

Dated: October 6, 2009.

**Anthony F. Maciorowski,**

*Deputy Director, EPA Science Advisory Board Staff Office.*

[FR Doc. E9-24683 Filed 10-13-09; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8968-5]

### **Proposed CERCLA Administrative Cashout Settlement; Le Roi Smelter Site, Northport, WA**

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

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement for recovery of past response costs incurred at the Le Roi Smelter Site in Northport, Washington, with settling parties: The Cecil A. Frazier Exemption Equivalent Trust and the Estate of Marie M. Frazier. The settlement requires the settling parties to pay One Hundred Thousand Dollars (\$100,000) to the Hazardous Substance Superfund, to implement certain institutional controls, and to execute an option to sell the Site to the town of Northport. The settlement includes a covenant not to sue or take administrative action against the settling party pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a) for recovery of past response costs. For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the U.S. EPA Region 10 offices, located at 1200 Sixth Avenue, Seattle, Washington 98101.

**DATES:** Comments must be submitted on or before November 13, 2009.

**ADDRESSES:** The proposed settlement is available for public inspection at the U.S. EPA Region 10 offices, located at 1200 Sixth Avenue, Seattle, Washington 98101. A copy of the proposed settlement may be obtained from Carol Kennedy, Regional Hearing Clerk, U.S.

EPA Region 10, Mail Stop ORC-158, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101; (206) 553-0242. Comments should reference the Le Roi Smelter Site in Northport, Washington, EPA Docket No. CERCLA-10-2009-0095 and should be addressed to Alexander Fidis, Assistant Regional Counsel, U.S. EPA Region 10, Mail Stop ORC-158, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101.

**FOR FURTHER INFORMATION CONTACT:**

Alexander Fidis, Assistant Regional Counsel, U.S. EPA Region 10, Mail Stop ORC-158, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101; (206) 553-4710.

**SUPPLEMENTARY INFORMATION:** The Le Roi Smelter Site is located in Northport, Stevens County, Washington (Site). Site operations conducted between 1898 and 1921 involved the smelting and processing of ore. Between 1953 and 1998, the Site was operated as a lumber mill. Site smelting operations produced slag that contained hazardous substances including the heavy metals lead and arsenic. Slag was disposed of at the Site and discharged to the Columbia River through a series of flumes. The smelter smokestack emitted ore constituents, including lead and arsenic, which were dispersed and deposited at the Site and on nearby properties. In 2004, the Agency selected and implemented a removal action to address public health and environmental threats from the presence of lead and arsenic contaminated soil at concentrations above applicable cleanup standards. The removal action involved the demolition of historic smelter structures and the excavation of contaminated soil from the Site and twenty-nine residential and common use properties. The smelter structure and excavated soil was consolidated at the Site beneath a protective cap.

The Site is currently owned by the Cecil A. Frazier exemption equivalent trust. The Agency is proposing to enter into an administrative settlement with the Cecil A. Frazier Exemption Equivalent Trust and the Estate of Marie M. Frazier. The settlement would require the settling parties to pay \$100,000 to the Hazardous Substance Superfund and to implement institutional controls developed to ensure the removal action remains protective of human health and the environment. The institutional controls would be implemented by recording an environmental covenant pursuant to Washington's Uniform Environmental Covenant Act that would impose certain restrictions on the use of the property and obligations to maintain components

of the removal action such as the protective cap. The settlement agreement would also require the settling parties to provide the town of Northport with an option to purchase the Site for the purpose of placing the Site back in productive use that is consistent with the imposed institutional controls. The proposed settlement will provide the settling parties with a release of liability subject to certain rights reserved by the Agency.

Dated: October 2, 2009.

**Lori Cohen,**

*Acting Director, Office of Environmental Cleanup.*

[FR Doc. E9-24707 Filed 10-13-09; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPP-2009-0209; FRL-8794-8]

### **Registration Review; Dichlorvos Docket Reopened for Review and Comment**

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

**ACTION:** Notice.

**SUMMARY:** EPA is opening an additional 30-day public comment period for the registration review of dichlorvos (DDVP). EPA established a registration review docket for DDVP (EPA-HQ-OPP-2009-0209) and opened a 60-day public comment period for its registration review in the **Federal Register** issue of June 24, 2009 (74 FR 30077) (FRL-8422-4). However, during this public comment period, the DDVP registration review docket was missing supporting documents listed in the "Reader's Guide to Dichlorvos (DDVP) Docket EPA-HQ-OPP-2009-0209." The Agency has since included these supporting documents in the docket and has chosen to open an additional 30-day comment period for the public to review and comment on the registration review of DDVP. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. Registration review dockets contain information that will assist the public in understanding the types of information and issues that the Agency may consider during the course of registration review. Through this program, EPA is ensuring that each pesticide's registration is based on

current scientific and other knowledge, including its effects on human health and the environment.

**DATES:** Comments must be received on or before November 13, 2009.

**ADDRESSES:** Submit your comments identified by docket identification (ID) number EPA-HQ-OPP-2009-0209, 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-2009-0209. 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 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 Facility telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** For specific information on DDVP contact: Joy Schnackenberg, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8072; fax number: (703) 308-8090; e-mail address: [schnackenberg.joy@epa.gov](mailto:schnackenberg.joy@epa.gov).

*For general information contact:* Kevin Costello, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-5026; fax number: (703) 308-8090; e-mail address: [costello.kevin@epa.gov](mailto:costello.kevin@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, farmworker, 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 appropriate 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. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iii. Describe any assumptions and provide any technical information and/or data that you used.
- iv. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- v. Provide specific examples to illustrate your concerns and suggest alternatives.
- vi. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- vii. Make sure to submit your comments by the comment period deadline identified.

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to DDVP, compared to the general population.

## II. Authority

EPA is initiating its review of DDVP pursuant to section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. Section 3(g) of FIFRA provides, among other things, that the registrations of pesticides are to be reviewed every 15 years. Under FIFRA section 3(a), a pesticide product may be registered or remain registered only if it meets the statutory standard for registration given in FIFRA section 3(c)(5). When used in accordance with widespread and commonly recognized practice, the pesticide product must perform its intended function without unreasonable adverse effects on the environment; that is, without any unreasonable risk to man or the environment, or a human dietary risk from residues that result from the use of a pesticide in or on food.

## III. Registration Reviews

### A. What Action is the Agency Taking?

As directed by FIFRA section 3(g), EPA is reviewing the DDVP pesticide registration to assure that it continues to satisfy the FIFRA standard for registration—that is, it can still be used without unreasonable adverse effects on human health or the environment. DDVP's registration review began on June 24, 2009, when the Agency opened the DDVP registration review docket for public review and comment. At present, EPA is opening an additional 30-day comment period for the DDVP registration review docket.

### B. Docket Content

1. *Review dockets.* The registration review dockets contain information that the Agency may consider in the course of the registration review. On June 24, 2009, the DDVP registration review docket contained a document summarizing what the Agency currently knows about DDVP and a preliminary work plan for anticipated data and assessment needs. However, the docket was missing supporting documents, which provide more detailed information on what the Agency knows about DDVP's environmental fate, ecological effects, human health effects, use, and usage. Therefore, the Agency is opening an additional public comment for 30 days so the public can review and comment on the following documents now available in the DDVP registration review docket:

- Registration Review – Preliminary Problem Formulation for the Ecological Risk Assessment of Dichlorvos (DDVP), May 14, 2009.

- Dichlorvos (DDVP). Human Health Assessment Scoping Document in Support of Registration Review, May 6, 2009.

- Appendix A: Food/Feed and Non-Food/Non-Feed Uses Considered for Registration Review, May 23, 2008.

- DDVP (084001) California Department of Agriculture Usage Data, November 7, 2008.

During this public comment period, the Agency is asking that interested persons identify any additional information they believe the Agency should consider during the registration review of DDVP. In the DDVP summary document, the Agency has identified the areas where public comment is specifically requested, though comment in any area is welcome.

2. *Other related information.* More information on the registration review of DDVP may be located in the registration review schedule on the Agency's website at [http://www.epa.gov/oppsrrd1/registration\\_review/schedule.htm](http://www.epa.gov/oppsrrd1/registration_review/schedule.htm). Information on the Agency's registration review program and its implementing regulation may be seen at [http://www.epa.gov/oppsrrd1/registration\\_review](http://www.epa.gov/oppsrrd1/registration_review).

3. *Information submission requirements.* Anyone may submit data or information in response to this document. To be considered during DDVP's registration review, the submitted data or information must meet the following requirements:

- To ensure that EPA will consider data or information submitted, interested persons must submit the data or information during the comment period. The Agency may, at its discretion, consider data or information submitted at a later date.

- The data or information submitted must be presented in a legible and useable form. For example, an English translation must accompany any material that is not in English and a written transcript must accompany any information submitted as an audiographic or videographic record. Written material may be submitted in paper or electronic form.

- Submitters must clearly identify the source of any submitted data or information.

- Submitters may request the Agency to reconsider data or information that the Agency rejected in a previous review. However, submitters must explain why they believe the Agency should reconsider the data or information in the pesticide's registration review.

- As provided in 40 CFR 155.58, the registration review docket for DDVP will remain publicly accessible through the

duration of the registration review process; that is, until all actions required in the final decision on the registration review case have been completed.

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: October 7, 2009.

**Peter Caulkins,**

*Acting Director, Pesticide Re-evaluation Division, Office of Pesticide Programs.*

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## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

October 5, 2009.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3520. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Persons wishing to comment on this information collection should submit comments on November 13, 2009. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.