

delegates implementing authority to the Administrator of EPA. The Board is responsible for providing advice to the President and the Congress on environmental and infrastructure issues and needs within the States contiguous to Mexico in order to improve the quality of life of persons residing on the United States side of the border. The statute calls for the Board to have representatives from U.S. Government agencies; the governments of the States of Arizona, California, New Mexico and Texas; and private organizations with expertise on environmental and infrastructure problems along the southwest border. The U.S. Environmental Protection Agency gives notice of this meeting of the Good Neighbor Environmental Board pursuant to the Federal Advisory Committee Act (Pub. L. 92-463).

Dated: May 6, 2004.

**Oscar Carrillo,**

*Associate Designated Federal Officer.*

[FR Doc. 04-10890 Filed 5-12-04; 8:45 am]

BILLING CODE 6560-50-M

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0150; FRL-7359-8]

### Pesticide Program Dialogue Committee; Notice of Public Meeting

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

**ACTION:** Notice.

**SUMMARY:** EPA's Office of Pesticide Programs will hold a public meeting of the Pesticide Program Dialogue Committee on May 25 and 26, 2004. An agenda is being developed and will be posted by May 18, 2004, on EPA's website at [www.epa.gov/pesticides/](http://www.epa.gov/pesticides/). PPDC meetings provide a public forum for discussion and feedback to the Agency regarding evolving public policy and program implementation issues associated with evaluating and reducing risks from use of pesticides. The agenda for this meeting will include the following topics: A report from the PPDC Registration Review Work Group, Endangered Species, Environmental Marketing Claims and Fees Legislation. Program updates will be included on Human testing, Alternative non-animal testing, Mosquito labeling, the Reregistration roadmap to 2006-2008 and the Public Participation Process.

**DATES:** The meeting will be held on Tuesday, May 25, 2004, from 9 a.m. to 5 p.m., and Wednesday, May 26, 2004, from 9 a.m. to noon.

**ADDRESSES:** The meeting will be held at the National Rural Electric Cooperative Association (NRECA) Conference Center, 4301 Wilson Boulevard, Arlington, Virginia (703) 907-5500. The NRECA Conference Center is located approximately three blocks from the Ballston Metro Station and about a fifteen minute taxi ride from Ronald Reagan National Airport.

#### FOR FURTHER INFORMATION CONTACT:

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

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

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

This action is directed to the public in general; however, persons may be interested who work in agricultural settings or persons who are concerned about implementation of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); the Federal Food, Drug, and Cosmetic Act (FFDCA); and the amendments to both of these major pesticide laws by the Food Quality Protection Act (FQPA), (Public Law 104-170) 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. 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**.

###### 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 ID number OPP-2004-0150. 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, 1921 Jefferson Davis Hwy., 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, 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.

##### II. Background

The Office of Pesticide Programs is entrusted with responsibilities for helping to ensure the safety of the American food supply, providing protection and education of those who apply or are exposed to pesticides occupationally or through use of products from unreasonable risk, and providing 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 1995 and has been renewed every 2-years since that time. The current Charter was approved in November 2003 for another 2-year term and a copy of the PPDC Charter has been filed with appropriate Committees of Congress and the Library of Congress. New members to the PPDC have been appointed for this term. The PPDC Charter and list of new members can be found at EPA's website at: [www.epa.gov/pesticides/ppdc](http://www.epa.gov/pesticides/ppdc).

The PPDC provides advice and recommendations to the Office of Pesticide Programs on a broad range of pesticide regulatory, policy and program implementation issues 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 groups;

farm worker organizations; pesticide user, grower and commodity groups; federal and state; local; tribal governments; academia; public health organizations; and the general public.

#### List of Subjects

Environmental protection, Agriculture, Agricultural workers, Chemicals, Foods, Pesticides, Pests, Registration, Tolerance Reassessment, Fees, Public Health.

Dated: May 5, 2004.

**James Jones,**

*Director, Office of Pesticide Programs.*

[FR Doc. 04-10876 Filed 5-12-04; 8:45 am]

**BILLING CODE 6560-50-S**

### ENVIRONMENTAL PROTECTION AGENCY

[FRL-7660-4]

#### Notice of Administrative Order on Consent for Past Response Costs Relating to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, As Amended by the Superfund Amendments and Reauthorization Act

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative cost recovery settlement concerning the Tyler Refrigeration Pit Superfund Site located in Smyrna, Kent County, Delaware (Proposed Settlement). The Proposed Settlement with the Clark Equipment Company, Inc. (Settling Party) has been approved by the Attorney General, or his designee, of the United States Department of Justice pursuant to section 122(h) of CERCLA, 42 U.S.C. 9622(h). The Proposed Settlement was signed by the Regional Administrator of the United States Environmental Protection Agency (EPA), Region III, on April 15, 2004, pursuant to section 122(h) of CERCLA, 42 U.S.C. 9622(h), and is subject to review by the public pursuant to this notice.

The Proposed Settlement resolves EPA's claim for past response costs under section 107 of CERCLA, 42 U.S.C. 9607, against the Settling Party, and requires the Settling Party to make a payment of \$49,429.00 towards EPA's past response costs. This payment

represents reimbursement of the remainder of costs EPA incurred in overseeing the Settling Party's performance of a Remedial Investigation at the Site as well as a partial reimbursement of other unreimbursed past costs incurred by EPA in connection with the Site as set forth in the EPA Financial Management System as of November 4, 2003.

For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the Proposed Settlement. EPA will consider all comments received and may withdraw or withhold consent to the Proposed Settlement if such comments disclose facts or considerations which indicate the Proposed Settlement is inappropriate, improper, or inadequate. EPA's response to any written comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

**DATES:** Comments must be provided on or before June 14, 2004.

**ADDRESSES:** The Proposed Settlement is available for public inspection at the U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103. A copy of the Proposed Settlement may be obtained from Ms. Suzanne Canning, Legal Program Coordinator (3RC00), U.S. Environmental Protection Agency, 1650 Arch Street, Philadelphia, PA 19103; telephone number (215) 814-2476. Comments should reference the "Tyler Refrigeration Pit Superfund Site" and "EPA Docket No. CERCLA-03-2004-0179CR" and should be forwarded to Ms. Canning at the above address.

**FOR FURTHER INFORMATION CONTACT:** Yvette Hamilton-Taylor (3RC43), Senior Assistant Regional Counsel, (215) 814-2636, U.S. Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029.

Dated: April 30, 2004.

**Donald S. Welsh,**

*Regional Administrator, Region III.*

[FR Doc. 04-10892 Filed 5-12-04; 8:45 am]

**BILLING CODE 6560-50-P**

### EXECUTIVE OFFICE OF THE PRESIDENT

#### Office of Administration; Meeting of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction

**AGENCY:** Office of Administration, Executive Office of the President.

**ACTION:** Notice of meeting.

**SUMMARY:** The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction ("Commission") will meet in closed session on Wednesday, May 26, 2004 and Thursday, May 27, 2004 in its offices in Arlington, Virginia.

Executive Order 13328 established the Commission for the purpose of assessing whether the Intelligence Community is sufficiently authorized, organized, equipped, trained, and resourced to identify and warn in a timely manner of, and to support the United States Government's efforts to respond to, the development of Weapons of Mass Destruction, related means of delivery, and other related threats of the 21st Century. This meeting will consist of briefings and discussions involving classified matters of national security, including classified briefings from representatives of agencies within the Intelligence Community; Commission discussions based upon the content of classified intelligence documents the Commission has received from agencies within the Intelligence Community; and presentations concerning the United States' intelligence capabilities that are based upon classified information. While the Commission does not concede that it is subject to the requirements of the Federal Advisory Committee Act (FACA), 5 United States Code Appendix 2, it has been determined that the May 26-27 meeting would fall within the scope of exceptions (c)(1) and (c)(9)(B) of the Sunshine Act, 5 United States Code, Sections 552b(c)(1) & (c)(9)(B), and thus could be closed to the public if FACA did apply to the Commission.

**DATES:** Wednesday, May 26, 2004 (10 a.m. to 5 p.m.) and Thursday, May 27, 2004 (9 a.m. to 2 p.m.).

**ADDRESSES:** Members of the public who wish to submit a written statement to the Commission are invited to do so by facsimile at (202) 456-7921. Comments also may be sent to the Commission by e-mail at [comments@wmd.gov](mailto:comments@wmd.gov).

#### FOR FURTHER INFORMATION CONTACT:

Brett C. Gerry, Associate General Counsel, Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, by facsimile, or by telephone at (703) 414-1200.

**Victor E. Bernson, Jr.,**

*Executive Office of the President, Office of Administration, General Counsel.*

[FR Doc. 04-10909 Filed 5-11-04; 2:26 pm]

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