Dated: February 3, 2009.

Janet L. Andersen,

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

[FR Doc. E9–5238 Filed 3–10–09; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[FRL–8773–4; EPA–HQ–OW–2008–0055]

Notice Regarding National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges Incidental to the Normal Operation of a Vessel

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: EPA previously announced the final NPDES general permit for discharges incidental to the normal operation of vessels, also referred to as the Vessel General Permit (VGP), in the **Federal Register** on December 29, 2008 (73 FR 79493). The permit was signed on December 18, 2008 and became effective on December 19, 2008. EPA subsequently noticed final issuance of the VGP for the states of Hawaii and Alaska, after receipt of a certification pursuant to section 401 of the Clean Water Act (CWA) from Hawaii and a final response on the national consistency determination required by section 307(c)(1) of the Coastal Zone Management Act (CZMA) from Alaska, which was signed on February 2, 2009, with an effective date of February 6, 2009. Today's notice of availability provides notice of EPA's deletion of specific State section 401 certification conditions from Part 6 of the VGP for the States of New Jersey, Illinois, and California.

FOR FURTHER INFORMATION CONTACT: For further information on the final vessel NPDES general permit, contact Ryan Albert at EPA Headquarters, Office of Water, Office of Wastewater Management, Mail Code 4203M, 1200 Pennsylvania Ave., NW., Washington, DC 20460; or at tel. 202–564–0763; or Juhi Saxena at EPA Headquarters, Office of Water, Office of Wastewater Management, Mail Code 4203M, 1200 Pennsylvania Ave., NW., Washington, DC 20460; or at tel. 202–564–0719; or e-mail: *CommercialVesselPermit@epa.gov*.

SUPPLEMENTARY INFORMATION:

A. General Information

Pursuant to Clean Water Act section 401(a) and EPA's implementing regulations, EPA may not issue a NPDES permit (including the VGP) until the appropriate State certifications have been granted or waived. 40 CFR 124.53(a). Through the certification process, States were given the opportunity, before the VGP was issued, to add conditions to the permit they believe are necessary to ensure that the permit complies with the Clean Water Act and other appropriate requirements of State law, including State water quality standards.

New Jersey Department of Environmental Protection issued its section 401 certification for the VGP on September 24, 2008, and modified its certification on February 2, 2009. This modification deleted certification conditions #1 and #2. Illinois Environmental Protection Agency issued its section 401 certification for the VGP on November 21, 2008, and modified its certification on February 4, 2009. This modification deleted certification condition #9. California State Water Resources Control Board issued its section 401 certification for the VGP on December 17, 2008, and modified its certification on February 4, 2009. This modification deleted certification conditions #1, #2, #5, #7, #8, #9, #10, #13, #14, #15, and 7.1 and 7.2 from certification condition #16 and Attachments 4, 5, and 6 from certification condition #17. Pursuant to EPA's implementing regulations at 40 CFR 124.55(b), EPA may, at the request of a permittee, modify the VGP based on a modified certification received after final agency action on the permit ''only to the extent necessary to delete any conditions based on a condition in a certification invalidated by a court of competent jurisdiction or by an appropriate State board or agency.'' 40 CFR 124.55(b). In accordance with this provision, EPA has removed these deleted certification conditions from the VGP.[1] EPA's letters notifying the requesting permittees that their requests to delete the permit conditions were granted, and a copy of the VGP reflecting those deletions, can be found in the docket for the VGP (Docket ID No. EPA–HQ–OW–2008–0055).[2]

B. How Can I Get Copies of These Documents and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under Docket ID No. EPA–HQ–OW–2008–0055. The official public docket is the collection of materials, including the administrative record, for the final permit, required by 40 CFR 124.18. It is available for public viewing at the Water Docket in the EPA Docket Center, (EPA/DC) EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC 20460. Although all documents in the docket are listed in an index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Publicly available docket materials are available electronically through *www.regulations.gov* and in hard copy at the EPA Docket Center Public Reading Room, 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 Water Docket is (202) 566–2426.

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 the Federal Docket Management System (FDMS) found at *http://www.regulations.gov*. You may use the FDMS 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. Once at the Web site, enter the appropriate Docket ID No. in the ''Search'' box to view the docket.

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 included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket

[1] In addition, the regulations at 40 CFR 124.55(b) also require that EPA receive a request from a permittee for the deleted certification conditions to be removed from the permit. EPA received such requests to remove deleted conditions from Express Marine Inc. on February 3, 2009 in New Jersey, Canal Barge Company Inc. on February 4, 2009 in Illinois and from Foss Maritime Company on February 5, 2009 in California.

[2] In addition, the permit may be found at *http://www.epa.gov/npdes/vessels*.

materials through the docket facility identified in Section B.1.

1. Authority: Clean Water Act, 33 U.S.C. 1251 *et seq.*

2. Authority: Clean Water Act, 33 U.S.C. 1251 *et seq.*

3. Authority: Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: February 5, 2009.

Ronald J. Borsellino,

Acting Director, Division of Environmental Planning and Protection, EPA Region 2.

Dated: February 5, 2009.

Tinka Hyde,

Director, Water Division, EPA Region 5.

Dated: February 5, 2009.

Alexis Strauss,

Director, Water Division, EPA Region 9.

[FR Doc. E9–5219 Filed 3–10–09; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2007–0937;FRL–8400–7]

Para-dichlorobenzene; Issuance of Revised Reregistration Eligibility Decision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's Revised Reregistration Eligibility Decision (RED) for the pesticide para-dichlorobenzene. The Agency's risk assessments and other related documents also are available in the Para-dichlorobenzene Docket. Para-dichlorobenzene is an insecticide; the majority of its pesticidal use is as a moth repellant to protect garments from insect damage and in and around bird cages for the control of lice and ticks. EPA has reviewed para-dichlorobenzene through the public participation process that the Agency uses to involve the public in developing pesticide reregistration and tolerance reassessment decisions. Through these programs, EPA is ensuring that all pesticides meet current health and safety standards. A 60–day public comment period was conducted with the publication of the para-dichlorobenzene RED in December 2007. The comments received primarily concerned the episodic ingestion risk estimates. The Agency, in response, revisited the acute oral endpoint selection and agreed that there were no effects attributable to a single dose, and revised the human health risk assessment and the RED accordingly.

FOR FURTHER INFORMATION CONTACT: Molly Clayton, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 603–0522; fax number: (703) 308–7070; e-mail address: *clayton.molly@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. 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–2007-0937. 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 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 Facility 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

A. What Action is the Agency Taking?

Under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is reevaluating existing pesticides to ensure that they meet current scientific and regulatory standards. EPA completed a RED for the pesticide, para-dichorobenzene, under section 4(g)(2)(A) of FIFRA. Para-dichlorobenzene is an insecticide registered for use on indoor use sites only. It is used as a moth and beetle repellant in products which are applied to use sites such as closets and storage containers, and to repel lice and mites from bird cages. It is also used in empty bee supers (stored indoors), to repel wax moths. When formulated into varpal rope, it is used in attics to repel snakes, mice, rats, squirrels, and bats. EPA has determined that the database to support reregistration is substantially complete and that products containing para-dichlorobenzene are eligible for reregistration, provided the risks are mitigated in the manner described in the revised RED. Upon submission of any required product-specific data under section 4(g)(2)(B) of FIFRA and any necessary changes to the registration and labeling (either to address concerns identified in the RED or as a result of product-specific data), EPA will make a final reregistration decision under section 4(g)(2)(C) of FIFRA for products containing para-dichlorobenzene.

The RED document for para-dichlorobenzene was signed on September 28, 2007. In accordance with the Agency's public participation process, a public comment period for the RED was conducted. This comment period opened December 12, 2007, and closed February 11, 2008. The comments received primarily concerned the episodic ingestion risk estimates. The Agency, in response, re-evaluated the acute oral endpoint selection and agreed that there were no effects attributable to a single dose, and revised the human health risk assessment and the RED accordingly. The revisions made to para-dichlorobenzene RED are as follows: The acute oral endpoint and the risk estimate for episodic ingestion of mothballs were removed, as were the mitigation measures relating to episodic ingestion risk; the acute dermal toxicity category was changed from III to IV to correct a typographical error; and Table 6, the Summary of Labeling Changes, was revised to remove the requirement for special packaging of mothballs, and the ''keep out of reach of children'' language was modified to be consistent with other chemicals with similar warning statements.

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