mechanism of toxicity with other compounds is not appropriate at this time. Thus, potential exposures to clopyralid were considered only in an aggregate exposure assessment.

E. Safety Determination

1. *U.S. population*. Using the conservative exposure assumptions previously described, acute dietary exposure to residues of clopyralid from current and proposed uses was estimated to occupy only 3.97% of the RfD for the general U.S. population. EPA generally has no concern for exposures below 100% of the RfD since the RfD represents the level at or below which exposure will not pose appreciable risks to human health. Additionally, the acute DWLOC was calculated to be over 1,500 fold greater than potential clopyralid residue in drinking water as predicted by conservative screening-level models. A conservative Tier 1 assessment indicated that chronic dietary exposure would occupy only 2.3% of the chronic RfD for the general U.S. population. Additionally, the chronic DWLOC was calculated to be over 1,900 fold greater than surface water or ground water EECs developed by screening-level models. A Tier 1 estimate of short-term dietary and residential exposure resulted in an MOE of 6,800, which is well above the minimum acceptable MOE of 100. Further, the short-term DWLOC is over 2,800 fold greater than the short-term EEC for surface water and ground water. Thus, based on the completeness and reliability of the toxicity data and the conservative exposure assessment, Dow AgroSciences concludes that there is a reasonable certainty that no harm will result to the general U.S. population from aggregate acute, short-term or chronic exposure to clopyralid residues from current and proposed uses.

2. *Infants and children*. In assessing the potential for additional sensitivity of infants and children to residues of clopyralid, data are considered from developmental toxicity studies in the rat and rabbit, and from multiple generation reproduction studies in rats. The developmental toxicity studies are designed to evaluate adverse effects on the developing organism resulting from maternal pesticide exposure during gestation. Reproductive studies provide information relating to prenatal and postnatal effects from exposure to the pesticide, on the reproductive capability of mating animals, and data on systemic toxicity.

Based on the results of developmental toxicity and multigenerational reproduction studies, there are no indications of prenatal or postnatal toxicity concerns for infants and children from exposure to clopyralid. FFDCA section 408 provides that EPA may apply an additional safety factor for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the database. Based on the current toxicological data requirements, the database for clopyralid relative to prenatal and postnatal effects for children is complete. There were no indications of neurotoxicity and developmental toxicity was not observed in the absence of maternal toxicity. It is concluded that there is no indication of increased sensitivity of infants and children relative to adults and that an additional FQPA safety factor is not required.

Using conservative exposure assumptions previously described, acute dietary exposure to residues of clopyralid from current and proposed uses was estimated to occupy only 6.91% of the RfD for children 1–6 years old, the population subgroup estimated to be most highly exposed. EPA generally has no concern for exposures below 100% of the RfD since the RfD represents the level at or below which exposure will not pose appreciable risks to human health. Additionally, the acute DWLOC was calculated to be over 900 fold greater than potential clopyralid residue in drinking water as predicted by conservative screening-level models. A conservative Tier 1 assessment indicated that chronic dietary exposure for children 1–6 years old would occupy only 5.4% of the chronic RfD. Additionally, the chronic DWLOC was calculated to be over 500 fold greater than surface water or ground water EECs developed by screening-level models. A Tier 1 estimate of short-term dietary and residential exposure for children 1–6 years old resulted in an MOE of 2,300, which is well above the minimum acceptable MOE of 100. Further, the short-term DWLOC is over 700 fold greater than the short-term EEC for surface water and ground water. Thus, based on the completeness and reliability of the toxicity data and the conservative exposure assessment, Dow AgroSciences concludes that there is a reasonable certainty that no harm will result to infants and children from aggregate acute, short-term or chronic exposure to clopyralid residues from current and proposed uses.

F. International Tolerances

There are no Codex or Mexican maximum residue limits. Canada has set a maximum residue limit of 2.0 ppm for barley, oats, and wheat, and 7.0 ppm for the milled fractions of barley, oats, and wheat (excluding flour).

[FR Doc. 02–20230 Filed 8–13–02; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[OPP–2002–0174; FRL–7191–9]

Notice of Filing Pesticide Petitions to Establish Tolerances for a Certain Pesticide Chemical in or on Food

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the initial filing of pesticide petitions 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–2002–0174, must be received on or before September 13, 2002.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I.C. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, it is imperative that you identify docket ID number OPP–2002–0174 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: By mail: Sidney Jackson, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 305–7610; e-mail address: *jackson.sidney@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Categories	NAICS codes	Examples of potentially affected entities
Industry	111 112 311 32532	Crop production Animal production Food manufacturing Pesticide manufacturing

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 the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have 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 Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically*. You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet home page at *http://www.epa.gov/*. To access this document, on the home page select ''Laws and Regulations,'' and then look up the entry for this document under the ''**Federal Register**—Environmental Documents.'' You can also go directly to the **Federal Register** listings at *http://www.epa.gov/fedrgstr/*.

2. *In person*. The Agency has established an official record for this action under docket ID number OPP–2002–0174. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket ID number OPP–2002–0174 in the subject line on the first page of your response.

1. *By mail*. Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier*. Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

3. *Electronically*. You may submit your comments electronically by e-mail to: *opp-docket@epa.gov*, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in Wordperfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket ID number OPP–2002–0174. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI 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 identified 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. Make sure to submit your comments by the deadline in this notice.

7. 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 the Agency Taking?

EPA has received pesticide petitions as follows proposing the establishment and/or amendment of regulations for residues of a certain pesticide chemical in or on various food commodities under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that the petitions contain data or information regarding the elements set forth in section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petitions.

List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: July 31, 2002.

Peter Caulkins,

Acting Director, Registration Division, Office of Pesticide Programs.

Summary of Petitions

The petitioner summaries of the pesticide petitions are printed below as required by section 408(d)(3) of the FFDCA. The summaries of the petitions were prepared by the petitioner and represents the view of the petitioner. EPA is publishing the summaries verbatim without editing them in any way. The summaries announce the availability of a description of the analytical methods available to EPA for

the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed.

Interrregional Research Project Number 4, (IR-4)

PP 2E6382, 2E6408, and 2E6441

EPA has received pesticide petitions (2E6382, 2E6408, and 2E6441) from the Interregional Research Project Number 4 (IR-4), Technology Centre of New Jersey, the State University of New Jersey, 681 U.S. Highway #1 South, North Brunswick, NJ 08902–3390 proposing, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), to amend 40 CFR part 180, by establishing tolerances for residues of methoxyfenozide in or on the raw agricultural commodities as follows:

1. PP 2E6382 proposes a tolerance for artichoke, globe at 3.0 parts per million (ppm).

2. PP 2E6408 proposes a tolerance for lychee, longan, spanish lime, rambutan and pulasan at 2.0 ppm.

3. PP 2E6441 proposes a tolerance for cranberry at 0.5 ppm.

EPA has determined that the petitions contain data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petitions. Additional data may be needed before EPA rules on the petitions.

This notice includes a summary of the petitions prepared by Dow Agro Sciences, LLC, Indianapolis, IN 46268–1054, the manufacturer of methoxyfenozide.

A. Residue Chemistry

1. *Plant metabolism*. The qualitative nature of methoxyfenozide residues in plants and animals is adequately understood and was previously published in the **Federal Register** of July 5, 2000 (65 FR 41355) (FRL–6497–5).

2. *Analytical method*. An high performance liquid chromatography using ultra-violet detection (HPLC/UV) method TR 34–00–109 for the enforcement of tolerances in stone fruits has been developed and is adequate to support the proposed tolerances. Confirmatory method validation data have been submitted for this method. The validated limit of quantitation (LOQ) of the analytical method was 0.02 ppm in all matrices for methoxyfenozide.

3. *Magnitude of residues*. Complete residue data for methoxyfenozide on artichoke, globe; longan; spanish lime; rambutan; pulasan; and cranberry have been submitted. The requested tolerances are adequately supported.

B. Toxicological Profile

1. *Acute toxicity*. The toxicological profile and endpoints for methoxyfenozide which support this petition to establish tolerances were previously published in the **Federal Register** of July 5, 2000 (65 FR 41355).

2. *Endocrine disruption*. The petitioner believes that, since the definition and regulatory significance of the term ''endocrine disruptor chemical'' have not yet been established by the Agency, it is not clear whether methoxyfenozide, on the basis of observed effects on the thyroid gland and adrenal gland, should be considered to be an ''endocrine disruptor chemical.'' Other than the morphological changes reported in the above referenced document (July 5, 2000, 65 FR 41355), there were no signs of thyroid or adrenal dysfunction in these or in any other studies on methoxyfenozide.

C. Aggregate Exposure

1. *Dietary exposure*—i. *Food*. Assessments were conducted to evaluate potential risks due to chronic and acute dietary exposure of the U. S. population subgroups to residues of methoxyfenozide. These analyses cover all registered crops, as well as, uses pending with the Agency, active and proposed section 18 uses, and proposed IR-4 minor uses. There are no registered residential nonfood uses of methoxyfenozide.

a. *Acute risk*. No appropriate toxicological endpoint attributable to a single exposure was identified in the available toxicology studies on methoxyfenozide including the acute neurotoxicity study in rats, the developmental toxicity study in rats and the developmental toxicity study in rabbits. Since no acute toxicological endpoints were established, Dow Agro Sciences considers acute aggregate risk to be negligible.

b. Chronic assessments were conducted to evaluate potential risks due to chronic dietary exposure of the U.S. population and selected population subgroups to residues of methoxyfenozide. These analyses cover all registered crops, uses pending with the EPA, active and proposed section 18 uses and new proposed IR-4 uses. Dow Agro Sciences used the Dietary Exposure Evaluation Model™ (DEEM), (Novigen Sciences, Washington, DC) software for conducting a chronic dietary (food) risk analysis. DEEM is a dietary exposure analysis system that is used to estimate exposure to a pesticide chemical in foods comprising the diets of the U.S. population, including population subgroups. DEEM contains food consumption data as reported by respondents in the U.S. Department of Agriculture Continuing Surveys of Food Intake by Individuals conducted in 1994–1996. Dow Agro Sciences assumed 100% of crops would be treated and contain methoxyfenozide residues at tolerance levels. The resulting chronic dietary exposure analysis is summarized in Table 1.

TABLE 1.—CHRONIC DIETARY EXPOSURE ANALYSIS BY DEEM (TIER 1)

Population subgroup	Exposure milligrams/kilogram/day (mg/kg/day)	Percent of chronic population adjusted dose
U.S. population - 48 contiguous States	0.0189	18.9
All infants (<1 year old)	0.0315	31.5
Nursing infants (<1 year old)	0.0134	13.4
Non-nursing infants (<1 year old)	0.0368	36.8
Children 1 to 6 years old	0.0376	37.6
Children 7 to 12 years old	0.0216	21.6

TABLE 1.—CHRONIC DIETARY EXPOSURE ANALYSIS BY DEEM (TIER 1)—Continued

Population subgroup	Exposure milligrams/kilogram/day (mg/kg/day)	Percent of chronic population adjusted dose
Females 13+ (nursing)	0.0156	19.1
U.S. population (autumn season)	0.0191	19.1
U.S. population (spring season)	0.0190	19.0
Northeast region	0.0206	20.6
Western region	0.0210	21.0
Hispanics	0.0191	19.1
Non-Hispanic/non-white/non-black	0.0249	24.8

Percent chronic PAD = (Exposure divided by chronic PAD) x 100%.
The subgroups listed are:
1. The U.S. population (total)
2. Those for infants and children
3. The other subgroup(s), if any, for which the percentage of the chronic PAD occupied is greater than that occupied by the subgroup U.S. population (total).

The resulting dietary food exposures occupy up to 37.6% of the chronic population adjusted dose (PAD) for the most highly exposed population subgroup, children 1 to 6 years old. These results should be viewed as conservative (health protective) risk estimates. Refinements such as use of percent crop-treated (PCT) information and/or anticipated residue values would yield even lower estimates of chronic dietary exposure.

ii. *Drinking water.* There are no water-related exposure data from monitoring to complete a quantitative drinking water exposure analysis and risk assessment for methoxyfenozide. Generic Expected Environmental Concentration (GENEEC) and/or EPA's Pesticide Root Zone Model/Exposure Analysis Modeling System (PRZM/EXAMS) (both product estimates of pesticide concentration in a farm pond) are used to generate estimated environmental concentrations (EECs) for Surface Water and Screening Concentration in Ground Water (SCI-GROW) (an empirical model based upon actual monitoring data collected for a number of pesticides that serve as benchmarks) predicts EECs in ground water. These models take into account the use patterns and the environmental profile of a pesticide, but do not include consideration of the impact that processing raw water for distribution as drinking water would likely have on the removal of pesticides from the source water. The primary use of these models at this stage is to provide a coarse screen for assessing whether a pesticide is likely to be present in drinking water at concentrations which would exceed human health levels of concern

A drinking water level of comparison (DWLOC) is the concentration of a pesticide in drinking water that would be acceptable as a theoretical upper limit in light of total aggregate exposure to that pesticide from food, water, and residential uses. EPA uses DWLOCs internally in the risk assessment process as a surrogate measure of potential exposure associated with pesticide exposure through drinking water. In the absence of monitoring data for a pesticide, the DWLOC is used as a point of comparison against the conservative EECs provided by computer modeling SCI-GROW, GENEEC, and PRZM/EXAMS.

a. *Acute exposure and risk.* Because no acute dietary endpoint was determined, Dow Agro Sciences concludes that there is a reasonable certainty of no harm from acute exposure from drinking water.

b. *Chronic exposure and risk.* Tier II screening-level assessments can be conducted using the simulation models SCI-GROW and PRZM/EXAMS to generate EECs for ground water and surface water, respectively. The modeling was conducted based on the environmental profile and the maximum seasonal application rate proposed for methoxyfenozide (1.0 lb ai/acre/season). PRZM/EXAMS was used to generate the surface water EECs, because it can factor the persistent nature of the chemical into the estimates.

The EECs for assessing chronic aggregate dietary risk used by HED are 6 parts per billion (ppb) (in ground water, based on SCI-GROW) and 98.5 ppb (in surface water, based on the PRZM/EXAMS, long-term mean). The back-calculated DWLOCs for assessing chronic aggregate dietary risk range from 624 ppb for the most highly exposed population subgroup (children 1 to 6 years old) to 2,839 ppb for the U.S. population (48 contiguous States - all seasons).

The SCI-GROW and PRZM/EXAMS chronic EECs are less than the Agency's level of comparison (the DWLOC value for each population subgroup) for methoxyfenozide residues in drinking water as a contribution to chronic aggregate exposure. Dow Agro Sciences thus concludes with reasonable certainty that residues of methoxyfenozide in drinking water will not contribute significantly to the aggregate chronic human health risk and that the chronic aggregate exposure from methoxyfenozide residues in food and drinking water will not exceed the Agency's level of concern (100% of the chronic PAD) for chronic dietary aggregate exposure by any population subgroup. EPA generally has no concern for exposures below 100% of the chronic PAD, because it is a level at or below which daily aggregate dietary exposure over a lifetime will not pose appreciable risks to the health and safety of any population subgroup. This risk assessment is considered high confidence, conservative, and very protective of human health.

TABLE 2.—DWLOC FOR CHRONIC EXPOSURE TO METHOXYFENOZIDE

Population subgroup	Chronic PAD (mg/kg/day)	Food exposure (mg/kg/day)	Maximum water exposure (mg/kg/day	SCI-GROW (µg/L)	GENEEC 56–day average (µg/L)	DWLOC (µg/L)
U.S. population (48 contiguous States)		0.0189	0.0811			2,839
Females 13+ (nursing)		0.0191	0.0809			2,427
Non-nursing infants (<1 year old)	0.10	0.0368	0.0632	6	98.5	632
Children 1 to 6 years old		0.0376	0.0624			624
Children 7 to 12 years old		0.0216	0.0784			784

Maximum water exposure (mg/kg/day) = chronic PAD (mg/kg/day) - chronic food exposure.
1. DWLOC (µg/L) = (Maximum water exposure mg/kg/day) x body weight (kg)) divided by (1/1,000 mg/µg x water consumed daily (L/day)).
2. Body weights (kg) for adults is 70, for females 13+ is 60 kg and for all children is 10 kg.
3. Drinking water consumption is 2 liters per day for adults and 1 liter per day for children.

2. *Non-dietary exposure*. Methoxyfenozide is not currently registered for use on any residential non-food sites. Therefore, there is no non-dietary acute, chronic, short- or intermediate-term exposure.

D. Cumulative Effects

Section 408(b)(2)(D)(v) requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency considers ''available information'' concerning the cumulative effects of a particular pesticide's residues and ''other substances that have a common mechanism of toxicity.''

EPA does not have, at this time, available data to determine whether methoxyfenozide has a common mechanism of toxicity with other substances or how to include this pesticide in a cumulative risk assessment. Unlike other pesticides for which EPA has followed a cumulative risk approach based on a common mechanism of toxicity, methoxyfenozide does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance action, therefore, it is assumed that methoxyfenozide does not have a common mechanism of toxicity with other substances.

E. Safety Determination

1. *U.S. population*. Using the DEEM exposure assumptions described in this unit, Dow Agro Sciences has concluded that aggregate exposure to methoxyfenozide from the proposed new tolerances will utilize 18.9% of the chronic PAD for the U.S. population. The major identifiable subgroup with the highest aggregate exposure is children 1 to 6 years old at 37.6% of the chronic PAD and is discussed below. EPA generally has no concern for exposures below 100% of the chronic PAD because the chronic PAD represents the level at or below which daily aggregate dietary exposure over a lifetime will not pose appreciable risks to human health. Despite the potential for exposure to methoxyfenozide in drinking water, the aggregate exposure is not expected to exceed 100% of the chronic PAD. Dow Agro Sciences concludes that there is a reasonable certainty that no harm will result from aggregate exposure to methoxyfenozide residues.

2. *Infants and children*. In assessing the potential for additional sensitivity of infants and children to residues of methoxyfenozide, EPA considered data from developmental toxicity studies in the rat and rabbit and a 2-generation reproduction study in the rat. The developmental toxicity studies are designed to evaluate adverse effects on the developing organism resulting from maternal pesticide exposure during gestation. Reproduction studies provide information relating to effects from exposure to the pesticide on the reproductive capability of mating animals and data on systemic toxicity.

FFDCA section 408 provides that EPA shall apply an additional ten-fold margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the data base unless EPA determines that a different margin of safety will be safe for infants and children. Margins of safety are incorporated into EPA risk assessments either directly through use of a margin of exposure (MOE) analysis or through using uncertainty (safety) factors in calculating a dose level that poses no appreciable risk to humans. EPA believes that reliable data support using the standard uncertainty factor (UF) (usually 100 for combine interspecies and intraspecies variability) and not the additional ten-fold MOE/UF when EPA has a complete data base under existing guidelines and when the severity of the effect in infants or children or the potency or unusual toxic properties of a compound do not raise concerns regarding the adequacy of the standard MOE/safety factor.

The toxicology data base for methoxyfenozide included acceptable developmental toxicity studies in both rats and rabbits as well as a 2-generation reproductive toxicity study in rats. The data provided no indication of increased sensitivity of rats or rabbits to *in utero* and/or postnatal exposure to methoxyfenozide. There is a complete toxicity data base for methoxyfenozide an exposure data are complete or are estimated based on data that reasonably account for potential exposures. Based on the completeness of the data base and the lack of prenatal and postnatal toxicity, EPA determined that an additional safety factor was not needed for the protection of infants and children.

Since no toxicological endpoints were established, acute aggregate risk is considered to be negligible. Using the exposure assumptions described in this unit, Dow AgroSciences has concluded that aggregate exposure to methoxyfenozide from the proposed new tolerances will utilize 37.6% of the cPAD for infants and children. EPA

generally has no concern for exposures below 100% of the cPAD because the cPAD represents the level at or below which daily aggregate dietary exposure over a lifetime will not pose appreciable risks to human health. Despite the potential for exposure to methoxyfenozide in drinking water, Dow Agro Sciences does not expect the aggregate exposure to exceed 100% of the cPAD. Short-term and intermediate-term risks are judged to be negligible due to the lack of significant toxicological effects observed. Based on these risk assessments, Dow Agro Sciences concludes that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to methoxyfenozide residues.

F. International Tolerances

There are no established or proposed Codex, Canadian or Mexican limits for residues of methoxyfenozide in/on plant or animal commodities. Therefore, no compatibility issues exist with regard to the proposed U.S. tolerances.

[FR Doc. 02–20356 Filed 8–13–02; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7259–2]

Real-Time Monitoring for Toxicity Caused by Harmful Algal Blooms and Other Water Quality Perturbations

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: This notice announces the availability of a final report titled, *Real-Time Monitoring for Toxicity Caused by Harmful Algal Blooms and Other Water Quality Perturbations* (EPA/600/R–01/103), which was prepared by the U.S. Environmental Protection Agency's (EPA) National Center for Environmental Assessment (NCEA) of the Office of Research and Development (ORD). This project, sponsored by EPA's Environmental Monitoring for Public Access and Community Tracking (EMPACT) program, evaluated the ability of an automated biological monitoring system that measures fish ventilatory responses (ventilatory rate, ventilatory depth, and cough rate) to detect developing toxic conditions in water.

DATES: This document will be available on August 14, 2002.

ADDRESSES: The document is available electronically through the NCEA Web site at (*www.epa.gov/ncea*) under the *What's New or Publications menus.* A limited number of paper copies will be available from EPA's National Service Center for Environmental Publications (NSCEP), PO Box 42419, Cincinnati, Ohio 45242; telephone: 1–800–490–8190 or 513–489–8190; facsimile: 5–13–489–8695. Please provide your name and mailing address and the title and EPA number of the requested publication.

FOR FURTHER INFORMATION CONTACT: For further information contact the Technical Information Staff, National Center for Environmental Assessment/Washington Office (8623D), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Telephone: 202–564–3261; fax: 202–565–0050.

SUPPLEMENTARY INFORMATION: This report describes the development and operation of a real-time automated biomonitoring system for detecting toxicity caused by harmful algal blooms and other water quality perturbations. The system was developed and evaluated over a 2-year period (March 1999 through November 2000) on the Chicamacomico and Transquaking Rivers, tributaries to the Chesapeake Bay on Maryland's Eastern Shore. Relevant literature has been reviewed through May 2001.

Dated: August 6, 2002.

Michael Slimak,

Acting Director, National Center for Environmental Assessment.

[FR Doc. 02–20581 Filed 8–13–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[OPPT–2002–0046; FRL–7193–1]

TSCA Chemical Testing; Receipt of Test Data

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's receipt of test data on 1,1,2-Trichloroethane (1,1,2-TCE) (CAS No. 79–00–5). These data were submitted pursuant to an enforceable testing consent agreement/order issued by EPA under section 4 of the Toxic Substances Control Act (TSCA).

FOR FURTHER INFORMATION CONTACT: Barbara Cunningham, Acting Director, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 554–1404; e-mail address: *TSCA-Hotline@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to those persons who are concerned about data on health and/or environmental effects and other characteristics of this chemical. Since other entities may also 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. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?

1. *Electronically*. You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet home page at *http://www.epa.gov/*. To access this document, on the Home Page select ''Laws and Regulations,'' ''Regulations and Proposed Rules,'' and then look up the entry for this document under ''**Federal Register**—Environmental Documents.'' You can also go directly to the **Federal Register** listings at *http://www.epa.gov/fedrgstr/*.

2. *In person*. The Agency has established an official record for this action under docket ID number OPPT–2002–0046. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the TSCA Nonconfidential Information Center, North East Mall Rm. B–607, Waterside Mall, 401 M St., SW., Washington, DC. The Center is open from noon to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Center is (202) 260–7099.