

The EPA will evaluate the candidate's financial disclosure form to assess that there are no financial conflicts of interest, no appearance of lack of impartiality and no prior involvement with the development of the documents under consideration (including previous scientific peer review) before the candidate is considered further for service on the FIFRA SAP.

Those who are selected from the pool of prospective candidates will be asked to attend the public meetings and to participate in the discussion of key issues and assumptions at these meetings. In addition, they will be asked to review and to help finalize the meeting minutes. The list of FIFRA SAP members participating at this meeting will be posted on the FIFRA SAP web site or may be obtained by contacting the PIRIB at the address or telephone number listed in Unit.

II. Background

A. Purpose of the FIFRA SAP

Amendments to FIFRA enacted November 28, 1975 (7 U.S.C. 136w(d)), include a requirement under section 25(d) of FIFRA that notices of intent to cancel or reclassify pesticide regulations pursuant to section 6(b)(2) of FIFRA, as well as proposed and final forms of rulemaking pursuant to section 25(a) of FIFRA, be submitted to a SAP prior to being made public or issued to a registrant. In accordance with section 25(d) of FIFRA, the FIFRA SAP is to have an opportunity to comment on the health and environmental impact of such actions. The FIFRA SAP also, shall make comments, evaluations, and recommendations for operating guidelines to improve the effectiveness and quality of analyses made by Agency scientists. Members are scientists who have sufficient professional qualifications, including training and experience, to be capable of providing expert comments as to the impact on health and the environment of regulatory actions under sections 6(b) and 25(a) of FIFRA. The Deputy Administrator appoints seven individuals to serve on the FIFRA SAP for staggered terms of 4-years, based on recommendations from the National Institutes of Health and the National Science Foundation.

Section 104 of FQPA (Public Law 104-170) established the FQPA Science Review Board (SRB). These scientists shall be available to the FIFRA SAP on an ad hoc basis to assist in reviews conducted by the FIFRA SAP.

B. Public Meeting

EPA's Office of Pesticide Programs is engaged in pesticide tolerance reassessment activities as mandated by the Food Quality Protection Act (1996). As part of that process, the Agency is currently involved in the development of a comparative risk assessment for six soil fumigant pesticides that include chloropicrin, dazomet, iodomethane, methyl bromide, metam-sodium, and telone. Each of these chemicals has a degree of volatility associated with it which is a key characteristic needed to achieve a satisfactory measure of efficacy. This volatility, however, can contribute to human exposures because these chemicals can travel to non-target receptors, such as nearby human populations. Commonly referred to as bystander exposure, it is considered by the Agency to be the primary pathway through which human exposure to fumigants may occur.

In order to address bystander exposures, the Agency developed a method based on a deterministic use of the Office of Air model entitled Industrial Source Complex Model (ISC3) that is routinely used for regulatory decisions. ISC3 is publicly available from the following Agency website (<http://www.epa.gov/scram001/tt22.htm#isc>). In this approach, the Agency uses chemical-specific measures of volatility to quantify field emission rates for modeling purposes. Additionally, the Agency uses standardized meteorological conditions which represent a stable atmosphere and unidirectional wind patterns that provide conservative estimates of exposure.

Stakeholders expressed concern that the conditions represented by the current approach provide results that are not sufficiently refined for regulatory actions such as risk mitigation. In response, the Dow Agrosociences Corporation, the registrant for telone, has submitted a model entitled SOil Fumigant Exposure Assessment system (SOFEA[®]) for consideration as a possible refinement to the Agency's approach. The Agency believes that this model also, may have the potential to be used generically to calculate risks for the six soil fumigants being evaluated in the current risk assessment. The key differences between SOFEA[®] and the current Agency approach are that it calculates fumigant concentrations in air arising from volatility losses from treated fields for entire agricultural regions using multiple transient source terms (e.g., different treated fields), GIS

information, agronomic specific variables, user specified buffer zones and field re-entry intervals. A modified version of the ISC3 is used for air dispersion calculations.

The purpose of this meeting of the FIFRA Science Advisory Panel (SAP) is to evaluate the approaches contained in SOFEA[®] for integrating these different factors into an analysis that considers exposures on a regional level. Additionally, the Agency is seeking a specific evaluation of the methods used pertaining to field emission rates, statistical approaches for data analysis, receptor locations, modifications to ISC3, and defining the exposed populations. Finally, the Agency is seeking a determination as to the scientific validity of the overall approach included in SOFEA[®]. The proposed agenda for this SAP meeting will involve an introductory overview of the current risk assessment approach by the EPA. A detailed presentation of the SOFEA[®] model will then be given by S. A. Cryer, I. J. van Wesenbeeck, and B. A. Houtman of Dow Agrosociences Corporation. Staff from California's Department of Pesticide Regulation will also be participating with EPA in this SAP meeting.

C. FIFRA SAP Meeting Minutes

The FIFRA SAP will prepare meeting minutes summarizing its recommendations to the Agency in approximately 60 days after the meeting. The meeting minutes will be posted on the FIFRA SAP web site or may be obtained by contacting the PIRIB at the address or telephone number listed in Unit I.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: July 20, 2004.

Joseph J. Merenda, Jr.

Director, Office of Science Coordination and Policy.

[FR Doc. 04-16955 Filed 7-22-04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0165; FRL-7368-6]

Pesticide Product Registrations; Conditional Approval

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces Agency approval of applications to conditionally register the pesticide

products *Aspergillus flavus* NRRL 21882 and afla-guard containing a new active ingredient not included in any previously registered products pursuant to the provisions of section 3(c)(7)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

FOR FURTHER INFORMATION CONTACT: Shanaz Bacchus, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8097; e-mail address: bacchus.shanaz@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111)
- Animal production (NAICS code 112)
- Food manufacturing (NAICS code 311)
- Pesticide manufacturing (NAICS code 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. To determine whether you or your business may be affected by this action, you should carefully examine the applicability provisions. 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 an official public docket for this action under docket identification (ID) number OPP-2004-0165. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is

restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 South Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

In accordance with section 3(c)(2) of FIFRA, a copy of the approved label, the list of data references, the data and other scientific information used to support registration, except for material specifically protected by section 10 of FIFRA, are available for public inspection. Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. Such requests should: Identify the product name and registration number and specify the data or information desired.

A paper copy of the fact sheet, which provides more detail on this registration, may be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Rd., Springfield, VA 22161.

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 EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or 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. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

II. Did EPA Conditionally Approve the Application?

A conditional registration may be granted under section 3(c)(7)(C) of FIFRA for a new active ingredient where certain data are lacking, on condition that such data are received by the end of the conditional registration period and do not meet or exceed the risk criteria set forth in 40 CFR 154.7; that use of the pesticide during the conditional registration period will not

cause unreasonable adverse effects; and that use of the pesticide is in the public interest. The Agency has considered the available data on the risks associated with the proposed use of *Aspergillus flavus* NRRL 21882 and its end-use product afla-guard, and information on social, economic, and environmental benefits to be derived from such use. Specifically, the Agency has considered the nature and its pattern of use, application methods and rates, and level and extent of potential exposure. Based on these reviews, the Agency was able to make basic health and safety determinations which show that use of *Aspergillus flavus* NRRL 21882 and its end-use product afla-guard during the period of conditional registration will not cause any unreasonable adverse effect on the environment, and that use of the pesticide is, in the public interest.

Consistent with section 3(c)(7)(C) of FIFRA, the Agency has determined that these conditional registrations are in the public interest. Use of the pesticides are of significance to the user community, and appropriate labeling, use directions, and other measures have been taken to ensure that use of the pesticides will not result in unreasonable adverse effects to man and the environment.

III. Conditionally Approved Registrations

EPA issued a notice, published in the **Federal Register** of April 14, 2004 (69 FR 19845) (FRL-7352-7), which announced that Circle One, One Arthur Street, P.O. Box 28, Shellman, GA 39886-0028, had submitted an application to conditionally register the pesticide product, *Aspergillus flavus* NRRL 21882, Manufacturing Use Product (EPA File Symbol 75624-R), containing *Aspergillus flavus* NRRL 21882 at 100%. The company also submitted a request to register an end-use product afla-guard (EPA Registration Number 75624-E) containing *Aspergillus flavus* NRRL 21882 at 0.01% by weight. This active ingredient is not included in any previously registered products.

The applications were conditionally approved on May 28, 2004 for an end-use product and a technical listed below:

1. afla-guard (EPA Registration Number 75624-2) was conditionally registered as an end-use product containing *Aspergillus flavus* NRRL 21882 at 0.01% by weight as an active ingredient. This pesticide is to be manufactured as a granular formulation for a single, seasonal, soil application to peanuts at the pre-pegging stage of peanut plant growth. It is to be applied at a rate of 20 pounds end-use product

(equivalent to approximately 0.002 pound or 1 gram active ingredient per acre). During research, small scale field trials demonstrate that the pesticide is efficacious in reducing aflatoxin in peanuts by 71 to 98%. As a condition of registration, a large scale field trial is required to further demonstrate the efficacy of the pesticide under regular field conditions. Regardless of treatment with pesticide products containing *Aspergillus flavus* NRRL 21882, peanut and its food/feed commodities must meet current regulatory requirements for aflatoxin levels.

2. *Aspergillus flavus* NRRL 21882 (EPA Registration Number 75624-1). This pesticide is to be used as the Technical Grade Active Ingredient or the Manufacturing Use Product for formulation into end-use products for displacement of the aflatoxin-producing strains of *Aspergillus flavus* from peanuts. Health and ecological effects data submitted and reviewed by the Agency support the conditional registration of the pesticidal active ingredient and the use of the end-use product as described above. An exemption from tolerance for residues for *Aspergillus flavus* NRRL 21882 was granted simultaneously with the conditional registration of the technical and its end-use product. The condition of registration includes analysis of five production batches to meet Agency requirements.

List of Subjects

Environmental protection, Chemicals, Pesticides and pests.

Dated: July 14, 2004.

Janet L. Andersen,

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

[FR Doc. 04-16834 Filed 7-22-04; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-04-37-L (Auction No. 37); DA 04-2123]

Removal of FM Broadcast Construction Permits From Auction No. 37

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document announces the removal of two vacant allotments from the Auction No. 37 inventory.

DATES: Auction No. 37 is scheduled for November 3, 2004. The Short-Form

Application (FCC Form 175) Filing Window Opens July 22, 2004; noon, e.t. and ends August 6, 2004; 6 p.m. e.t.

FOR FURTHER INFORMATION CONTACT: James Bradshaw, Audio Division, Media Bureau at (202) 418-2700.

SUPPLEMENTARY INFORMATION: This is a summary of a Public Notice released July 14, 2004. The complete text of the Public Notice, including a four page attachment providing the revised Auction No. 37 inventory, is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. It may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. ("BCPI"), Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-488-5300, facsimile 202-488-5563, or you may contact BCPI at their Web site: <http://www.BCPIWEB.com>. This document is also available on the Internet at the Commission's Web site: <http://wireless.fcc.gov/auctions/37/>.

General Information

The Wireless Telecommunications Bureau and the Media Bureau provide additional information about the FM broadcast construction permits being offered in Auction No. 37, scheduled for November 3, 2004. The Media Bureau has determined that coordination with the Mexican government has not been finalized with respect to: (1) FM 282, Cotulla, Texas, Channel 242A, and (2) FM 284, El Dorado, Texas, Channel 285A. These two vacant FM allotments are being removed from the Auction No. 37 inventory.

Federal Communications Commission.

Lisa Scanlan,

Assistant Division Chief, Audio Division, Media Bureau.

[FR Doc. 04-16889 Filed 7-22-04; 8:45 am]

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FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Proposed Collections; Comment Request

AGENCY: Board of Governors of the Federal Reserve System

ACTION: Notice

SUMMARY: Background. On June 15, 1984, the Office of Management and Budget (OMB) delegated to the Board of Governors of the Federal Reserve System (Board) its approval authority under the Paperwork Reduction Act, as

per 5 CFR 1320.16, to approve of and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board under conditions set forth in 5 CFR 1320 Appendix A.1. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the OMB 83-Is and supporting statements and approved collection of information instruments are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

Request for comment on information collection proposals

The following information collections, which are being handled under this delegated authority, have received initial Board approval and are hereby published for comment. At the end of the comment period, the proposed information collections, along with an analysis of comments and recommendations received, will be submitted to the Board for final approval under OMB delegated authority. Comments are invited on the following:

- a. whether the proposed collections of information are necessary for the proper performance of the Federal Reserve's functions; including whether the information has practical utility;
- b. the accuracy of the Federal Reserve's estimate of the burden of the proposed information collections, including the validity of the methodology and assumptions used;
- c. ways to enhance the quality, utility, and clarity of the information to be collected; and
- d. ways to minimize the burden of information collections on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Comments must be submitted on or before September 21, 2004.

ADDRESSES: You may submit comments, identified by FR 2436 or FR Y-12, by any of the following methods:

- Agency Web Site: <http://www.federalreserve.gov>. Follow the instructions for submitting comments at <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>.
- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.