

by this action. 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 a docket for this action under docket identification (ID) number EPA-HQ-OPP-2007-0343. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive Arlington, VA. The hours of operation of this Docket Facility are 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>.

## II. Background

EPA is currently reviewing six soil fumigant pesticides. Four of the six are in review for reregistration, including chloropicrin, dazomet, metam sodium, metam potassium, and methyl bromide. A fifth chemical, iodomethane, is being reviewed for registration and is a possible alternative to methyl bromide. Reregistration for 1,3-dichloropropene (1,3-D or Telone) was completed in 1998, but is included in the review for comparative purposes.

EPA is reviewing the soil fumigant pesticides using the 6-Phase Public Participation Process described in the Agency's May 14, 2004 **Federal Register** notice (69 FR 26819)(FRL-7357-9). During Phase 5, the Agency is issuing for public comment revised risk assessments, benefits assessments, and a paper outlining risk management options for the soil fumigants. To obtain additional, first-hand input from stakeholders, EPA is holding meetings during the Phase 5 public comment period in areas of high soil fumigant use.

EPA will begin each public meeting with a brief overview of predicted risks and benefits of soil fumigant use, as well as possible measures that the Agency expects will reduce risks. After providing guidelines for making comments, the Agency will take comments from the public during the remainder of the day. EPA plans to transcribe the meetings so that

comments received can be placed in the docket where they will be available to other members of the public.

EPA also plans to participate in a stakeholder meeting held by the California Department of Pesticide Regulation on May 30, 2007, focusing on California's risk management proposals for soil fumigants that produce MITC, specifically metam sodium and metam potassium. California and EPA have been working together on soil fumigant issues during the last several years. Because the mitigation proposals for these chemicals include similar approaches to reduce exposures, EPA will also consider public comments provided by stakeholders during this meeting. Please visit the California Department of Pesticide Regulation website for more information: <http://www.cdpr.ca.gov/>.

After considering all information and comments received during Phase 5 through the public meetings and the docket, EPA plans to develop risk management decisions for the soil fumigant pesticides later in 2007.

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: April 24, 2007.

**Peter Caulkins,**

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

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**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2005-0125; FRL-8127-7]

### Metam Sodium and Metam Potassium; Revised Human Health Risk Assessment, Notice of Availability and Solicitation of Risk Reduction Options

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability and seeks comments on EPA's revised human health risk assessment for the pesticide fumigants metam sodium and metam potassium. In addition, this notice solicits public comment on the risk reduction options paper for fumigants including metam sodium and metam potassium and EPA's benefits assessments for the soil fumigants. The Agency is also seeking comments on the ecological risk assessment which was not revised since the last public comment period. The public is encouraged to suggest risk

management ideas or proposals to address the risks identified. EPA is developing a Reregistration Eligibility Decision (RED) for metam sodium and metam potassium through the full, 6-Phase public participation process that the Agency uses to involve the public in developing pesticide reregistration and tolerance reassessment decisions. EPA also is concurrently assessing the risks of four other soil fumigant pesticides to ensure that its assessment approaches are consistent, and to ensure that risk tradeoffs and economic outcomes can be adequately predicted in reaching risk management decisions. The Agency is seeking the same input from the public on these pesticides on a similar schedule. Through these programs, EPA is ensuring that all pesticides meet current health and safety standards.

**DATES:** Comments must be received on or before July 2, 2007.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2005-0125, by one of the following methods:

<bullet≤ *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

<bullet≤ *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

<bullet≤ *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket telephone number is (703) 305-5805.

*Instructions:* Direct your comments to docket ID number EPA-HQ-OPP-2005-0125. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, 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 [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, 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 [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the 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.

**Docket:** All documents in the docket are listed in the docket index available in [regulations.gov](http://www.regulations.gov). To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the [regulations.gov](http://www.regulations.gov) web site to view the docket index or access available documents. Although listed in the index, some information is not publicly available, e.g., 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 in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** Veronique LaCapra, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 605-1525; fax number: (703) 308-7070; e-mail address: [lacapra.veronique@epa.gov](mailto:lacapra.veronique@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a

wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may 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 person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. What Should I Consider as I Prepare My Comments for EPA?*

1. **Submitting CBI.** Do not submit this information to EPA through [regulations.gov](http://www.regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, 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 claimed as CBI. In addition to one complete version of the comment that includes 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. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. **Tips for preparing your comments.** When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

**II. Background**

*A. What Action is the Agency Taking?*

EPA is making available the Agency's revised human health risk assessment and ecological risk assessment, initially issued for comment through a **Federal Register** notice published on July 13, 2005, (70 FR 40333) (FRL-7722-1); a response to comments; and related documents for metam sodium and metam potassium. EPA also is soliciting public comment on the risk reduction options paper and benefits assessments for the soil fumigants. EPA developed the risk assessments for metam sodium and metam potassium as part of its public process for making pesticide reregistration eligibility and tolerance reassessment decisions. Through these programs, EPA is ensuring that pesticides meet current standards under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA).

Metam sodium and metam potassium are non-selective pre-plant soil fumigants with fungicidal, herbicidal, insecticidal, and nematocidal properties. They are registered for use on all food, feed and fiber crops including turf and ornamentals. Metam sodium's major agricultural use sites include potatoes, carrots, tomatoes, onions, and peanuts. Metam potassium's major use sites are lettuce, potatoes, onions, tomatoes, and watermelons. Metam sodium is also registered for use in orchard replant, on golf course turf, and for small areas of turf and soil. In addition, metam sodium is used as a root-control agent in drains and sewers. Metam sodium and metam potassium are also registered for a variety of antimicrobial and industrial uses. Metam sodium and metam potassium are converted to methyl isothiocyanate (MITC) in the environment, particularly in the presence of moisture (such as in soil after application). It is MITC that performs the fumigating activity. The volatility of metam sodium and metam potassium in the environment, and results of metabolism studies in plants, assure that there is no reasonable expectation of finite residues to be incurred in/on any raw agricultural commodity when the products are applied according to label directions.

EPA is providing an opportunity, through this notice, for interested parties to provide risk management proposals or otherwise comment on risk management for metam sodium and metam potassium. Risks of concern associated with the use of metam sodium and metam potassium include

bystander and worker risks. A complete list of the risks and the mitigation options can be found in the Risk Mitigation Options Document docket number EPA-HQ-OPP-2005-0125. A Readers Guide has been created to provide an organizational structure to the metam sodium and metam potassium docket, to allow readers to more easily access and navigate the various entries contained in the metam sodium and metam potassium docket, and to facilitate public comment. You may find this guide in docket number EPA-HQ-OPP-2005-0125. In targeting these risks of concern, the Agency solicits information on effective and practical risk reduction measures.

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, EPA 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. Due to its uses, risks, and other factors, metam sodium and metam potassium are being reviewed through the full 6-Phase public participation process.

All comments should be submitted using the methods in **ADDRESSES**, and must be received by EPA on or before the closing date. Comments and proposals will become part of the Agency Docket for metam sodium and metam potassium. Comments received after the close of the comment period will be marked "late" EPA is not required to consider these late comments.

After considering comments received, EPA will develop and issue the metam sodium and metam potassium RED.

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

Section 4(g)(2) of FIFRA as amended directs that, after submission of all data concerning a pesticide active ingredient, "the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration," before calling in product specific data on individual end-use products and either reregistering products or taking other "appropriate regulatory action."

#### **List of Subjects**

Environmental protection, Pesticides and pests.

Dated: April 25, 2007.

**Peter Caulkins,**

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

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2005-0128; FRL-8126-7]**

### **Dazomet Revised Human Health Risk Assessment; Notice of Availability and Solicitation of Risk Reduction Options**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability and seeks comments on EPA's revised human health risk assessment for the pesticide fumigant dazomet. In addition, this notice solicits public comment on the risk reduction options paper for dazomet and EPA's benefits assessments for the soil fumigants. The Agency is also seeking comments on the ecological risk assessment. The public is encouraged to suggest risk management ideas or proposals to address the risks identified. EPA is developing a Reregistration Eligibility Decision (RED) for dazomet through the full, 6-Phase public participation process that the Agency uses to involve the public in developing pesticide reregistration and tolerance reassessment decisions. EPA also is concurrently assessing the risks of five other soil fumigant pesticides to ensure that its assessment approaches are consistent, and to ensure that risk tradeoffs and economic outcomes can be adequately predicted in reaching risk management decisions. The Agency is seeking the same input from the public on these pesticides on a similar schedule. Through these programs, EPA is ensuring that all pesticides meet current health and safety standards.

**DATES:** Comments must be received on or before July 2, 2007.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2005-0128, by one of the following methods:

• *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

• *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

• *Delivery:* OPP Regulatory Public Docket (7502P), Environmental

Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket telephone number is (703) 305-5805.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPP-2005-0128. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, 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 [regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, 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 [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the 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.

**Docket:** All documents in the docket are listed in the docket index available in [regulations.gov](http://www.regulations.gov). To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the [regulations.gov](http://www.regulations.gov) web site to view the docket index or access available documents. Although listed in the index, some information is not publicly available, e.g., 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