

EPA regulates pesticides under two major statutes: The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA). FIFRA requires that pesticides be registered (licensed) by EPA before they may be sold or distributed for use in the U.S. Section 408 of the FFDCA authorizes EPA to establish, modify, or maintain tolerances or tolerance exemptions for pesticide residues in or on food. Any food with pesticide residues not covered by a tolerance or tolerance exemption or with residues in excess of the tolerance may be subject to regulatory action by the U.S. government (including seizure). Pesticide tolerances and exemptions are enforced by individual States and the U.S. Food and Drug Administration for most foods, and by the U.S. Department of Agriculture for meat, poultry, and some egg products.

EPA has an obligation under section 408 of the FFDCA to establish tolerances for pesticide chemicals at levels that are "safe." EPA also has an obligation to ensure that the tolerances continue to be "safe" over time, since new information may alter EPA's earlier safety finding under the FFDCA.

#### List of Subjects

Environmental protection, NAFTA pesticides and tolerances.

Dated: March 27, 2003.

**Lois A Rossi,**

*Director, Registration Division, Office of Pesticide Programs.*

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**BILLING CODE 6560-50-S**

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-7484-5]

#### Toxicological Review of Benzene—Noncancer Effects

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces the availability of the final document, *Toxicological Review of Benzene—Noncancer Effects* (EPA/635/R-02/001F), prepared by the Office of Research and Development's (ORD) National Center for Environmental Assessment (NCEA).

**ADDRESSES:** The document is available on NCEA's Web site at <http://www.epa.gov/ncea> under the *What's New* and *Publications* menus. A limited

number of paper copies will be available from EPA's National Service Center for Environmental Publications (NSCEP), P.O. Box 42419, Cincinnati, OH 45242; telephone: 1-800-490-9198 or 513-489-8190; facsimile: 513-489-8695. Please provide your name and mailing address and the title and EPA number of the requested publication.

**FOR FURTHER INFORMATION CONTACT:** For further information, please contact David Bayliss, National Center for Environmental Assessment-Washington (8623D), U.S. Environmental Protection Agency, Washington, DC 20460; telephone: 202-564-3294; facsimile: 202-565-0078; e-mail: [bayliss.david@epa.gov](mailto:bayliss.david@epa.gov). For general information contact: Technical Information Staff, NCEA-W (8623D), U.S. Environmental Protection Agency, Washington, DC 20460; telephone: 202-564-3261; facsimile: 202-565-0050; e-mail: [nceadc.comment@epa.gov](mailto:nceadc.comment@epa.gov).

**SUPPLEMENTARY INFORMATION:** The *Toxicological Review of Benzene—Noncancer Effects* characterizes the potential noncancer health hazards associated with environmental exposure to benzene. This toxicological review will serve as a scientific document for hazard identification and dose-response assessment in updating the noncancer health effects summary on benzene in the EPA's Integrated Risk Information System (IRIS).

The Toxicological Review concludes that chronic benzene exposure may pose several types of noncancer human health hazards. Hematotoxicity, *e.g.*, progressive deterioration of hematopoietic function, has been consistently reported to be the most sensitive indicator of noncancer toxicity in both experimental animal studies and occupationally exposed humans. The hazards can result from inhalation, oral or dermal exposure, though the exposure circumstances vary. The Toxicological Review includes estimates of chronic exposure levels for oral exposure (reference dose) and inhalation exposure (reference concentration) that are thought to be without appreciable risk.

Earlier drafts of the assessment were subjected to independent expert peer review, as well as to public review and comment. The comments of the expert panel and the public are addressed in the revisions of the draft document.

Dated: April 10, 2003.

**Peter W. Preuss,**

*Director, National Center for Environmental Assessment.*

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-7484-4]

#### Anniston Lead Superfund Site; Notice of Proposed Settlement

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** Under the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), the United States Environmental Protection Agency ("EPA") proposes to enter into a Prospective Purchaser Agreement ("PPA") regarding the Anniston Lead Superfund Site in Anniston, Calhoun County, Alabama. EPA proposes to enter into the PPA with Habitat for Humanity of Calhoun County, Inc. (Habitat). Pursuant to the PPA, Habitat will conduct time-critical removal actions at the properties ("Properties") covered by the PPA under EPA oversight. The PPA provides Habitat with a covenant not to sue from the United States for Existing Contamination on the Properties and releases any Superfund liens on the Properties as well. EPA will consider comments on the proposed PPA until May 16, 2003.

EPA may withdraw from or modify the proposed PPA should such comments disclose facts or considerations which indicate the proposed PPA is inappropriate, improper, or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, U.S. Environmental Protection Agency, Region IV, Waste Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303, 404/562-8887.

Written comments may be submitted to Ms. Batchelor at the above address within 30 days of the date of publication.

Dated: April 3, 2003.

**Archie Lee,**

*Chief, CERCLA Program Services Branch, Waste Management Division.*

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