

Minnesota to monitor, under 40 CFR part 63, subpart MM, the scrubber liquid supply pressure in lieu of the pressure drop across the wet scrubber used to control emissions from the lime kiln?

A: Yes. EPA will allow this under Maximum Achievable Control Technology (MACT) subpart MM, because for this particular scrubber, liquid supply pressure is a better indicator of scrubber performance and shall be monitored along with liquor flow rate to demonstrate compliance.

*Abstract for [M050012]*

Q: Will EPA allow Boise Paper Solutions in International Falls, Minnesota to demonstrate, under 40 CFR part 63, subpart MM, compliance using particulate emission tests conducted after the pulp mill combustion Maximum Achievable Control Technology (MACT) promulgation date but before the compliance date?

A: Yes. EPA will allow this under MACT subpart MM on the condition that the production rates achieved during the November 2003 tests represent the highest production rates currently achievable.

*Abstract for [M050013]*

Q: Will EPA allow Boise Paper Solutions in International Falls, Minnesota to set, under 40 CFR part 63, subpart MM, a compliant wet scrubber operating parameter range that is 10 percent lower than the average value recorded during a performance test?

A: No. EPA will not allow this because Maximum Achievable Control Technology (MACT) subpart MM requires that the compliant operating parameter range be established using the arithmetic average of the values recorded during a performance test.

*Abstract for [M050014]*

Q1: Will EPA allow Boise Paper Solutions in International Falls, Minnesota to set, under 40 CFR part 63, subpart MM, a minimum compliant scrubber liquor flow rate at 425 gallons per minute (gpm) and a minimum compliant scrubber liquor supply pressure at 308 pounds per square inch (psi)?

A1: Yes. EPA will allow this because test data demonstrate compliance with the particulate matter limit of Maximum Achievable Control Technology (MACT) subpart MM if these parameters are met.

*Abstract for [M050015]*

Q2: Will EPA allow the MeadWestvaco paper mill in Chillicothe, Ohio to demonstrate continuous compliance with 40 CFR

part 63, subpart MM, using operating parameters for the smelt dissolving tank scrubber pressure drop that were established during tests not conducted in accordance with all the requirements of MACT subpart MM?

A2: No. EPA cannot consider approving under MACT subpart MM this proposal for a compliant operating parameter range until the initial performance test is conducted.

*Abstract for [M050016]*

Q: Is the Chicago White Metals die casting facility in Bensenville, Illinois subject to 40 CFR part 63, subpart RRR if it is an area source that only melts clean charge and internal scrap?

A: No. Under these facts, the facility in question is not subject to subpart RRR. However, if the facility increases its emissions and becomes a major source, or if the materials charged into the remelt furnaces are anything other than clean charge, internal scrap, or customer returns, then the furnaces will be subject.

*Abstract for [M050017]*

Q: May the Scepter secondary aluminum facility in Bicknell, Indiana use an alternative reactive flux injection monitoring method under 40 CFR part 63, subpart RRR?

A: Yes. The facility may use an alternative reactive flux injection monitoring method under Maximum Achievable Control Technology (MACT) subpart RRR as long as the flux rate for the entire batch cycle for each furnace is below that established during the performance tests.

*Abstract for [M050018]*

Q: Is the Commonwealth Industries facility in Uhrichsville, Ohio subject to 40 CFR part 63, subpart RRR if it is an area source which reports having Group 2 furnaces?

A: The furnaces are not subject to the testing requirements of Maximum Achievable Control Technology (MACT) subpart RRR. However, they are subject to the operating, monitoring, recordkeeping and reporting requirements of MACT subpart RRR.

*Abstract for [M050019]*

Q: May the Wausau-Mosinee paper mill in Brokaw, Wisconsin monitor the on/off status of the scrubber pumps instead of the pressure drop across the venturi scrubbers under 40 CFR part 63, subpart MM?

A: No. Pressure drop and scrubber liquid flow rate are critical parameters for the performance of venturi scrubbers. EPA has already approved monitoring the on/off status of the

scrubber pumps in lieu of monitoring the liquid flow rate.

Dated: May 26, 2005.

**Michael M. Stahl,**

*Director, Office of Compliance.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0163; FRL-7719-1]

### Aldicarb Risk Assessments (Phase 3 of 6-Phase Process); Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's environmental fate and effects risk assessment and related documents for the carbamate pesticide aldicarb, and opens a public comment period on this document. EPA is developing an Interim Reregistration Eligibility Decision (IREED) for aldicarb, through the full 6-Phase 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, identified by docket identification (ID) number OPP-2005-0163, must be received on or before August 22, 2005.

**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:** Mika J. Hunter, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-0041; fax number: (703) 308-8041; e-mail address: [hunter.mika@epa.gov](mailto:hunter.mika@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 ID number OPP-2005-0163. 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/>.

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-2005-0163. 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-2005-0163. 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-2005-0163.

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-2005-0163. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

#### *D. How Should I Submit CBI to the Agency?*

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, 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 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 docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket 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 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 your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.

7. Make sure to submit your comments by the comment period deadline identified.

8. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your response. It would also be helpful if you provided the name, date, and **Federal Register** citation related to your comments.

## **II. Background**

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

EPA is making available the environmental fate and effects risk assessment for aldicarb. A human health risk assessment is expected to be issued for public comment in the near future. Aldicarb is an N-methyl carbamate insecticide used to control numerous insects, mites, and nematodes on food and non-food crops. The Agency developed this ecological risk assessment as part of its public process for making pesticide reregistration eligibility and tolerance reassessment decisions. Through these programs, EPA is ensuring that pesticides meet current standards under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA).

Aldicarb is a cholinesterase inhibiting chemical and is used to control pests of food and non-food crops. Aldicarb is registered for use on citrus, cotton, dry beans, grain sorghum, peanuts, pecans, potatoes, soybeans, sugar beets, sugarcane, sweet potatoes, field grown ornamentals, seed alfalfa, and tobacco, as well as coffee and yams grown in Puerto Rico. All aldicarb products are granular formulations that are incorporated into the soil. Approximately, 4.8 million pounds of aldicarb are used per year on 4.9 million acres.

EPA is providing an opportunity, through this notice, for interested parties to provide comments and input on the Agency's ecological risk assessment for aldicarb. Such comments and input could address, for example, the availability of additional data to further refine the risk assessment, such as data pertaining to use information and ecological risk, or could address the Agency's risk assessment methodologies and assumptions as applied to this specific pesticide.

EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, 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, unusually high exposure to aldicarb, compared to the general population.

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. EPA plans to review aldicarb through the full, 6-Phase public participation process.

Comments should be limited to issues raised within the risk assessment and associated documents. Failure to comment on during Phase 3 will not limit a commenter's opportunity to participate in any later notice. All comments should be submitted using the methods in Unit I. of the **SUPPLEMENTARY INFORMATION**, and must be received by EPA on or before the closing date. Comments will become part of the Agency Docket for aldicarb. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

### *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 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 is to be completed by August 3, 2006.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: June 15, 2005.

**Debra Edwards,**

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

[FR Doc. 05-12361 Filed 6-21-05; 8:45 am]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[OPP-2005-0158; FRL-7717-6]

**Pesticide Product; Registration Approval**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces Agency approval of an application to

register the pesticide products, Bedoukian (Z)-6-Heneicosen-11-one Technical Pheromone, ProAct, Smolder WP, and Smolder G containing an active ingredient not included in any previously registered product pursuant to the provisions of section 3(c)(5) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Action Leader listed in the table in this unit:

File Symbol	Regulatory Action Leader	Mailing Address	Telephone Number and E-mail Address
34704-IEL 34704-IEU 34704-824 34704-825	Tessa Milofsky	Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001	(703) 308-0455 milofsky.tessa@epa.gov
52991-RT 52991-17	Andrew Bryceland	Do.	(703) 305-6928 bryceland.andrew@epa.gov
69834-L 69834-5	Susanne Cerrelli	Do.	(703) 308-8077 cerrelli.susanne@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-2005-0158. 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.

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 also 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. The request 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 Approve the Application?**

The Agency approved the applications after considering all required data on risks associated with the proposed use of (Z)-6-Heneicosen-11-one, Harpin $\alpha\beta$  Protein, and *Alternaria destruens* strain 059, and information on social, economic, and