

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7816-4]

### Protection of Stratospheric Ozone: Letter of Clarification on Request for Information on Existing and Available Stocks of Methyl Bromide

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

**ACTION:** Notice of availability of letter of clarification and extension of deadline.

**SUMMARY:** With this notice, EPA is informing individuals or legal entities that produce, import, distribute, sell, apply, or buy methyl bromide of a letter available on EPA's Web site at <http://www.epa.gov/ozone/mbr> that clarifies that nature and scope of information sought by the Agency in the Section 114 Information Request published in the **Federal Register** on August 25, 2004 (69 FR 52403). As a result of the clarifications provided by the Agency, EPA has agreed to extend the deadline for submission of the required data to October 14, 2004.

The request is for information on the amount of methyl bromide material held in inventory for sale or transfer. EPA needs this information to promulgate a rule to allow for the continued production, consumption, and use of methyl bromide for proposed critical uses exempted from the January 1, 2005 phaseout of methyl bromide. This exemption for critical uses is allowed under section 604 of the Clean Air Act (CAA) and the *Montreal Protocol on Substances that Deplete the Ozone Layer* ("Montreal Protocol").

**DATES:** The deadline for submission of the required data is October 14, 2004.

**FOR FURTHER INFORMATION CONTACT:** For further information about this information request, contact Hodayah Finman by telephone at (202) 343-9246, or by e-mail at [finman.hodayah@epa.gov](mailto:finman.hodayah@epa.gov), or by mail at Hodayah Finman, U.S. Environmental Protection Agency, Stratospheric Protection Division, Stratospheric Program Implementation Branch (6205J), 1200 Pennsylvania Avenue, NW., Washington, DC, 20460. Overnight or courier deliveries should be sent to 1310 L Street, NW., Washington, DC, 20005, Attn: Hodayah Finman at 343-9410. You may also visit the Methyl Bromide Phaseout web site of EPA's Stratospheric Protection Division at <http://www.epa.gov/ozone/mbr> for further information about this request for information.

Dated: September 14, 2004.

**Drusilla Hufford,**

*Director, Stratospheric Protection Division.*

[FR Doc. 04-21188 Filed 9-21-04; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0033; FRL-7675-4]

### Rodenticides; Availability of Revised Comparative Ecological Risk Assessment

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of the revised comparative ecological risk assessment and related documents for nine rodenticides, which includes those addressed in the Reregistration Eligibility Decisions (REDs) for zinc phosphide and the rodenticide cluster (brodifacoum, bromadiolone, bromethalin, chlorophacinone, and diphacinone), as well as three other rodenticides, warfarin, difethialone, and cholecalciferol. This notice also opens a 60-day public participation period during which the public is encouraged to submit risk management ideas or proposals. These actions are designed to further efforts to engage stakeholders in a dialogue on risk reduction and risk management.

**DATES:** Comments, identified by docket identification number OPP-2004-0033, must be received by EPA on or before November 22, 2004.

**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:** Kelly White, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-8401; e-mail address: [white.kelly@epa.gov](mailto:white.kelly@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. Does this Action Apply to Me?

This action is directed to the public in general. Nevertheless, a wide range of stakeholders will be interested in obtaining the revised risk assessments and submitting risk management

comments on these nine rodenticides, including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the use of pesticides. As such, the Agency has not attempted to specifically describe all of the entities potentially 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 an official public docket for this action under docket ID number OPP-2004-0033. 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 S. 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.

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/>. In addition, copies of the revised comparative ecological risk assessment for nine rodenticides may also be accessed at <http://www.epa.gov/rodenticidecluster/>.

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. 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.1. 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 brief description written by the docket staff.

### *C. How and to Whom Do I Submit Comments?*

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments. If you

wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. 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.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket/>, and follow the online instructions for submitting comments. Once in the system, select "search," and then key in docket ID number OPP-2004-0033. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by e-mail to [opp-docket@epa.gov](mailto:opp-docket@epa.gov), Attention: Docket ID number OPP-2004-0033. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic

submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID number OPP-2004-0033.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID number OPP-2004-0033. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

### *D. How Should I Handle CBI Information that I Want to Submit to the Agency?*

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI.

Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any 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 version of the official record.

Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

### *E. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.

6. Offer alternative ways to improve the notice or collection activity.

7. Make sure to submit your comments by the deadline in this document.

8. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

## II. What Action is EPA Taking in this Notice?

EPA is making available for public viewing the revised comparative ecological risk assessment and related documents for nine rodenticides, which includes those addressed in the Reregistration Eligibility Decisions (REDs) for zinc phosphide and the rodenticide cluster (brodifacoum, bromadiolone, bromethalin, chlorphacinone, diphacinone), as well as three other rodenticides, warfarin, difethialone, and cholecalciferol. Included among the documents being released to the public through this notice is EPA's response to comments on the preliminary comparative ecological risk assessment. The preliminary assessment was released to the public through a notice in the **Federal Register** on January 29, 2003 (FR 68 4468)(FRL-7280-6). Also being published is a memorandum summarizing the revisions to the preliminary comparative ecological risk assessment that are reflected in the revised assessment, and a document that details the use patterns of the nine rodenticide active ingredients.

The Agency notes that the comparative ecological risk assessment for the rodenticides is revised; however, further refinements may be appropriate. Risk assessment documents reflect only the work and analysis conducted as of the time they were produced and it is appropriate that, as new information becomes available and/or additional analyses are performed, the conclusions they contain may change.

This notice begins a 60-day public participation period during which the public is encouraged to submit risk management proposals or otherwise comment on risk management for the nine rodenticides listed in this notice. Such comments and proposals could address ideas about how to manage ecological risks associated with particular uses of any of the nine rodenticides. For example, commenters may suggest ways to reduce environmental exposure, e.g., exposure to birds, fish, mammals, and other non-target organisms. During the comment period, stakeholders are also encouraged

to comment on the document titled "Analysis of Rodenticide Bait Use" and/or to provide additional information related to the use and importance of these nine rodenticide products. The Agency recognizes that there are public health and other benefits associated with the use of rodenticide baits, and will consider those benefits in reaching a risk management decision.

During the public comment period, EPA plans to work with the United States Department of Agriculture, the Centers for Disease Control and Prevention, the United States Fish and Wildlife Service, the National Marine Fisheries Service, the United States Department of Defense, and other interested stakeholders to identify and propose mitigation measures to reduce risks while maintaining the key benefits of the rodenticides. If you wish to participate in this process, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**. Failure to participate or comment as part of this opportunity will in no way prejudice or limit a commenter's opportunity to participate fully in later notice and comment processes. All comments and proposals must be received by EPA on or before November 22, 2004 at the addresses given under the **ADDRESSES** section. Comments and proposals will become part of the Agency record for each rodenticide to which it pertains.

### List of Subjects

Environmental protection, Chemicals, Pesticides and pests.

Dated: August 25, 2004.

**Debra Edwards,**

*Director, Special Review and Reregistration Division, Office of Pesticide Programs.*

[FR Doc. 04-21068 Filed 9-21-04; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0261; FRL-7678-5]

### Desmedipham; Tolerance Reassessment Decision for Low Risk Pesticide; Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's Tolerance Reassessment Decision (TRED) for desmedipham, and opens a public comment period on this document, related risk assessments, and other support documents. EPA has reviewed the low risk pesticide desmedipham

through a modified, highly streamlined version of the public participation process that the Agency uses to involve the public in developing pesticide tolerance reassessment and reregistration decisions. Through the tolerance reassessment program, EPA is ensuring that all pesticides meet current health and food safety standards.

**DATES:** Comments, identified by docket ID number OPP-2004-0261, must be received on or before November 22, 2004.

**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:

Nathan Mottl, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-0208; fax number: (703) 308-7042; e-mail address: [mottl.nathan@epa.gov](mailto:mottl.nathan@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 an official public docket for this action under docket identification (ID) number OPP-2004-0261. 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