

and is holding a meeting on March 6, 2007. The Spray Drift Work Group, co-chaired by EPA Offices of Water and Pesticide Programs, is improving understanding of the perspectives of all stakeholders regarding spray drift and will provide recommendations on ways to mitigate spray drift is chairing a meeting on March 7 and 8, 2007. The Registration Review Implementation Work Group which is developing recommendations for the Registration Review initial docket opening process will chair a meeting on March 8, 2007. Future meetings will be announced on the work group's Web sites (see: Active Workgroups menu at: <http://www.epa.gov/pesticides/ppdc/>).

PPDC was established under the Federal Advisory Committee Act (FACA), Public Law 92-463, in September 1995 for a 2-year term and has been renewed every 2 years since that time. PPDC provides advice and recommendations to OPP on a broad range of pesticide regulatory, policy, and program implementation issues that are associated with evaluating and reducing risks from use of pesticides. The following sectors are represented on the PPDC: pesticide industry and trade associations; environmental/public interest and consumer groups; farm worker organizations; pesticide user, grower, and commodity groups; federal/state/local/ and tribal governments; the general public; academia; and public health organizations.

Copies of the PPDC charter are filed with appropriate committees of Congress, the Library of Congress, and are available upon request.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated February 12, 2007.

**James Jones,**

*Director, Office of Pesticide Programs.*

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#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2006-0694; FRL-8115-9]

#### Pine Oil and Propylene Glycol and Dipropylene Glycol Reregistration Eligibility Decisions; Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's Reregistration

Eligibility Decisions (REDs) for the pesticides pine oil and propylene glycol and dipropylene glycol and opens a public comment period on these documents. The Agency's risk assessments and other related documents also are available in the pine oil and propylene glycol and dipropylene glycol Dockets. Pine oil is an antimicrobial used for sanitizing and disinfecting in residential and commercial/institutional settings. Propylene glycol is used in air sanitization and hard surface disinfection and dipropylene glycol is used in air sanitization. EPA has reviewed pine oil and propylene glycol and dipropylene glycol through the public participation process that the Agency uses to involve the public in developing pesticide reregistration and tolerance reassessment decisions. Through these programs, EPA is ensuring that all pesticides meet current health and safety standards.

**DATES:** Comments must be received on or before April 23, 2007.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number, by one of the following methods: For pine oil, docket identification (ID) number EPA-HQ-OPP-2004-0302 and for propylene glycol and dipropylene glycol, docket identification (ID) number EPA-HQ-OPP-2006-0831.

• *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'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 telephone number is (703) 305-5805.

*Instructions:* Direct your comments to the following docket ID numbers: for pine oil docket identification (ID) number EPA-HQ-OPP-2004-0302; and propylene glycol and dipropylene glycol, docket identification (ID) number EPA-HQ-OPP-2006-0831. 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 [www.regulations.gov](http://www.regulations.gov) or e-mail. The Federal [www.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 [www.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. 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 telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** *For Pine Oil:* ShaRon Carlisle, Antimicrobials Division (7510P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-6427; fax number: (703) 308-8481; e-mail address: [carlisle.sharon@epa.gov](mailto:carlisle.sharon@epa.gov).

*For Propylene Glycol and Dipropylene Glycol:* Michelle Centra, Antimicrobials Division (7510P), Office of Pesticide

Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-2476; fax number: (703) 308-8481; e-mail address: [centra.michelle@epa.gov](mailto:centra.michelle@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. 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://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.

##### II. Background

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

Under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is reevaluating existing pesticides to ensure that they meet current scientific and regulatory standards. EPA has completed Reregistration Eligibility Decisions (REDs) for the pesticides, pine oil and propylene glycol and dipropylene glycol under section 4(g)(2)(A) of FIFRA. Pine oil is an antimicrobial used for sanitizing and disinfecting in residential and commercial/institutional settings. Propylene glycol is used in air sanitization and hard surface disinfection and dipropylene glycol is used in air sanitization. Pest (fleas, mites, red lice, and various bacteria and viruses) control for pets (cats, dogs, and birds) is also a major active use for propylene glycol.

EPA has determined that the data base to support reregistration is substantially complete and that products containing pine oil and propylene glycol and dipropylene glycol are eligible for reregistration, provided the risks are mitigated either in the manner described in the RED or by another means that achieves equivalent risk reduction. Upon submission of any required product specific data under section 4(g)(2)(B) and any necessary changes to the registration and labeling (either to address concerns identified in the RED or as a result of product specific data), EPA will make a final reregistration decision under section 4(g)(2)(C) for products containing pine oil and propylene glycol and dipropylene glycol.

EPA must review tolerances and tolerance exemptions that were in effect when the Food Quality Protection Act (FQPA) was enacted in August 1996, to ensure that these existing pesticide residue limits for food and feed commodities meet the safety standard established by the new law. Tolerances are considered reassessed once the safety finding has been made or a revocation occurs. EPA has reviewed

and made the requisite safety finding for the pine oil and propylene glycol and dipropylene glycol tolerances included in this notice.

EPA is applying the principles of public participation to all pesticides undergoing reregistration and tolerance reassessment. The Agency's Pesticide Tolerance Reassessment and Reregistration; Public Participation Process, published in the **Federal Register** on May 14, 2004, (69 FR 26819)(FRL-7357-9) explains that in conducting these programs, EPA is tailoring its public participation process to be commensurate with the level of risk, extent of use, complexity of issues, and degree of public concern associated with each pesticide. Due to its uses, risks, and other factors, pine oil and propylene glycol and dipropylene glycol were reviewed through the modified 4-Phase process. Through this process, EPA worked extensively with stakeholders and the public to reach the regulatory decisions for pine oil and propylene glycol and dipropylene glycol.

The reregistration program is being conducted under Congressionally mandated time frames, and EPA recognizes the need both to make timely decisions and to involve the public. The Agency is issuing the pine oil and propylene glycol and dipropylene glycol REDs for public comment. This comment period is intended to provide an additional opportunity for public input and a mechanism for initiating any necessary amendments to the RED. All comments should be submitted using the methods in **ADDRESSES**, and must be received by EPA on or before the closing date. These comments will become part of the Agency Docket for pine oil and propylene glycol and dipropylene glycol. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

The Agency will carefully consider all comments received by the closing date and will provide a Response to Comments Memorandum in the Docket and [regulations.gov](http://regulations.gov). If any comment significantly affects the document, EPA also will publish an amendment to the RED in the **Federal Register**. In the absence of substantive comments requiring changes, the pine oil and propylene glycol and dipropylene glycol REDs will be implemented as it is now presented.

###### B. What is the Agency's Authority for Taking this Action?

Section 4(g)(2) of FIFRA as amended directs that, after submission of all data

concerning a pesticide active ingredient, the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration, before calling in product specific data on individual end-use products and either reregistering products or taking other "appropriate regulatory action."

Section 408(q) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(q), requires EPA to review tolerances and exemptions for pesticide residues in effect as of August 2, 1996, to determine whether the tolerance or exemption meets the requirements of section 408(b)(2) or (c)(2) of FFDCA. This review was completed by August 3, 2006.

#### List of Subjects

Environmental protection, Pesticides and pests, Pine oil, Propylene glycol and Dipropylene glycol.

Dated: February 12, 2007.

**Betty Shackelford,**

*Acting Director, Antimicrobials Division,  
Office of Pesticide Programs.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8279-1]

### Virginia State Prohibition on Discharges of Vessel Sewage; Final Affirmative Determination

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

**ACTION:** Notice of Final Determination.

**SUMMARY:** Notice is hereby given that the Regional Administrator, EPA Region III has affirmatively determined, pursuant to section 312(f) of Public Law 92-500, as amended by Public Law 95-217 and Public Law 100-4 (the Clean Water Act), that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the navigable waters of the Lynnhaven River, Virginia Beach, Virginia. Virginia will completely prohibit the discharge of sewage, whether treated or not, from any vessel in the Lynnhaven River.

**FOR FURTHER INFORMATION CONTACT:** Edward Ambrogio, EPA Region III, Office of State and Watershed Partnerships, 1650 Arch Street, Philadelphia, PA 19103. Telephone: (215) 814-2758. Fax: (215) 814-2301. E-mail: ambrogio.edward@epa.gov.

**SUPPLEMENTARY INFORMATION:** An application was made by the Virginia

Secretary of Natural Resources on behalf of the Virginia Department of Environmental Quality (VDEQ) to EPA Region III to approve a no discharge zone for the Lynnhaven River. Upon publication of this final affirmative determination, VDEQ will completely prohibit the discharge of sewage, whether treated or not, from any vessel in the Lynnhaven River in accordance with section 312(f)(3) of the Clean Water Act and 40 CFR 140.4(a). Notice of the Receipt of Application and Tentative Determination was published in the **Federal Register** on November 21, 2006 (71 FR 67352, Nov. 21, 2006). Comments on the tentative determination were accepted during the 30-day comment period which closed on December 21, 2006. Comment letters from the Chesapeake Bay Foundation and Lynnhaven River 2007 were received endorsing the proposed affirmative determination. The remainder of this Notice summarizes the location of the no discharge zone, the available pumpout facilities and related information.

#### Lynnhaven River

The Lynnhaven River is located in the northern part of the city of Virginia Beach, Virginia. It is connected to the Chesapeake Bay through the Lynnhaven Inlet, just east of the Chesapeake Bay Bridge-Tunnel. The Lynnhaven River, including the Eastern Branch, the Western Branch, and Broad Bay/Linkhorn Bay encompasses an area of land and water of approximately 64 square miles with nearly 150 miles of shoreline. The upstream portions of the Lynnhaven River system flow either north to the Chesapeake Bay or south to North Carolina depending on wind and tidal patterns. The Lynnhaven River is oligohaline and subject to the action of tides. The majority of the waters outside the bays are shallow with maintained channel depths of six to 10 feet.

Many people enjoy the Lynnhaven River watershed for a variety of activities, including boating, fishing, crabbing, water skiing, and swimming. The shoreline surrounding the Lynnhaven River includes 4,478 private waterfront homes, public access areas, marinas, boat launch facilities, waterside restaurants, and a state park. Large and small boats, personal watercraft, canoes, kayaks, water skiers, and swimmers enjoy the river for its recreational benefits. There are several waterfront access areas within First Landing State Park for swimming during summer months. The Lynnhaven River was also once a prime oyster harvesting area known throughout the world for the famous Lynnhaven oyster. Oyster

habitat restoration projects are presently being implemented in the Lynnhaven River. Lynnhaven River 2007, an advocacy group, in partnership with the city of Virginia Beach, the Chesapeake Bay Foundation, and the U.S. Army Corps of Engineers initiated an oyster-growing program in the summer of 2004 to assist in repopulating the river with this valuable living resource.

Portions of the Lynnhaven River were listed for bacteriological impairments from fecal coliform and enterococci bacteria in Virginia's 1998 section 303(d) list requiring the development of a total maximum daily load (TMDL). Consequently in 2004, EPA Region III and the Virginia State Water Control Board approved a TMDL for the shellfish harvest use impairments on Lynnhaven, Broad, and Linkhorn Bays prepared by the VDEQ. The establishment of a no discharge zone for the Lynnhaven River is one component of the TMDL Implementation Plan.

For the purpose of this Notice, the Lynnhaven River no discharge zone is defined as all contiguous waters south of the Lesner Bridge at Lynnhaven Inlet (Latitude 36°54'27.90" N and Longitude 76°05'30.90" W) and north of the watershed break point defined as the intersection of West Neck Creek at Dam Neck Road (Latitude 36°47'17.60" N and Longitude 76°04'14.62" W).

Information submitted by the Commonwealth of Virginia states that there are six waterfront marinas operating sanitary pumpouts in the Lynnhaven River. Each of these facilities also provides dump stations, restrooms, and informational signage. Details of these facilities' location, availability and hours of operation are as follows: Long Bay Pointe marina is located on the north side of Long Creek, west of the West Great Neck Road Bridge over the creek (2101 West Great Neck Rd., Virginia Beach). The marina currently operates a Chesapeake Bay Marine pumpout system on the fuel dock accessible to all boaters. There is a sign on the pump station. The marina also has a dump station adjacent to the dock for portable toilets. The marina's sewage disposal hours of operation are 10 am-6 pm, 7 days a week, 12 months per year. Lynnhaven Dry Storage marina is located on the north side of Long Creek between the West Great Neck Road and North Great Neck Road bridges over the creek (2150 West Great Neck Rd., Virginia Beach). The marina currently operates a SaniSailor pumpout system on the fuel dock accessible to all boaters. A sign for the pumpout is posted on the side of the building adjacent to the dock. The marina has a dump station adjacent to the dock for