

appropriated BEACH Act grant funds above the \$10 million current level.

EPA would implement this approach by reviewing State and Territorial spending every October 1 and adjusting the allocation to certain States and Territories on the basis of the funds that these States and Territories have not yet expended. EPA would review EPA's Financial Database Warehouse to confirm the amount of outstanding funds reported. In making this determination, EPA will take into account those funds that have been committed through an appropriate State, Territorial or Tribal contract, inter-agency agreement, or similar type of binding agreement, but have not been requested for reimbursement, *i.e.*, that are not showing as "drawn down" in EPA's Data Warehouse. As noted in section III.F., EPA recognizes that States and Territories have different financial management systems and that those systems could result in delayed billing to EPA, even though the States and Territories might have already expended funds to monitor beaches and notify the public. EPA also recognizes that States and Territories typically spend the previous year's grant award in any given beach season due to the timing of the availability of BEACH Act grants in the middle of the beach season. Therefore, to account for these factors, EPA is considering an approach that would reduce the new grant award by the amount of unexpended grant funds that are more than three years old.

For the 2010 beach season, EPA would review State and Territory spending in October 2009 and determine how much grant funding from fiscal years 2001 to 2007 is still unspent by each State and Territory. EPA would identify the unspent amounts from 2001 through 2007 in the Financial Database Warehouse and compare them to the amount EPA expects to award in fiscal year 2010. EPA would then reduce the 2010 grant award for those States and Territories with unobligated funds from 2001 through 2007 by the amount remaining. For example, in 2010, consider a State that normally receives \$250,000 annually yet has \$100,000 remaining from grants awarded up to fiscal year 2007. Under the approach that EPA is considering, EPA would reduce the State's grant award for the following year's beach season by \$100,000 (the amount the State has left unspent from fiscal years up to 2007), thus resulting in an award of \$150,000 in 2010. The \$100,000 not awarded to the State would be combined with unused grant funds from other States and Territories and re-allocated among the States and

Territories that have fully used their funds from fiscal years up to 2007 using a modified allocation formula, described below.

EPA is considering reallocating these additional funds according to a second, modified allocation formula composed of only two factors—beach miles and beach use—to only those States and Territories that do not have remaining money older than three years old. EPA is working with States and Territories to obtain sufficient information to base a supplemental allocation formula on those two factors. As discussed in Section III.B.2.a, with the help of State and Territorial beach program managers, EPA is compiling and quality testing beach mile information for all the BEACH Act States and Territories and expects to have reliable beach mile data on the extent of beaches by mid-2009. EPA is also working with the National Oceanic and Atmospheric Administration to expand its research on beach use to Great Lakes States, and is also looking for information on beach use in the Territories. EPA will work with States to ensure effective implementation of the new allocation formula.

#### *B. Why Isn't EPA Amending Other Parts of the Allocation Formula?*

EPA is considering the retention of the use of the surrogates EPA has used for beach mileage and beach use—*i.e.*, shoreline miles and coastal population—as factors of the current allocation formula for the first \$10 million in BEACH Act grant funds. As discussed in section III.D, States consider their current level of BEACH Act funding to be the financial foundation for their beach monitoring and notification programs. Because this funding has been relatively stable over the last six years, States and Territories rely on these funds to provide them a generally consistent level of funding for their programs. For many States, funds for recreational water monitoring are limited to the amount received in BEACH Act grant funding. Some States have indicated to EPA that they might choose to opt out of EPA's BEACH Act grant program if their grant amounts are reduced. For these reasons, EPA is considering retaining the use of shoreline miles and coastal population factors in the core allocation formula for the first \$10 million of appropriated grant funds and not making any other changes to this formula.

#### *C. How Would This Change Affect Current State Funding?*

Based on grant fund use as of 2008, EPA expects that most States and

Territories will not be affected in 2010 because they currently have no unused BEACH Act grant funds that are more than three years old. The expected changes to the allocation formula will affect only those States and Territories that have unspent BEACH Act grant funds that are more than three years old. In 2008, only 7 States and Territories—Alaska, New Hampshire, New Jersey, New York, Ohio, Puerto Rico, and the U.S. Virgin Islands—fall into this category. As noted in Table 4, New Hampshire, New Jersey, and New York all have balances of less than 1 percent of their total BEACH Act grant funds more than three years old. EPA recognizes that Agency accounting practices contributed to the remaining balances in New Jersey and New York, and has worked to ensure that the oldest money is now invoiced first. Under the process EPA is considering, should any State or Territory in 2010 have uninvoiced funds from FY 2001 through FY 2007, EPA would reduce their 2010 grant funding by the amount equal to this older money and redistribute these funds to the other States and Territories.

#### *D. How Would EPA Involve States in Developing This Change?*

EPA intends to reconstitute the workgroup of EPA and State representatives to discuss the details for implementing this change to the allocation formula. EPA will also invite Territorial representatives to the workgroup.

#### *E. When Would This Change Become Effective?*

EPA expects that this change will be effective for the awarding of the 2010 BEACH Act grants.

Dated: August 7, 2008.

**Benjamin H. Grumbles,**

*Assistant Administrator for Water.*

[FR Doc. E8-18739 Filed 8-12-08; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-Docket ID No. ORD-2008-0597; FRL-8703-4]**

### **Guidance on the Development, Evaluation and Application of Environmental Models**

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

**ACTION:** Notice of public comment period.

**SUMMARY:** EPA is announcing a 30-day public comment period for an external review of its Guidance Document on the

Development, Evaluation and Application of Regulatory Environmental Models (hereinafter Guidance Document). The EPA's Council on Regulatory Environmental Modeling (CREM) has developed the Guidance Document and its companion product, the Models Knowledge Base, to improve the quality, consistency and transparency of EPA models. These products were produced in draft form in November 2003 and have undergone a rigorous process of internal and external peer review. This revised draft of the Guidance Document builds on the recommendations of the Science Advisory Board review panel and the National Research Council report on Models in Environmental Regulatory Decision Making.

This **Federal Register** Notice is intended to solicit public comment on the Guidance Document. EPA is releasing this external review draft document solely for the purpose of public comment under applicable information quality guidelines. The guidance document has not been formally disseminated by EPA. It does not represent and should not be construed to represent any Agency policy or determination. EPA will consider any public comments submitted in accordance with this notice when revising the document.

**DATES:** Comments may be submitted in writing by September 12, 2008.

**ADDRESSES:** The Guidance Document may be downloaded from the CREM Web site: <http://www.epa.gov/crem>. Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2008-0597, by one of the following methods: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *E-mail:* [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov).
- *Mail:* ORD Docket, Environmental Protection Agency, Mailcode: 28221T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.
- *Hand Delivery:* EPA Docket Center (EPA/DC), Room 3334, EPA West Building, 1301 Constitution Avenue, NW., Washington, DC 20460, Attention Docket ID No. EPA-HQ-ORD-2008-0597. Deliveries are only accepted from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-HQ-ORD-2008-0597. 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://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 by statute through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site 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 <http://www.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.

*Docket:* All documents in the docket are listed in the <http://www.regulations.gov> index. 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, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the ORD Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC 20460. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the ORD Docket is (202) 566-1752.

**FOR FURTHER INFORMATION CONTACT:** Dr. Noha Gaber, Council for Regulatory Environmental Modeling, Office of the Science Advisor, 1200 Pennsylvania Ave, NW., Mail Code: 8105R, Washington, DC 20460; by telephone/voice mail at (202) 564-2179; Fax: (202) 564-2070; or via e-mail at [gaber.noha@epa.gov](mailto:gaber.noha@epa.gov).

**SUPPLEMENTARY INFORMATION:** To achieve its mission of protecting human

health and safeguarding the natural environment, the U.S. Environmental Protection Agency (EPA) often employs mathematical models to study environmental systems and processes and to inform regulatory decision making. The EPA established the Council for Regulatory Environmental Modeling (CREM) in 2000 in an effort to improve the quality, consistency and transparency of EPA models. At the request of the EPA Administrator, the CREM developed the Draft Guidance Document on the Development, Evaluation and Application of Regulatory Environmental Models (hereinafter Draft Models Guidance, [http://www.epa.gov/ord/crem/library/CREM%20Guidance%20Draft%2012\\_03.pdf](http://www.epa.gov/ord/crem/library/CREM%20Guidance%20Draft%2012_03.pdf)) and the Models Knowledge Base (hereinafter Models KBase, [http://cfpub.epa.gov/crem/knowledge\\_base/knowledge.cfm](http://cfpub.epa.gov/crem/knowledge_base/knowledge.cfm))

While the Draft Models Guidance does not impose legally binding requirements on EPA or the public, it provides recommendations on the principles of good modeling practice, stressing the importance of model quality, documentation and transparency with the aim of helping to determine when and how a model can be used to inform a decision. The Draft Models Guidance was developed in close collaboration with members of the CREM, who represent the different EPA program and regional offices, and as such, the document represents the consensus view among EPA offices. The Draft Models Guidance was also evaluated and approved by the EPA's Science Policy Council, the Agency's forum for senior level policy deliberation and coordination on significant science issues.

Both the Draft Models Guidance and the Models KBase were issued in draft form in November 2003. By providing access to its tools and methods, the EPA increases transparency and can improve the public's understanding of how sound science is used to make environmental decisions. In short, these products are intended to help foster a culture of transparency in developing models.

In addition to internal review within Agency offices and regions, the CREM products have undergone an external review process. EPA's Science Advisory Board (SAB) formed a CREM Guidance Advisory Panel (hereinafter "the Panel") to review the Draft Models Guidance and the Models KBase. Specifically, the Panel was given seven charge questions (which can be found at this URL: <http://www.epa.gov/fedreg/EPA-SAB/2003/August/Day-06/sab20034.htm>). The Panel concluded its review in 2006

(the report may be found at <http://www.epa.gov/sab/panels/cremgacpanel.html>).

The CREM also commissioned the National Academy of Science (NAS) to assess evolving scientific and technical issues related to the selection and use of computational and statistical models in decision making processes at the EPA. The NAS report which provides advice on the management, evaluation and use of models at the EPA was released in 2007 (the report may be found at [http://www.nap.edu/catalog.php?record\\_id=11972](http://www.nap.edu/catalog.php?record_id=11972)).

This revised draft of the Guidance Document builds on the recommendations of the Science Advisory Board review panel and the National Research Council report on Models in Environmental Regulatory Decision Making.

Dated: August 6, 2008.

**George Gray,**

*EPA Science Advisor.*

[FR Doc. E8-18740 Filed 8-12-08; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8703-6]

### Notice of Correction to Notice of Data Availability; Information Concerning the Destruction of Ozone-Depleting Substances in the United States

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

**ACTION:** Notice of Correction.

**SUMMARY:** On July 17, 2008, the Environmental Protection Agency (EPA) published a notice of data availability (NODA) in the **Federal Register** (73 FR 41076) regarding information concerning the destruction of ozone-depleting substances (ODSs) in the United States, which inadvertently printed an incorrect docket identification number. This document corrects the error made in the identification of the docket. The correct docket identification number is EPA-HQ-OAR-2006-1030.

**DATES:** EPA will accept comments on the report through September 15, 2008.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2006-1030, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *E-mail:* [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov).
- *Fax* comments to (202) 566-9744.

- *Mail:* Submit comments to U.S. EPA Docket Center, EPA West Room 3334, MC 2822T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, and Phone: (202) 566-1742.

**FOR FURTHER INFORMATION CONTACT:**

Kirsten Cappel, Office of Atmospheric Programs, Stratospheric Protection Division, Mail Code 6205 J, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; *telephone number:* (202) 343-9556; *fax number:* (202) 343-2338; *e-mail address:* [cappel.kirsten@epa.gov](mailto:cappel.kirsten@epa.gov).

**SUPPLEMENTARY INFORMATION:** On July 17, 2008, EPA published a NODA in the **Federal Register** (73 FR 41076) which contained an error in the docket identification number. The correct docket for submitting comments on the NODA concerning the destruction of ozone-depleting substances in the United States is EPA-HQ-OAR-2006-1030. The report that the Agency is seeking comment on can be found in the docket and on the Stratospheric Ozone Protection Program Web site at <http://www.epa.gov/ozone/title6/destruction.html>.

Dated: August 4, 2008.

**Brian McLean,**

*Director, Office of Atmospheric Programs, Office of Air and Radiation.*

[FR Doc. E8-18741 Filed 8-12-08; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2008-0609; FRL-8377-9]

### Notice of Receipt of a Pesticide Petition Filed for Residues of Pesticide Chemicals in or on Various Commodities

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of a pesticide petition proposing the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities.

**DATES:** Comments must be received on or before September 12, 2008.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2008-0609 and the pesticide petition number (PP) 7F7250, 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 Facility'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 Facility telephone number is (703) 305-5805.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPP-2008-0609. 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 [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 at <http://www.regulations.gov>. 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