

revegetation of the disturbed ground around the well pads would minimize soil disturbance and reduce or prevent the potential for soil erosion. The road design would include an appropriately designed culvert so that downstream flow and function of the floodplain will not be impeded. Indirect impacts from discharge of well development water to the ground would be minimized. The water would be sampled and the analytical results would be sent to the New Mexico Environment Department for their approval prior to discharge. Discharge would be through sprinklers or via a water truck along the access roads. No debris would be left at the work site. No vehicle maintenance or fueling within 100 feet of the floodplain would occur. Any sediment movement from the site would be short term and temporary.

Issued in Los Alamos, NM, on August 5, 2003.

Ralph E. Erickson,

Manager, Department of Energy, National Nuclear Security Administration, Los Alamos Site Office.

[FR Doc. 03-20585 Filed 8-12-03; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[IN 150-1; FRL-7543-5]

Notice of Final Determination for Alcoa-Warrick Power Plant in Newburgh, Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final action.

SUMMARY: This notice announces that on March 5, 2003, the Environmental Appeals Board (EAB) of the EPA dismissed a petition for review of a permit issued for the Alcoa-Warrick Power Plant (Alcoa) by the Indiana Department of Environmental Management (IDEM). The EAB dismissed the petition because it determined that it does not have jurisdiction to review permits that are issued solely under a state's federally approved Title V permit program.

DATES: The effective date for the EAB's decision is March 5, 2003. Judicial review of this permit decision, to the extent it is available pursuant to section 307(b)(1) of the Clean Air Act, 42 U.S.C. 7607(b)(1), may be sought by filing a petition for review in the United States Court of Appeals for the Seventh Circuit within 60 days of August 13, 2003.

ADDRESSES: The documents relevant to the above action are available for public

inspection during normal business hours at the following address: EPA, Region 5, 77 West Jackson Boulevard (AR-18J), Chicago, Illinois 60604. To arrange viewing of these documents, call Sam Portanova at (312) 886-3189.

FOR FURTHER INFORMATION CONTACT: Sam Portanova, EPA, Region 5, 77 W. Jackson Boulevard (AR-18J), Chicago, Illinois 60604. Anyone who wishes to review the EAB decision can obtain it at <http://www.epa.gov/eab/orders/alcoa.pdf>.

SUPPLEMENTARY INFORMATION: This supplemental information is organized as follows:

- A. What Action Is EPA Taking?
- B. What Is The Background Information?
- C. What did EPA Determine?

A. What Action Is EPA Taking?

We are notifying the public of a final decision by EPA's EAB on a permit issued by IDEM.

B. What Is the Background Information?

On November 6, 2002, IDEM issued a Part 70 Significant Source Modification permit (permit number 173-16275-00002) to Alcoa to modify three pulverized dry bottom wall-fired boilers by installing low NO_x burners. The permit allows the boilers to fire bituminous coal or natural gas and requires the use of low NO_x burners to control nitrogen oxide (NO_x) emissions. IDEM determined that this project qualified as a pollution control project and was not subject to PSD.

Stephen A. Loeschner subsequently filed a petition for review of the permit with the EAB on December 10, 2002. Mr. Loeschner argued that IDEM improperly exempted this modification from PSD review by granting it a pollution control project exemption. He also argued that this permit should require carbon monoxide continuous emissions monitors.

In two previous rulings, Carlton, Inc. N. Shore Power Plant, 9 E.A.D. 690 (EAB 2001), and DPL Energy Montpelier Electric Generating Station, 9 E.A.D. 695 (EAB 2001), as in the Alcoa case, the petitioners challenged the state agency's decision to issue state minor source permits rather than federal PSD permits. In denying review in both of these permits, the EAB ruled that its jurisdiction is limited to federal PSD permits that are actually issued under the PSD program, and does not extend to a state's decision not to issue a PSD permit.

C. What Did the EAB Determine?

On March 5, 2003, the EAB dismissed the petition for review on the grounds

that the Board lacks authority to review the Alcoa permit, which was issued solely under Indiana's federally approved Title V program and was not a federal PSD permit.

Dated: July 24, 2003.

Bharat Mathur,

Acting Regional Administrator, Region 5.

[FR Doc. 03-20526 Filed 8-12-03; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-7543-3]

Integrated Risk Information System (IRIS); 2003/2004 Program; Notice and Request for Scientific Information on Supplemental 2003 Program; Request for Chemical Substance Nominations for 2004 Program

AGENCY: Environmental Protection Agency.

ACTION: Notice; Announcement of supplement to the IRIS 2003 program and request for scientific information on health effects that may result from exposure to chemical substances; and request for chemical substance nominations for the IRIS 2004 program.

SUMMARY: The Integrated Risk Information System (IRIS) is an Environmental Protection Agency (EPA) data base that contains the Agency's scientific consensus positions on human health effects that may result from exposure to chemical substances in the environment. On February 5, 2003, in a **Federal Register** (68 FR 5870), EPA announced the 2003 IRIS agenda and solicited scientific information from the public for consideration in assessing health effects from specific chemical substances. The notice also stated that later in 2003: (1) Additional assessments may be announced in the **Federal Register**; and (2) EPA would solicit public nominations for chemical substances for its 2004 agenda. Today, EPA is following up on these two actions.

DATES: EPA invites the public to submit scientific information pertaining to the specific chemical substances listed in this notice, and/or nominations for substances to be considered for an assessment in 2004 in accordance with the instructions provided at the end of this notice by October 14, 2003.

ADDRESSES: Please submit relevant scientific information to the IRIS Submission Desk in accordance with the address and instructions provided at the end of this notice. Similarly, chemical substance nominations should be

submitted to the IRIS Submission Desk, or on-line, in accordance with the address and instructions provided at the end of this notice.

FOR FURTHER INFORMATION: For information on the IRIS program, contact Amy Mills, Program Director, National Center for Environmental Assessment (mail code 8601D), Office of Research and Development, U.S. Environmental Protection Agency, Washington, DC 20460, or call (202) 564-3204, or send electronic mail inquiries to mills.amy@epa.gov. For general questions about access to IRIS or the content of IRIS, please call the IRIS Hotline at (301) 345-2870 or send electronic mail inquiries to hotline.iris@epa.gov.

SUPPLEMENTARY INFORMATION:

Background

IRIS is an EPA data base containing Agency consensus scientific positions on potential adverse human health effects that might result from exposure to chemical substances found in the environment. IRIS currently provides information on health effects associated with more than 500 chemical substances.

The data base includes chemical-specific summaries of qualitative and quantitative health information in support of the first two steps of the risk assessment process, *i.e.*, hazard identification and dose-response evaluation. Combined with specific situational exposure assessment information, the information in IRIS may be used as a source in evaluating potential public health risks from environmental contaminants.

EPA's overall process for developing IRIS assessments consists of: (1) An annual **Federal Register** announcement of EPA's IRIS agenda and call for scientific information from the public on selected chemical substances; (2) a search of the current literature; (3) development of draft health assessments and IRIS summaries; (4) peer review within EPA; (5) peer review outside EPA; (6) EPA consensus review and management approval; (7) preparation of final IRIS summaries and supporting documents; and (8) entry of summaries and supporting documents into the IRIS data base.

The IRIS Annual Agenda

Each year, EPA develops a list of priority chemical substances and an annual agenda for the IRIS program. EPA uses four general criteria to set these priorities: (1) EPA statutory, regulatory, or program-specific implementation needs; (2) availability of

new scientific information or methodology that might significantly change the current IRIS information; (3) interest to other levels of government or the public; and (4) availability of other scientific assessment documents such that only a modest additional effort would be needed to complete the review and documentation for IRIS. The decision to assess any given chemical substance hinges on available Agency resources. Timing of EPA's risk assessment guidance, guidelines, and science policy decisions may also play a role in deciding when the Agency has the appropriate methods to assess a chemical substance.

On February 5, 2003, EPA stated (68 FR 5870) that it might publish a supplement to its fiscal year 2003 agenda by identifying additional priority chemical substances selected for assessment. Accordingly, today's notice supplements the priority list published in the **Federal Register** on February 5, 2003, (68 FR 5870) by providing a list of additional health assessments beginning in fiscal year 2003 and instructions for submitting scientific information to EPA pertinent to the development of health assessments for these chemical substances. The February 5, 2003, notice also stated that EPA planned to publish a solicitation later in the year for public nomination of chemical substances to consider for assessment beginning in fiscal year 2004. Consequently, today's notice provides instructions for nominating additional chemical substances for EPA's consideration.

EPA continues to build and update the IRIS data base by addressing the foremost user needs, as expressed by EPA and the public. EPA will also work toward updating all assessments in the data base where new scientific information is available to do so.

Stakeholder Workshop on Priority-Setting Criteria

As announced in the February 5, 2003, **Federal Register** notice (68 FR 5870), EPA sponsored a stakeholder workshop on March 4, 2003, concerning priority-setting criteria that are used or should be used to select chemical substances for an IRIS assessment. Versar, Inc., an EPA contractor, convened and facilitated this workshop to obtain input and suggestions from a spectrum of IRIS users on the appropriateness of EPA's current priority-setting criteria, and whether other criteria such as public health impact or economic impact should be added. In general, the panel members agreed that IRIS is an important international scientific resource with a

valuable core purpose of providing high-quality health assessments of chemical substances with potentially significant impacts on public health. While workshop panelists generally supported the current priority-setting criteria, they suggested that EPA evaluate whether public health concerns are sufficiently addressed by the current criterion for statutory, regulatory, and programmatic need. Panel members also discussed possible alternatives to the current priority-setting system. Some cautioned that the development of a more elaborate priority-setting system might make the process overly complex and burdensome to the Agency, leading to unnecessary delays.

In response to the panelists' suggestion, EPA reviewed previous chemical substance nominations to determine if public health concerns were implicitly covered by the statutory, regulatory, or programmatic needs driving the nominations. Public health impact is defined, for this purpose, as being associated with adverse human health effects and widespread exposure. EPA determined that most of the chemicals nominated in the annual priority-setting process have known or suspected toxicity and known or suspected widespread exposure. EPA concludes that public health concerns appear to be adequately subsumed in the current IRIS nomination process and that no specific additional public health criterion is needed at this time.

Many panel members also recommended that EPA focus its improvement efforts on making the IRIS priority setting process more transparent by including information concerning why each chemical substance was selected for an assessment. To that end, this notice adds transparency by listing supplemental fiscal year 2003 chemical substances with the corresponding rationale for each selection. With additional resources available to the IRIS program, EPA is also able to provide an open public chemical substance nomination process for 2004 to better respond to the broader IRIS user community. Additional information on the stakeholder workshop and EPA's position of how public health concerns are addressed in its current priority-setting criteria can be obtained by calling the IRIS Hotline (301) 345-2870, or by sending electronic mail inquiries to hotline.iris@epa.gov.

Submission of Scientific Information on Supplementary Assessments for Fiscal Year 2003

With the publication of this notice, EPA announces the start of assessments for the following chemical substances in

2003. At this time, the completion of these new assessments is expected between fiscal years 2004–2006. The listed substances are annotated with the basis for their selection.

Unless otherwise noted, EPA will assess noncancer and cancer endpoints for each substance. For all endpoints assessed, both qualitative and quantitative assessments will be developed if data is available.

Chemical	CAS No.	Reason(s) for assessment/reassessment
Acrylonitrile	107–13–1	Need for CAA hazardous air pollutant and residual risk programs. New scientific information is available. Public interest.
Beryllium (cancer update).	7440–41–7	New scientific information is available.
n-Hexane	110–54–3	CERCLA need—Regional EPA interest. New scientific information is available. Relevant assessment document is available.
Methylene chloride (Dichloromethane)	75–09–2	RCRA hazard identification and corrective action. New scientific information is available. Public interest. Relevant assessment document is available.
Trichloroacetic acid.	76–03–9	SDWA need—Stage 2 disinfection by-product regulation. Relevant assessment document is available.
1,2,3-Trichloropropane.	96–18–4	CERCLA need—Regional EPA interest. New scientific information is available. Relevant assessment document is available.

Consistent with previous **Federal Register** notices announcing the annual IRIS agenda, EPA is soliciting public involvement in supplementary assessments announced in this notice. While EPA conducts a thorough literature search for each chemical substance, there may be unpublished studies or other primary technical sources that EPA might not otherwise obtain through open literature searches. We are requesting the submission of scientific information from the public during the information gathering stage for the supplementary “new assessments” listed above. Interested persons should provide scientific analyses, studies, and other pertinent scientific information. Also note that if you have submitted certain information previously to the IRIS Submission Desk, there is no need to resubmit that information. While EPA is primarily soliciting information on supplementary fiscal year 2003 assessments announced in this notice, the public may submit information on any chemical substance at any time.

Procedures for Submission of Scientific Information

Within 60 days of this notice, provide all information (studies, reports, articles, *etc.*) you wish to submit. Note that this process is streamlined from previous years in which you were asked to provide an initial submission inventory. Your submission should specify the chemical substance to which your information pertains, CASRN (Chemical Abstract Service Registry Number), and the topic or aspect of the assessment that is being addressed (*e.g.*, carcinogenicity, mode of action). In addition, when you submit results of new health effects studies concerning existing substances on IRIS, you should include a specific explanation of how the study results could change the information in IRIS. All citations should be listed in scientific citation format, that is, author(s), title, journal, and date. Include names, addresses, and telephone numbers of person(s) to contact for additional information. Mail two copies, one of which should be unbound, to the IRIS Submission Desk, c/o ASRC, 6301 Ivy Lane, Suite 300, Greenbelt, MD 20770. Alternatively, you may submit the materials electronically to IRIS.desk@epa.gov. Electronic information must be submitted in WordPerfect format or as an ASCII file. Information also will be accepted on 3.5" floppy disks or CD. The IRIS Submission Desk will acknowledge receipt of your information.

Confidential Business Information (CBI) should not be submitted to the

IRIS Submission Desk. CBI material must be submitted to the appropriate EPA office via established procedures (*see* 40 CFR, part 2, subpart B). If you believe that a CBI submission contains information with implications for IRIS, please note that in the cover letter accompanying your submission to the appropriate office.

You may also request to augment your submission with a scientific briefing to EPA staff. Such requests should be made directly to Amy Mills, IRIS Program Director (*see* **FOR FURTHER INFORMATION**).

Submission of Nominations for New Assessments for the Fiscal Year 2004 IRIS Program

Today's notice invites voluntary public nominations for chemical substances not already listed today or in the February 5, 2003, **Federal Register** notice (68 FR 5870). All nominations should identify the nominator and address the following questions for each chemical substance:

Identification of nominator:

Name _____
 Title _____
 Affiliation _____
 Phone _____
 Address _____
 E-mail address _____

1. What is the chemical substance name, most common synonym (if applicable), and CAS number?
2. Is this assessment needed to fulfill a chemical-specific EPA mandate or program need (*e.g.*, statutory, regulatory, or court-ordered deadline)? If so, what is the time frame?
3. Is this assessment a priority for stakeholders outside of EPA (*e.g.*, states, tribes, local governments, environmental organizations, industries, other IRIS users)?
4. Are you aware if another assessment of this substance is available to EPA (*e.g.*, an EPA program has assessed this substance but it has not received Agency-wide IRIS review, or another government organization has assessed this substance)?
5. For substances being nominated for IRIS reassessment, what, if any, significant new scientific data or new EPA risk assessment methodology is available that you believe would be likely to appreciably change the existing IRIS assessment?
6. Are there other factors that would make this substance a priority for IRIS assessment (*e.g.*, widespread exposure, expected toxicity, potentially susceptible populations)?

Nominations are requested within 60 days of this notice, and may be submitted online at www.epa.gov/iris/whatsnew/2004nominations or by mail or electronic mail. Submissions by mail may be made to the IRIS Submission Desk, c/o ASRC, 6301 Ivy Lane, Suite 300, Greenbelt, MD 20770. Please send two copies, with one copy unbound. Alternatively, nominations may be sent electronically to IRIS.desk@epa.gov. Electronic information must be submitted in WordPerfect format or as an ASCII file. Information also will be accepted on 3.5" floppy disks or CD. The IRIS Submission Desk will acknowledge receipt of your information.

Dated: August 8, 2003.

Peter W. Preuss,

Director, National Center for Environmental Assessment.

[FR Doc. 03-20528 Filed 8-12-03; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2003-0266; FRL-7321-7]

Imazapyr; Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

DATES: Comments, identified by docket ID number OPP-2003-0266, must be received on or before September 12, 2003.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Jim Tompkins, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-5697; e-mail address: Tompkins.Jim@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 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS 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. 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-2003-0266. 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, 1921 Jefferson Davis Hwy., 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.

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.

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's 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. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. 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. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a