

## I. General Information

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

You may be potentially affected by an action in response to this petition if you manufacture, process, import, or distribute in commerce *Hevea brasiliensis* natural rubber latex adhesives. Potentially affected entities may include, but are not limited to:

- NAICS code 325520, Adhesive Manufacturing.
- NAICS code 424690, Other Chemical and Allied Products Merchant Wholesalers.

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities that may potentially 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 TSCA section 21 petition on *Hevea brasiliensis* natural rubber latex adhesives. If you have any questions regarding the applicability of this action to a particular entity, consult the technical 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 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 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 is a TSCA Section 21 Petition?

Section 21 of TSCA allows citizens to petition EPA to initiate a proceeding for the issuance, amendment, or repeal of a rule under TSCA section 4, 6, or 8 or an order under TSCA section 5(e) or 6(b)(2). A TSCA section 21 petition must set forth facts that the petitioner believes establish the need for the action requested. EPA is required to grant or deny the petition within 90 days of its filing. If EPA grants the petition, EPA must promptly commence an appropriate proceeding. If EPA denies the petition, EPA must publish its reasons for the denial in the **Federal Register**. Within 60 days of denial or expiration of the 90-day period, if no action is taken, the petitioner may commence a civil action in a U.S. district court to compel initiation of the requested rulemaking proceeding.

### B. What Action is Requested Under this TSCA Section 21 Petition?

On March 6, 2008, Michael J. Dochniak petitioned EPA under TSCA section 21. The petitioner is concerned about risks to human health and the environment from exposure to *Hevea brasiliensis* natural rubber latex adhesives. He is petitioning EPA "to establish regulations prohibiting the use and distribution in commerce of *Hevea brasiliensis* natural rubber latex adhesives having a total protein content greater than 200 micrograms per dry weight of latex based on the American Society for Testing and Material's method ASTM D1076-06 (Category 4)," because "implementation of an EPA regulation may affect the incidence and prevalence of latex allergy and allergy-induced autism in neonates."

### C. EPA Seeks Public Comment

Under TSCA section 21, EPA must either grant or deny a petition within 90 days. Because the 90 day response date is June 3, 2008, EPA will allow the public until May 12, 2008 to reply with any additional information relevant to the issues identified in the petition, a copy of which can be obtained from the public docket (see **ADDRESSES**).

In assessing the usability of any data or information that may be submitted, EPA plans to follow the guidelines in EPA's "A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information" (EPA 100B-03/001), referred to as the "Assessment Factors Document." The Assessment Factors Document was published in the **Federal Register** issue of July 1, 2003 (68 FR 39086) (FRL-7520-2) and is available on-line at <http://www.epa.gov/fedrgstr/EPA-GENERAL/2003/July/Day-01/g16328.htm>. That document is also available on-line at <http://www.epa.gov/osa/spc/assess.htm>.

### List of Subjects

Environmental protection, antigenic proteins, Asperger syndrome, Autism, *Hevea brasiliensis* natural rubber latex adhesives.

Dated: April 18, 2008.

**James Jones,**

*Acting Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances.*  
[FR Doc. E8-9041 Filed 4-24-08; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2008-0267; FRL-8362-6]

### Formaldehyde Emissions from Composite Wood Products; TSCA Section 21 Petition; Notice of Receipt

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

**ACTION:** Notice.

**SUMMARY:** This notice announces that EPA has received a petition under section 21 of the Toxic Substances Control Act (TSCA), and requests comments on issues raised by the petition. The petition was received on March 24, 2008, from 25 organizations and approximately 5,000 individuals. The petitioners are concerned about risks to human health and the environment from exposure to formaldehyde in composite wood products, including hardwood plywood, particle board, and medium density

fiberboard. They are petitioning EPA to assess and reduce these risks by exercising its authority under TSCA section 6(a) to: Adopt and apply nationally the formaldehyde emissions regulation for composite wood products recently approved by the California Air Resources Board; and to extend the regulation to include composite wood products used in manufactured homes. EPA must either grant or deny a TSCA section 21 petition within 90 days of receipt of the petition, which for this petition is June 21, 2008.

**DATES:** Comments must be received on or before May 12, 2008.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPPT-2008-0267, by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- **Mail:** Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- **Hand Delivery:** OPPT Document Control Office (DCO), EPA East Bldg., Rm. 6428, 1201 Constitution Ave., NW., Washington, DC. Attention: Docket ID Number EPA-HQ-OPPT-2008-0267. The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 564-8930. Such deliveries are only accepted during the DCO's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPPT-2008-0267. 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. For additional information about EPA's public docket, visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

**Docket:** All documents in the docket are listed in the docket index available in [www.regulations.gov](http://www.regulations.gov). To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the [www.regulations.gov](http://www.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, will be publicly available only in hard copy. Publicly available docket materials are available electronically at <http://www.regulations.gov>, or, if only available in hard copy, at the OPPT Docket. The OPPT Docket is located in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Docket visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor bags are processed through an x-ray machine and subject to search. Visitors will be provided an EPA/DC badge that must be visible at all times in the building and returned upon departure.

**FOR FURTHER INFORMATION CONTACT:** For general information contact: Colby Linter, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

**For technical information contact:** Mary Belefski, Office of Science Coordination and Policy (7201M), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-8461; e-mail address: [belefski.mary@epa.gov](mailto:belefski.mary@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

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

You may be potentially affected by an action in response to this petition, if you manufacture, process, import, or distribute in commerce composite wood products, including hardwood plywood, particle board, and medium density fiberboard. Potentially affected entities may include, but are not limited to:

- Veneer, plywood, and engineered wood product manufacturing (NAICS code 3212).
- Manufactured home (mobile home) manufacturing (NAICS code 321991).
- Prefabricated wood building manufacturing (NAICS code 321992).
- All other basic organic chemical manufacturing (NAICS code 325199), e.g., formaldehyde manufacturing.
- Furniture and related product manufacturing (NAICS code 337).
- Furniture merchant wholesalers (NAICS code 42321).
- Lumber, plywood, millwork, and wood panel merchant wholesalers (NAICS code 42331).
- Other construction material merchant wholesalers (NAICS code 423390), e.g., merchant wholesale distributors of manufactured homes (i.e., mobile homes) and/or prefabricated buildings.
- Furniture stores (NAICS code 4421).
- Building material and supplies dealers (NAICS code 4441).
- Manufactured (mobile) home dealers (NAICS code 45393).

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### *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 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 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).
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- 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 is a TSCA Section 21 Petition?*

Section 21 of TSCA allows citizens to petition EPA to initiate a proceeding for the issuance, amendment, or repeal of a rule under TSCA section 4, 6, or 8 or an order under TSCA section 5(e) or 6(b)(2). A TSCA section 21 petition must set forth facts that the petitioner believes establish the need for the action requested. EPA is required to grant or deny the petition within 90 days of its filing. If EPA grants the petition, EPA

must promptly commence an appropriate proceeding. If EPA denies the petition, EPA must publish its reasons for the denial in the **Federal Register**. Within 60 days of denial or expiration of the 90-day period, if no action is taken, the petitioner may commence a civil action in a U.S. district court to compel initiation of the requested rulemaking proceeding.

### *B. What Action is Requested Under this TSCA Section 21 Petition?*

On March 24, 2008, the Sierra Club, National Center for Healthy Housing, National Coalition to End Childhood Lead Poisoning, Alliance for Healthy Homes, National Housing Institute, Healthy Building Network, Gulf Coast Environmental Restoration Task Force of Sierra Club, Next Generation Choices Foundation, Improving Kids' Environment, EarthRose Institute, Grassroots Environmental Education, Healthy Homes of Louisiana, Lower Mississippi Riverkeeper, Women's Community Cancer Project, Gulf Coast D'Iberville Volunteers Foundation, Advocates for Environmental Human Rights, Environmental Health Watch, North Gulfport Community Land Trust, Louisiana Environmental Action Network, Allergy and Environmental Health Assoc., Aspen River Construction, DeVany Industrial Consultant, Protect Sacred Sites "Indigenous People, One Nation," United People of the Cherokee Nation, Clean Air Athens, and approximately 5,000 individuals petitioned EPA under TSCA section 21. The petitioners are concerned about risks to human health and the environment from exposure to formaldehyde emitted from composite wood products, including hardwood plywood, particle board, and medium density fiberboard. They are petitioning EPA to assess and reduce these risks by exercising its authority under TSCA section 6(a) to:

1. Adopt and apply nationally the formaldehyde emissions regulation for composite wood products, including hardwood plywood, particle board, and medium density fiberboard, recently adopted by the California Air Resources Board.
2. Extend the regulation to include composite wood products used in manufactured homes.

### *C. EPA Seeks Public Comment*

Under TSCA section 21, EPA must either grant or deny a petition within 90 days. Because the 90-day response date is June 21, 2008, EPA will allow the public until May 12, 2008 to reply with any additional information relevant to the issues identified in the petition, a

copy of which can be obtained from the public docket (see **ADDRESSES**).

While EPA is interested in any information relevant to the issues identified in the petition, EPA is particularly interested in comments that address any of the following questions:

1. *Present domestic composite wood market.* What percentage (by volume of product) of the domestic hardwood plywood, particle board, and medium density fiberboard ("composite wood") markets, exclusive of California, presently conform to the Phase 1 or Phase 2 emissions limits in the California Air Toxic Control Measure (ATCM) for formaldehyde in composite wood products? For information on the California ATCM see <http://www.arb.ca.gov/toxics/compwood/compwood.htm>.

2. *Future domestic composite wood market*—i. What percentage (by volume of product) of the domestic composite wood market, exclusive of California, anticipates conforming to the California ATCM in the future?

ii. How is this likely to vary by region of the country, as compared to the national market?

3. *Formaldehyde emitting substitutes*—i. What low or no formaldehyde emitting substitutes exist?

ii. What percentage of the composite wood market uses them?

iii. What percentage of the national composite wood market, exclusive of California, is expected to use them after 2012 (when California's Phase 2 emission limits have become effective)?

4. *Composite wood products used in manufactured housing.* While the California regulation does not apply to manufactured housing, the petitioners have asked EPA to apply the California regulation "to composite wood products used in manufactured housing":

i. What percentage of the composite wood market is used in manufactured housing?

ii. How are the composite wood products used in manufactured housing different from composite wood products subject to the California regulation?

iii. What is the annual volume of composite wood products used in manufactured housing?

iv. What percentage of composite wood products (by volume of product) is used in manufactured housing and is therefore not subject to the California regulations?

v. What percentage of composite wood products used for manufactured housing and not subject to California's regulations nonetheless meets the California emission limits?

In assessing the usability of any data or information that may be submitted,

EPA plans to follow the guidelines in EPA's "A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information" (EPA 100B-03/001), referred to as the "Assessment Factors Document." The "Assessment Factors Document" was published in the **Federal Register** issue of July 1, 2003 (68 FR 39086) (FRL-7520-2) and is available on-line at <http://www.epa.gov/fedrgstr/EPA-GENERAL/2003/July/Day-01/g16328.htm>. That document is also available on-line at <http://www.epa.gov/osa/spc/assess.htm>.

#### List of Subjects

Environmental protection, Composite wood products, Formaldehyde, Housing, Toxic Substance Control Act (TSCA).

Dated: April 21, 2008.

**James B. Gulliford,**

*Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances.*

[FR Doc. E8-9136 Filed 4-24-08; 8:45 am]

BILLING CODE 6560-50-S

#### ENVIRONMENTAL PROTECTION AGENCY

[Docket# EPA-RO4-SFUND-2008-0305; FRL-8558-3]

#### Smalley-Piper Superfund Site; Collierville, Shelby County, TN; Notice of Settlement

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

**ACTION:** Notice of settlement.

**SUMMARY:** Under Section 122(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the United States Environmental Protection Agency has entered into a settlement for reimbursement of past response costs concerning the Smalley-Piper Superfund Site located in Collierville, Shelby County, Tennessee for publication.

**DATES:** The Agency will consider public comments on the settlement until May 27, 2008. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate.

**ADDRESSES:** Copies of the settlement are available from Ms. Paula V. Batchelor. Submit your comments, identified by Docket ID No. EPA-RO4-SFUND-2008-0305 or Site name Smalley-Piper

Superfund Site by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

- *E-mail:* [Batchelor.Paula@epa.gov](mailto:Batchelor.Paula@epa.gov).
- *Fax:* 404-562-8842/Attn: Paula V. Batchelor.

- *Mail:* Ms. Paula V. Batchelor, U.S. EPA Region 4, SD-SEIMB, 61 Forsyth Street, SW., Atlanta, Georgia 30303. "In addition, please mail a copy of your comments on the information collection provisions to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attn: Desk Officer for EPA, 725 17th St., NW., Washington, DC 20503."

**Instructions:** Direct your comments to Docket ID No. EPA-RO4-SFUND-2008-0305. EPA's policy is that all comments received will be included in the public docket without change and may be made available online 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 <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site 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 <http://www.regulations.gov> your e-mail address will be automatically captured and included as part of the comment that is placed in the public 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. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://epa.gov/epahome/dockets.htm>.

**Docket:** All documents in the docket are listed in the <http://www.regulations.gov> 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, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the U.S. EPA Region 4 office located at 61 Forsyth Street, SW., Atlanta, Georgia 30303. Regional office is open from 7 a.m. until 6:30 p.m. Monday through Friday, excluding legal holidays.

Written comments may be submitted to Ms. Batchelor within 30 calendar days of the date of this publication.

**FOR FURTHER INFORMATION CONTACT:** Paula V. Batchelor at 404-562-8887.

Dated: March 8, 2008.

**Anita L. Davis,**

*Chief, Superfund Enforcement & Information Management Branch, Superfund Division.*

[FR Doc. E8-9129 Filed 4-24-08; 8:45 am]

BILLING CODE 6560-50-P

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-8558-2; Docket ID No. EPA-HQ-ORD-2008-0245]

#### Draft Toxicological Review of Ethylene Glycol mono-Butyl Ether (EGBE): In Support of the Summary Information in the Integrated Risk Information System (IRIS)

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

**ACTION:** Notice of public comment period.

**SUMMARY:** The EPA is announcing a public comment period for the external review draft document entitled, "Toxicological Review of Ethylene Glycol mono-Butyl Ether (EGBE): In Support of Summary Information in the Integrated Risk Information System (IRIS)" (EPA/635/R-08/006A). EPA intends to consider comments and recommendations from the public and the expert panel meeting, which will be scheduled at a later date and announced in the **Federal Register**, when EPA finalizes the draft document. The public comment period will provide opportunities for all interested parties to comment on the document. EPA intends to forward public comments, submitted in accordance with this notice, to the external peer-review panel prior to the workshop for their consideration.

EPA is releasing this draft document solely for the purpose of pre-dissemination public review under applicable information quality guidelines. This document has not been formally disseminated by EPA. It does not represent and should not be