

If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on any motion or motions filed within the 15 day period.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-24910 Filed 10-15-09; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2007-0202; FRL-8793-2]

Urea Sulfate Registration Review; Draft Ecological Risk Assessment; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's draft ecological risk assessment for the registration review of urea sulfate and opens a public comment period on this document. 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. As part of the registration review process, the Agency has completed a comprehensive draft ecological risk assessment for urea sulfate uses, including a determination that urea sulfate uses will have no effect on federally listed threatened or endangered species or their designated critical habitat. After reviewing comments received during the public comment period, EPA will issue a revised risk assessment, explain any changes to the draft risk assessment, and respond to comments and may request public input on risk mitigation before completing a proposed registration review decision for urea sulfate.

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 December 15, 2009.

ADDRESSES: Submit your comments identified by the docket identification (ID) number EPA-HQ-OPP-2007-0202, 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 the docket ID number EPA-HQ-OPP-2007-0202. 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 pesticide specific information contact: Andrea Carone, Chemical Review Manager, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-0122; fax number: (703) 308-8090; e-mail address: carone.andrea@epa.gov.

For general questions on the registration review program, 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.

For general questions on OPP's Endangered Species Protection Program, contact: Arty Williams, Environmental Fate and Effects Division (7507P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-7695; fax number: (703) 308-4776; e-mail address: williams.arty@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, farm worker, 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 chemical review manager 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 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.

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 the pesticide(s) discussed in this document, compared to the general population.

II. Authority

EPA is conducting its registration review of urea sulfate 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, 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 pesticide registration for urea sulfate to ensure that it continues to satisfy the FIFRA standard for registration—that is, that urea sulfate can still be used without unreasonable adverse effects on human health or the environment. Urea sulfate is a herbicide used as a desiccant on cotton as a cotton harvest aid/defoliant. EPA has completed a comprehensive draft ecological risk assessment, including an endangered species assessment, for all urea sulfate uses and is announcing the availability of the draft ecological risk assessment.

Pursuant to 40 CFR 155.53(c), EPA is providing an opportunity, through this notice of availability, for interested parties to provide comments and input concerning the Agency's draft ecological risk assessment for urea sulfate. Such comments and input could address, among other things, the Agency's risk assessment methodologies and assumptions, as applied to the draft risk assessment for the registration review of urea sulfate. The Agency will consider all comments received during the public comment period and make changes, as appropriate, to the draft ecological risk assessment. EPA will then issue a revised risk assessment, explain any changes to the draft risk assessment, and respond to comments. In the **Federal Register** notice announcing the availability of the revised risk assessment, if the revised risk assessment indicates risks of concern, the Agency may provide a comment period for the public to submit

suggestions for mitigating the risk identified in the revised risk assessment before developing a proposed registration review decision on urea sulfate. As described in detail in the Urea Sulfate Summary Document, see docket ID number EPA-HQ-OPP-2007-0202, the Agency believes that the human health risk assessments completed prior to registration review are adequate, and there are no dietary or occupational risks that exceed the Agency's level of concern. Thus, no additional human health data are needed for the registration review of urea sulfate.

1. Other related information.

Additional information on urea sulfate is available on the Pesticide Registration Review Status webpage for this pesticide, http://www.epa.gov/oppsrrd1/registration_review/urea_sulfate/index.htm. Information on the Agency's registration review program and its implementing regulation is available at http://www.epa.gov/oppsrrd1/registration_review.

2. Information submission

requirements. Anyone may submit data or information in response to this document. To be considered during a pesticide'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 each pesticide case 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, Urea sulfate.

Dated: October 6, 2009.

Peter Caulkins,

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

[FR Doc. E9-24812 Filed 10-15-09; 8:45 a.m.]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8798-4]

Environmental Impact Statements and Regulations; Availability Of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at 202-564-7146 or <http://www.epa.gov/compliance/nepa/>.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated July 17, 2009 (74 FR 34754).

Draft EISs

EIS No. 20090083, ERP No. D-AFS-L65570-00, Rogue River-Siskiyou National Forest, Motorized Vehicle Use, To Enact the Travel Management Rule, Implementation, Douglas, Klamath, Jackson, Curry, Coos and Josephine Counties, OR and Del Norte and Siskiyou Counties, CA.

Summary: EPA expressed environmental concerns about the adequacy of information available to analyze the risk of exposure to naturally occurring asbestos. EPA also raised concerns related to provisions for dispersed recreation and implementation and adaptive management planning. Rating EC2.

EIS No. 20090124, ERP No. D-NOA-B91030-00, Amendment 16 to the Northwest Multispecies Fishery Management Plan, Propose to Adopt, Approval and Implementation Measures to Continue Formal Rebuilding Program for Overfishing and to End Overfishing on those Stock where it's Occurring, Gulf of Maine.

Summary: EPA had no objections and offered minor comments on the DEIS. Rating LO.

EIS No. 20090223, ERP No. D-AFS-K65373-NV, Jarbidge Ranger District Rangeland Management Project, Proposed Reauthorizing Grazing on 21 Existing Grazing Allotments, Humboldt Toiyabe National Forest, Elko County, NV.

Summary: EPA expressed environmental concerns about the achievability of annual use indicators under the proposed action, and requested additional information on implementation and permittee compliance. EPA recommended more specific action be taken to protect stream banks and prevent noxious weed spread. Rating EC2.

EIS No. 20090250, ERP No. D-IBR-K39119-NV, Walker River Basin Acquisition Program, To Provide Water to Walker Lake, an at Risk Natural Desert Terminal Lake, Funding, Walker River Basin, NV.

Summary: EPA expressed environmental concerns about the long-term feasibility of the water Acquisition Program given constrained water supplies and climate change; compliance with Total Maximum Daily Load requirements; and disclosure of mitigation measures. Rating EC2.

EIS No. 20090265, ERP No. D-AFS-L65576-ID, Clearwater National Forest Travel Planning Project, Proposes to Manage Motorized and Mechanized Travel within the 1,827.380-Acre, Clearwater National Forest, Idaho, Clearwater, Latah and Shoshone Counties, ID.

Summary: EPA expressed environmental concerns about potential impacts to water quality, fisheries, riparian habitat and soils. EPA recommends the incorporation of additional water quality emphasis elements. Rating EC2.

Final EISs

EIS No. 20090304, ERP No. F-AFS-K65354-00, Inyo National Forest Motorized Travel Management Project, Implementation, Inyo, Mono, Fresno, Madera and Tulare Counties, CA and Mineral and Esmeralda Counties, NV.

Summary: EPA continues to have environmental concerns about the scope of the travel management planning process and potential impacts from the designation of associated routes to water resources.

EIS No. 20090305, ERP No. F-NOA-K39122-CA, ADOPTION—PROGRAMMATIC—South Bay Salt Pond Restoration Project, Restored Tidal Marsh, Managed Ponds, Flood Control Measures and Public Access

Features, Don Edward San Francisco Bay National Wildlife Refuge, Alameda, Santa Clara and San Mateo Counties, CA.

Summary: EPA does not object to the adoption of the FEIS.

EIS No. 20090311, ERP No. F-USN-L11040-WA, Naval Base Kitsap—Bangor, Construct and Operate a Swimmer Interdiction Security System (SISS), Silverdale Kitsap County, WA.

Summary: No formal comment letter was sent to the preparing agency.

EIS No. 20090316, ERP No. F-FAA-A12046-00, PROGRAMMATIC—Streamlining the Processing of Experimental Permit Applications, Issuing Experimental Permits for the Launch and Reentry of Useable Suborbital Rockets.

Summary: No formal comment letter was sent to the preparing agency.

EIS No. 20090319, ERP No. F-USA-L11042-AK, U.S. Army Alaska (USARAK) Project, Proposes the Stationing and Training of Increased Aviation Assts, Fort Wainwright, Fairbank, AK.

Summary: EPA does not object to the proposed project.

EIS No. 20090327, ERP No. F-STB-L59004-AK, Northern Rail Extension Project, Construct and Operate a Rail Line between North Pole and Delta Junction, AK.

Summary: EPA continues to have environmental concerns about impacts to water quality and aquatic resources.

EIS No. 20090053, ERP No. FS-COE-E32070-MS, Gulfport Harbor Navigation Channel Project, To Evaluate Proposed Construction of Authorized Improvements to the Gulfport Harbor, Harrison County, MS.

Summary: While many of EPA's concerns were resolved, EPA continues to have environmental concerns about impacts to biological resources. EPA also requested the MPRSA Section 103 Evaluation and Sediment Testing Report to ensure that the disposal material meets the Ocean Dumping Criteria.

Dated: October 13, 2009.

Ken Mittelholtz

Deputy Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E9-24923 Filed 10-15-09; 8:45 am]

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