

forecast for 2007. The New Hampshire submittal meets this requirement.

The New Hampshire DES has submitted an acceptable MCR and has fulfilled the commitment it made in its one-hour ozone attainment demonstration for the Boston–Lawrence–Worcester MA–NH serious 1-hour zone nonattainment area.

### 3. Rhode Island MCR Submittal

The MCR for the Rhode Island 1-hour ozone nonattainment area was submitted on June 16, 2005.

#### i. Administrative Review

The Rhode Island MCR states that Rhode Island is on track to implement all of the state and federal emission control measures required by the CAA. The section goes further to state that Rhode Island has already achieved attainment for the one-hour ozone standard, and states that with the additional ozone precursor reductions that will occur both in Rhode Island and upwind of Rhode Island, one-hour ozone concentrations will continue to decline into the future.

#### ii. Air Quality, Meteorology, Emissions and Modeling Data Analysis

As stated above, Rhode Island presents evidence that it has already achieved attainment of the one-hour ozone standard. All design values for one-hour ozone are below 124 ppb. Rhode Island also provides ozone trends and trajectory analyses that support the findings that ozone in Rhode Island is below the 1-hour NAAQS and will continue to decline in the future. The trajectories show that upwind emissions affect ozone in Rhode Island and these emissions will continue to decline in the future lowering ozone in Rhode Island even more.

#### iii. Document Conclusions Regarding Whether Progress Toward Attainment Is Being Made Using a Weight of Evidence Determination

Rhode Island has already achieved attainment of the one-hour standard. This requirement is met.

After reviewing Rhode Island's MCR submittal, EPA agrees with Rhode Island that it has already achieved attainment of the one-hour ozone NAAQS and approves the Rhode Island submittal as fulfilling the commitment Rhode Island made in its one-hour attainment demonstration.

### III. Final Action

EPA has reviewed the MCR documents submitted by Massachusetts, New Hampshire and Rhode Island and has determined that each state has

adequately met its commitment to perform a MCR. This action is being taken for the following one-hour nonattainment areas: (1) The Massachusetts portion of the Boston–Lawrence–Worcester, MA–NH area, (2) the New Hampshire portion of the Boston–Lawrence–Worcester, MA–NH area, and (3) the Providence, Rhode Island area. EPA has sent a letter to each state approving their respective MCR as fulfilling the commitment made by each state in their 1-hour ozone attainment demonstration. Copies of these letters are available from EPA at the address provided in the **ADDRESSES** section above.

### IV. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). This action merely approves the states’ mid-course review as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this action will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this action approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This action also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have federalism implications because it does not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely

approves a state demonstration that the state is implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This action also is not subject to Executive Order 13045 “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions as well as submission of reports that fulfill a state commitment, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the state to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission or a SIP commitment for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission or a SIP commitment, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: September 26, 2005.

**Robert W. Varney,**

*Regional Administrator, EPA New England.*

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP–2005–0101; FRL–7740–9]

### Pesticide Program Dialogue Committee Meeting

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

**ACTION:** Notice.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, EPA gives notice of a public meeting of the Pesticide Program Dialogue Committee (PPDC) on October 20 and 21, 2005. A draft agenda has been developed and is posted on EPA's web site. Agenda topics will include: Pesticide performance measures; human studies; farmworker safety; spray drift; Pesticide Registration Improvement Act Workgroup on Process Improvements Update; integrated testing strategy and vision; updates on

registration review, reregistration/tolerance reassessment; status of rulemaking activities; and discussion of the PPDC Committee renewal activities. This document also gives notice of the PPDC Work Group on Performance Measures meeting on October 19, 2005.

**DATES:** The PPDC meeting will be held on Thursday, October 20, 2005, from 9 a.m. to 5 p.m., and on Friday, October 21, 2005, from 9 a.m. to noon.

The PPDC Work Group on Performance Measures will meet on Wednesday, October 19, 2005, from 2 p.m. to 5 p.m.

**ADDRESSES:** The PPDC meeting will be held at the Georgetown University Conference Center, 3800 Reservoir Road, NW., (Entrance #4), Washington, DC in the Leavey Center, Main Floor, Salon "H"; telephone number: (202) 687-3242. The Georgetown University Transportation Shuttle, between the Leavey Center and Metro Stops at Dupont Circle and Rosslyn, runs every 15 minutes from 7 a.m. to 9:30 a.m. and from 3:30 p.m. to 7 p.m., Monday through Friday.

The PPDC Work Group on Performance Measures will meet at EPA's offices in Crystal Mall #2, 1801 S. Bell St., Arlington, VA.

**FOR FURTHER INFORMATION CONTACT:** Margie Fehrenbach, Office of Pesticide Programs (7501C), Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460-0001; telephone number: (703) 308-4775; fax number: (703) 308-4776; e-mail address: [fehrenbach.margie@epa.gov](mailto:fehrenbach.margie@epa.gov).

For information on facilities or services for the handicapped or to request special assistance for the handicapped at the meetings, contact the Designated Federal Officer, Margie Fehrenbach, at (703) 308-4775 as soon as possible.

#### **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 particular interest to persons who work in agricultural settings or persons who are concerned about implementation of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Federal Food, Drug, and Cosmetic Act (FFDCA); and the amendments to both of these major pesticide laws by the Food Quality Protection Act (FQPA) of 1996. Potentially affected entities may include, but are not limited to: Agricultural workers and farmers; pesticide industry and trade associations; environmental, consumer,

and farmworker groups; pesticide users and growers; pest consultants; State, local and Tribal governments; academia; public health organizations; food processors; and the public. 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 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-2005-0101. 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 view public comments, to 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.

A draft agenda has been developed and is posted on EPA's web site at <http://www.epa.gov/pesticides/ppdc/>.

##### **II. Background**

The Office of Pesticide Programs (OPP) is entrusted with responsibility to help ensure the safety of the American food supply, the education and protection from unreasonable risk of those who apply or are exposed to

pesticides occupationally or through use of products, and general protection of the environment and special ecosystems from potential risks posed by pesticides.

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

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

##### **III. How Can I Request to Participate in this Meeting?**

PPDC meetings are open to the public and seating is available on a first-come basis. Persons interested in attending the meeting do not need to register in advance.

##### **List of Subjects**

Environmental protection, Agricultural workers, Agriculture, Chemicals, Farmworker safety, Foods, Human studies, Pesticides and pests, Public health, Registration.

Dated: October 5, 2005.

**James Jones,**

*Director, Office of Pesticide Programs.*

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#### **ENVIRONMENTAL PROTECTION AGENCY**

**[OPP-2004-0381; FRL-7738-9]**

##### **Pyrazon Reregistration Eligibility Decision for Low Risk Pesticide; 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 pyrazon, and opens a public comment period on this document. The Agency's risk assessments and other