

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a public teleconference of the Clean Air Scientific Advisory Committee's (CASAC) Oxides of Nitrogen Primary NAAQS Review Panel (Panel) to review EPA's completed *Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary National Ambient Air Quality Standard* and to provide advice for EPA to consider as it develops its Advance Notice for Proposed Rulemaking for nitrogen dioxide.

**DATES:** The teleconference will be held on December 5, 2008 from 1 p.m. to 3 p.m. (Eastern Daylight Time).

**Location:** The public teleconference will be conducted by telephone only.

**FOR FURTHER INFORMATION CONTACT:**

Members of the public who wish to obtain the call-in number and access code to participate in the teleconference may contact Dr. Angela Nugent, Designated Federal Officer (DFO), EPA Science Advisory Board (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; via telephone/voice mail (202) 343-9981; fax (202) 233-0643; or e-mail at [nugent.angela@epa.gov](mailto:nugent.angela@epa.gov). General information concerning the CASAC and the CASAC documents cited below can be found on the EPA Web site at <http://www.epa.gov/casac>.

**SUPPLEMENTARY INFORMATION:**

**Background:** The Clean Air Scientific Advisory Committee (CASAC) was established under section 109(d)(2) of the Clean Air Act (CAA or Act) (42 U.S.C. 7409) as an independent scientific advisory committee. CASAC provides advice, information, and recommendations on the scientific and technical aspects of air quality criteria and national ambient air quality standards (NAAQS) under sections 108 and 109 of the Act. The CASAC is a Federal advisory committee chartered under the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. The Panel will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

Section 109(d)(1) of the CAA requires that the Agency periodically review and revise, as appropriate, the air quality criteria and the NAAQS for the six "criteria" air pollutants, including oxides of nitrogen (NO<sub>x</sub>). EPA is in the process of reviewing the primary NAAQS for nitrogen dioxide (NO<sub>2</sub>), an indicator for NO<sub>x</sub>. Primary standards set limits to protect public health, including the health of "sensitive"

populations such as asthmatics, children, and the elderly.

As part of its scientific advice to support EPA's review of the primary NAAQS for nitrogen dioxide (NO<sub>2</sub>), CASAC met on September 9–10, 2008 to conduct a peer review of the *Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary National Ambient Air Quality Standard: Second Draft* (73 FR 43444–43445). At that time, EPA had not completed chapter eight of the draft assessment entitled "Exposure and Health Risk Characterization." CASAC also held a public teleconference on October 22, 2008 to conduct a peer review of the draft chapter 8 (73 FR 55074–55075).

The public may access completed CASAC advisory reports related to the primary NO<sub>2</sub> NAAQS, including the CASAC reports on the *Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary National Ambient Air Quality Standard: Second Draft*, on the EPA Web site at <http://yosemite.epa.gov/sab/sabproduct.nsf/WebReportsbyTopicCASAC!OpenView>.

EPA now plans that the final document will include an additional chapter (chapter 10) that considers the scientific evidence and exposure-risk-based information specifically as it relates to the current and potential alternative standards. At the December 5, 2008 teleconference, the CASAC will review EPA's completed *Risk and Exposure Assessment* and provide advice for EPA to consider as it develops its Advance Notice for Proposed Rulemaking for nitrogen dioxide.

**Technical Contact:** Any questions concerning *Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary National Ambient Air Quality Standard* should be directed to Dr. Scott Jenkins, OAR (by telephone (919) 541-1167 or e-mail [jenkins.scott@epa.gov](mailto:jenkins.scott@epa.gov)).

**Availability of Meeting Materials:** EPA's *Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary National Ambient Air Quality Standard* will be accessible via the Agency's Office of Air Quality Planning and Standards Web site at [http://www.epa.gov/ttn/naaqs/standards/nox/s\\_nox\\_cr\\_rea.html](http://www.epa.gov/ttn/naaqs/standards/nox/s_nox_cr_rea.html) on or about November 21, 2008. Agendas and materials supporting the teleconference will be placed on the EPA Web site before the meeting on the CASAC meeting page, accessible through the calendar link on the blue navigation bar at <http://www.epa.gov/casac>.

**Procedures for Providing Public Input:** Interested members of the public may submit relevant written or oral

information for the CASAC Panel to consider during the advisory process.

**Oral Statements:** Interested members of the public may submit relevant written or oral information for the SAB Panel to consider during the advisory process. **Oral Statements:** In general, individuals or groups requesting an oral presentation at a public teleconference will be limited to three minutes per speaker, with no more than a total of 30 minutes for all speakers. Interested parties should contact Dr. Angela Nugent, DFO, in writing (preferably via e-mail) by December 1, 2008 at the contact information noted above to be placed on the public speaker list for this meeting. **Written Statements:** Written statements for the public meeting should be received by Dr. Angela Nugent at the contact information above by December 1, 2008, so that the information may be made available to the Panel for their consideration prior to the teleconference. Written statements should be supplied to the DFO in the following formats: one hard copy with original signature (optional), and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, MS Word, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format).

**Accessibility:** For information on access or services for individuals with disabilities, please contact Dr. Nugent at the phone number or e-mail address noted above, preferably at least ten days prior to the teleconference, to give EPA as much time as possible to process your request.

Dated: November 5, 2008.

**Anthony F. Maciorowski,**

Deputy Director, EPA Science Advisory Board Staff Office.

[FR Doc. E8-26846 Filed 11-10-08; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8739-9]

### Proposed Issuance of a General NPDES Permit (GP) for Federal Aquaculture Facilities and Aquaculture Facilities Located in Indian Country in the State of Washington (Permit Number WAG-13-0000)

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of availability of a draft general NPDES permit.

**SUMMARY:** Some of the federal and tribal aquaculture facilities proposed to be covered under this general permit have

expired individual NPDES permits; others have never been issued such a permit. The Director, Office of Water and Watersheds, EPA Region 10, proposes to issue a general permit to cover Federal aquaculture facilities and aquaculture facilities in Indian country, as defined in 18 U.S.C. 1151, within the State of Washington.

**DATES:** Comments must be received or postmarked by December 29, 2008. Persons wishing to request a public hearing should submit their written request by November 28, 2008, stating the nature of the issues to be raised as well as the requester's name, address and telephone number to Sharon Wilson at the address below.

**ADDRESSES:**

*Public Comment:* All comments on the proposed General Permit and requests for public hearing must be sent to Sharon Wilson, USEPA Region 10; 1200 Sixth Avenue, Suite 900, OWW-130, Seattle, Washington 98101-3140 or by e-mail to [wilson.sharon@epa.gov](mailto:wilson.sharon@epa.gov).

*Public Meeting:* EPA will hold a public meeting to provide an overview of the permit and to answer questions.

*Location:* U.S Environmental Protection Agency.

*Address:* 1200 Sixth Avenue, 12th floor, Seattle, WA.

*Date:* Wednesday, December 17, 2008.

*Permit Overview:* 1-1:30 p.m.

*Questions & Answers:* 1:30 to 3 p.m. or until done.

**FOR FURTHER INFORMATION CONTACT:**

Sharon Wilson, 206-553-0325, or [wilson.sharon@epa.gov](mailto:wilson.sharon@epa.gov) for technical information. Copies of the draft general permit and fact sheet are also available upon request from Audrey Washington at 206-553-0523 or [washington.audrey@epa.gov](mailto:washington.audrey@epa.gov).

**SUPPLEMENTARY INFORMATION:**

*Fact Sheet:* A fact sheet has been prepared which sets forth the principal factual, legal, policy, and scientific information considered in the development of the draft general permit. Copies of the draft permit and fact sheet are available for public review at:

U.S. EPA Region 10, NPDES Permits Unit, OWW-130, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101-3140;

Northwest Indian Fisheries Commission, 6730 Martin Way East, Olympia, WA 98516.

The general permit and fact sheet may also be downloaded at <http://yosemite.epa.gov/r10/water.nsf/NPDES+Permits/DraftPermitsORWA>. The complete administrative record for the draft permit is available for public review at the EPA Region 10 office at the address listed above.

*Public Meeting:* Written comments receive as much consideration as oral comments at a public hearing. Persons wishing to request a public hearing should submit their written request by the date designated in the **DATES** section above, stating the nature of the issues to be raised as well as the requester's name, address and telephone number to Sharon Wilson at the address above. If a public hearing is scheduled, notice will be published in the **Federal Register**. Notice will also be posted on the Region 10 Web site and will be mailed to all interested persons receiving notice of availability of the draft permit.

**Other Legal Requirements**

*A. Endangered Species Act*

EPA has determined that issuance of the General Permit is not likely to adversely affect threatened or endangered fish, marine mammals, or birds, designated critical habitat, or essential fish habitat. EPA has also determined that issuance of the permit will have no effect on threatened or endangered marine reptiles, terrestrial animals, or invertebrates.

*B. Executive Order 12866*

EPA has determined that this general permit is not a "significant regulatory action" under the terms of Executive Order 12866 and is therefore not subject to OMB review.

*C. Paperwork Reduction Act*

The information collection requirements of this permit were previously approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, and assigned OMB control numbers 2040-0086 (NPDES permit application) and 2040-0004 (discharge monitoring reports).

*D. Regulatory Flexibility Act*

The Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.*, requires that EPA prepare a regulatory flexibility analysis for rules subject to the requirements of 5 U.S.C. 553(b) that have a significant impact on a substantial number of small entities. However, general NPDES permits are not "rules" subject to the requirements of 5 U.S.C. 553(b) and are therefore not subject to the RFA.

*E. Unfunded Mandates Reform Act*

Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104-4, generally requires Federal agencies to assess the effects of their "regulatory actions" (defined to be the same as "rules" subject to the RFA) on

tribal, state, and local governments and the private sector. However, general NPDES permits are not "rules" subject to the requirements of 5 U.S.C. 553(b) and are therefore not subject to the RFA or the UMRA.

Dated: November 3, 2008.

**Michael F. Gearheard,**

*Director, Office of Water & Watersheds, Region 10.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPP-2008-0046; FRL-8386-8]

**Notice of Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the Agency's receipt of several initial filing of pesticide petitions proposing the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities

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

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number and the pesticide petition number (PP) of interest as shown in the body of this document, 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 the docket ID number and the pesticide petition number of interest as shown in the body of this document. EPA's policy is that all comments received will be included in the docket without change