

and select the "Submit" button. Follow the instructions on the regulations.gov website to view the docket index or access available documents. 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 Facility telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** Rosanna Louie, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-0037; fax number: (703) 308-8005; e-mail address: [louie.rosanna@epa.gov](mailto:louie.rosanna@epa.gov).

For general questions on the registration review program, contact Kevin Costello, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-5026; fax number: (703) 308-8090; e-mail address: [costello.kevin@epa.gov](mailto:costello.kevin@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*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**.

**II. Background**

*A. What Action is the Agency Taking?*

This notice announces the final registration review decisions for the sulfluramid case as shown in Table 1.

TABLE 1.—REGISTRATION REVIEW DOCKET - FINAL DECISION

Registration Review Case Name and Number	Pesticide Docket ID Number	Regulatory Contact name, Phone Number, E-mail Address
Sulfluramid Case 7411	EPA-HQ-OPP-2007-1082	Rosanna Louie (703) 308-0037 <a href="mailto:Louie.rosanna@epa.gov">Louie.rosanna@epa.gov</a>

The docket for registration review of this pesticide case includes the final registration review decision document as well as other relevant documents related to the registration review of the subject case. The proposed registration review decision was posted to the docket for the above case and the public was invited to submit any comments or new information. During the 60-day comment period, no public comments were received for the sulfluramid case.

Background on the registration review program is provided at: [http://www.epa.gov/oppsrrd1/registration\\_review/](http://www.epa.gov/oppsrrd1/registration_review/). Quick links to earlier documents related to the registration review of this pesticide are provided at: [http://www.epa.gov/oppsrrd1/registration\\_review/sulfluramid/index.htm](http://www.epa.gov/oppsrrd1/registration_review/sulfluramid/index.htm).

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

FIFRA Section 3(g) and 40 CFR 155.57 and 155.58 provide authority for this action.

A registration review decision is the Agency's determination whether a pesticide meets, or does not meet, the standard for registration in FIFRA. This final decision continues to be supported by the rationales included in the

proposed final decision for sulfluramid. The documents in the docket describe the Agency's rationale for issuing a registration review final decision for sulfluramid. No additional risk mitigation measures are required or specified for products containing sulfluramid and no labeling changes are currently required as a result of this final decision.

**List of Subjects**

Environmental protection, Registration review, Pesticides, Pests, and Sulfluramid.

Dated: October 20, 2008.

**Steven Bradbury,**

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

[FR Doc. E8-25667 Filed 10-28-08; 8:45 a.m.]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2007-0513; FRL-8388-8]**

**Triclosan; Reregistration Eligibility Decision; Notice of Availability**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's Reregistration Eligibility Decision (RED) for the pesticide triclosan, and opens a public comment period on this document. The Agency's risk assessments and other related documents also are available in the triclosan Docket. Triclosan is regulated by both the U.S. EPA and the U.S. Food and Drug Administration (FDA). The EPA regulates the antimicrobial uses of triclosan when used as a bacteriostat, fungistat, mildewstat, and deodorizer. EPA has reviewed triclosan through the public participation process that the Agency uses to involve the public in developing pesticide reregistration and tolerance reassessment decisions. Through these programs as mentioned in Unit II.A. of the **SUPPLEMENTARY INFORMATION**, EPA is ensuring that all pesticides meet current health and safety standards.

**DATES:** Comments must be received on or before December 29, 2008.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2007-0513, by one of the following methods:

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

*Instructions:* Direct your comments to docket ID number EPA-HQ-OPP-2007-0513. 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 [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 available at <http://www.regulations.gov>. 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 Facility telephone number is (703) 305-5805.

#### FOR FURTHER INFORMATION CONTACT:

Heather Garvie, Antimicrobials Division (7510P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-0034; fax number: (703) 305-5620; e-mail address: [garvie.heather@epa.gov](mailto:garvie.heather@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 [www.regulations.gov](http://www.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 a RED for the pesticide, triclosan under section 4(g)(2)(A) of FIFRA. Triclosan is regulated by both EPA and the U.S. Food and Drug Administration (FDA). EPA regulates the antimicrobial uses of triclosan when used as a bacteriostat, fungistat, mildewistat, and deodorizer. Triclosan is used in commercial, institutional and industrial premises and equipment; residential and public access premises; and as material preservative. Commercial, institutional and industrial premises and equipment uses include conveyor belts, fire hoses, dye bath vats and ice making equipment. As a material preservative, triclosan is used in many products including adhesives, fabrics, vinyl, plastics (toys, toothbrushes), polyethylene, polyurethane, polypropylene, floor wax emulsions, textiles (footwear, clothing), caulking compounds, sealants, rubber, and latex paints. There are a multitude of residential and public access premises uses including direction application to HVAC coils (limited to commercial applicators), and use as a materials

preservative in toys, paints, mattresses, clothing, brooms, mulch, floors, shower curtains, awnings, tents, toilet bowls, urinals, garbage cans, refuse container liners, insulation, concrete mixtures, grouts, and upholstery fabrics. The FDA-regulated uses include hand soaps, toothpaste, deodorants, laundry detergent, fabric softeners, facial tissues, antiseptics for wound care, and medical devices. Although these uses are not regulated under pesticide law, EPA considered these exposures in the aggregate risk assessment. EPA used population-based biological monitoring data to assess the co-occurrence of uses to develop an aggregate exposure assessment.

EPA has determined that the data base to support reregistration is substantially complete and that products containing triclosan 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) of FIFRA 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) of FIFRA for products containing triclosan.

Although the triclosan RED was signed on September 18, 2008, certain components of the document, which did not affect the final regulatory decision, were undergoing final editing at that time. These components, the appendices, have been added to the triclosan RED document.

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, triclosan was reviewed through the modified 4-Phase process. Through this process, EPA worked extensively with stakeholders and the public to reach the regulatory decisions for triclosan.

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 triclosan RED 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 triclosan. 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. 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 triclosan RED 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."

#### **List of Subjects**

Environmental protection, Pesticides and pests, antimicrobials, triclosan.

Dated: October 23, 2008.

**Joan Harrigan Farrelly,**

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

[FR Doc. E8-25829 Filed 10-28-08; 8:45 am]

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## **EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

### **SES Performance Review Board**

**AGENCY:** U.S. Equal Employment Opportunity Commission (EEOC).

**ACTION:** Notice of Membership of the EEOC Performance Review Board.

**SUMMARY:** Notice is hereby given of the appointment of members to the EEOC Performance Review Board.

**FOR FURTHER INFORMATION CONTACT:** Joann C. Riggs, Acting Chief Human

Capital Officer, Office of Human Resources, U.S. Equal Employment Opportunity Commission, 1801 L Street, NW., Washington, DC 20507, (202) 663-4306.

#### **SUPPLEMENTARY INFORMATION:**

Publication of the Performance Review Board (PRB) is required by 5 U.S.C. Section 4314(c)(4). The PRB reviews and evaluates the initial appraisal of a senior executive's performance by the supervisor, and makes written recommendations regarding performance ratings, performance awards, potential Presidential Rank Award nominees, and performance-based pay adjustments to the Chair. The Board shall consist of at least three voting members. When evaluating a career appointee's initial appraisal or recommending a career appointee for a performance award, more than half of the members must be career appointees. The names and titles of the PRB members and alternates are as follows:

#### *Primary Members:*

Anthony J. Kaminski, Chief Operating Officer (Chairperson);  
Michel C. Fetzer, Director, Dallas District Office;  
Kimberly J. Hancher, Chief Information Officer;  
Jeffrey Smith, Chief Financial Officer; and  
A. Jacy Thurmond, Jr. Esq., Senior Advisor to the Commissioner, Social Security Administration.

#### *Alternates:*

John Czajkowski, Assistant Inspector General for Management, Department of Treasury;  
Peggy R. Mastroianni, Associate Legal Counsel; and  
Roy J. Ruff, Jr., Director, Houston District Office.

**DATES:** Membership is effective on the date of this notice.

Signed at Washington, DC, on this 23rd day of October 2008.

For the Commission.

**Naomi C. Earp,**  
*Chair.*

[FR Doc. E8-25794 Filed 10-28-08; 8:45 am]

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## **FEDERAL COMMUNICATIONS COMMISSION**

**[DA 08-2338]**

### **Consumer Advisory Committee**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.