.

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.

**II. Did EPA Conditionally Approve the Application?**

A conditional registration may be granted under section 3(c)(7)(C) of FIFRA for a new active ingredient where certain data are lacking, on condition that such data are received by the end of the conditional registration period and do not meet or exceed the risk criteria set forth in 40 CFR 154.7; that use of the pesticide during the conditional registration period will not cause unreasonable adverse effects; and that use of the pesticide is in the public interest. The Agency has considered the available data on the risks associated with the proposed uses of *Paecilomyces lilacinus* strain 251, and of *Chondrostereum purpureum* strain HQ1, and information on social, economic, and environmental benefits to be derived from such use. Specifically, the Agency has considered the nature and its pattern of use, application methods and rates, and level and extent of potential exposure. Based on these reviews, the Agency was able to make basic health and safety determinations which show that uses of *Paecilomyces lilacinus* strain 251, and of *Chondrostereum purpureum* strain HQ1 during the period of conditional registration will not cause any unreasonable adverse effect on the environment, and that use of these pesticides is in the public interest.

Consistent with section 3(c)(7)(C) of FIFRA, the Agency has determined that these conditional registrations are in the public interest. Use of the pesticides are of significance to the user community, and appropriate labeling, use directions, and other measures have been taken to

ensure that use of the pesticides will not result in unreasonable adverse effects to man and the environment.

### III. Conditionally Approved Registrations

1. EPA issued a notice, published in the **Federal Register** of November 14, 2003 (68 FR 64623) (FRL-7331-8), which announced that Prophyta Biologischer Pflanzenschutz GmbH, Germany, c/o WF Stoneman Company, LLC, P.O. Box 465, (formerly 6307 Mourning Dove Drive), McFarland, WI 53558-0465, had submitted an application to register the pesticide product, MeloCon WG, a nematicide specific for plant root nematodes (72444-E), containing the fungus *Paecilomyces lilacinus* strain 251 at 6.0%, an active ingredient not included in any previously registered product.

The application was conditionally approved on March 30, 2005 for the end-use product listed below:

MeloCon, for use against parasitic plant root nematodes on vegetables, certain fruits, turf, ornamentals, and tobacco (EPA Reg. No. 72444-2).

2. EPA issued a notice, published in the **Federal Register** of December 24, 2003 (68 FR 74576) (FRL-7338-2), which announced that Myco-Forestis Corporation Canada, c/o SciReg, Inc., Science and Regulatory Consultants, 12733 Director's Loop, Woodbridge, VA 22192 (former address, Route 344 P.O. Box 3158 L'Assomption, Quebec Canada, J5W 4M9), had submitted applications to register the pesticide products, *Chondrostereum purpureum* strain HQ1 Concentrate (MUP: 74128-R) for manufacturing use and Myco-Tech Paste (EP: 74128-E), a biological herbicide used to inhibit sprouting and regrowth of cut tree stumps, containing the naturally-occurring fungus *Chondrostereum purpureum* strain HQ1 at MUP Concentrate, 24.8%; EP 9.1%, an active ingredient not included in any previously registered product.

The applications were conditionally approved on March 30, 2005 for the products listed below:

- i. The Manufacturing Use Product, "Chondrostereum purpureum strain HQ1 Concentrate" for manufacturing purposes only (EPA Reg. No. 74128-1).
- ii. The End-Use Product, "Myco-Tech Paste" to inhibit sprouting and regrowth of cut tree stumps (EPA Reg. No. 74128-2).

#### List of Subjects

Environmental protection, Chemicals, Pesticides and pests.

Dated: May 17, 2005.

**Phil Hutton,**

Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 05-11106 Filed 6-2-05; 8:45 am]

**BILLING CODE 6560-50-S**

### ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0134; FRL-7714-7]

#### Sodium Chlorite; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

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

**ACTION:** Notice.

**SUMMARY:** EPA has received a public health exemption request to use the pesticide product sodium chlorite (CAS No. 7758-19-2) to treat up to 2,500 boxes of papers, pictures, negatives, and other items stored in a fumigation chamber in the garage basement of the Boca Building, in Boca Raton, FL, to control or inactivate potential contamination with *Bacillus anthracis* (anthrax) spores. The Applicant proposed the use of sodium chlorite specifically for inactivation of anthrax spores. Due to the urgent nature of this request, EPA authorized decontamination procedures at this site which involved sodium chlorite on April 4, 2005, in advance of this Notice. With this notice, EPA is soliciting public comments on this action.

**DATES:** Comments, identified by docket identification (ID) number OPP-2005-0134, must be received on or before June 20, 2005.

**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:

Carmen Rodia, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460-0001; telephone number: (703) 306-0327; fax number: (703) 308-5433; e-mail address: [rodia.carmen@epa.gov](mailto:rodia.carmen@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 a person in the vicinity of the "Boca Building," which

is located at 5401 Broken Sound Boulevard, Boca Raton, FL 33487-3512, or pesticide manufacturer (NAICS code 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) code has 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-2005-0134. 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), Room 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA 22202-4501. 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. Once in the system, select "search," then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not