

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8738-2]

**Science Advisory Board Staff Office; Clean Air Scientific Advisory Committee (CASAC); NO<sub>x</sub> & SO<sub>x</sub> Secondary NAAQS Review Panel Teleconference****AGENCY:** Environmental Protection Agency (EPA).**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 Oxides of Nitrogen (NO<sub>x</sub>) and Sulfur Oxides (SO<sub>x</sub>) Secondary National Ambient Air Quality Standards (NAAQS) Review Panel (CASAC Panel) to consider and discuss the Panel's working-draft report regarding its peer review of EPA's *Risk and Exposure Assessment for Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: First Draft (EPA-452/P-08-005a)*.

**DATES:** The public teleconference will be held on Wednesday, November 19, 2008 from 1 p.m. to 4 p.m. (Eastern Time).

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

**FOR FURTHER INFORMATION CONTACT:** Any member of the public who wants further information concerning the teleconference meeting may contact Ms. Kyndall Barry, 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) 343-9868; fax (202) 233-0643; or e-mail at [barry.kyndall@epa.gov](mailto:barry.kyndall@epa.gov). General information concerning the CASAC 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 NO<sub>x</sub> and SO<sub>x</sub>. EPA is in the process of reviewing the secondary NAAQS for NO<sub>x</sub> and SO<sub>x</sub>. Welfare effects as defined in the CAA includes, but is not limited to, effects on soils, water, wildlife, vegetation, visibility, weather, and climate, as well as effects on materials, economic values, and personal comfort and well-being. As part of that process, EPA's Office of Air and Radiation (OAR) completed the *Risk and Exposure Assessment (REA) for Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: First Draft (EPA-452/P-08-005a)* in September 2008. The CASAC held a public meeting on October 1-2, 2008 to conduct a peer review of EPA's first draft REA.

The purpose of the November 19, 2008 meeting is for the CASAC Panel to discuss its working-draft report on the review of the first draft REA.

**Technical Contacts:** Any questions concerning EPA's *Risk and Exposure Assessment for Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: First Draft* should be directed to Dr. Anne Rea, OAR, at (919) 541-0053 or [rea.anne@epa.gov](mailto:rea.anne@epa.gov).

**Availability of Meeting Materials:** EPA's *Risk and Exposure Assessment for Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: First Draft* can be accessed at [http://www.epa.gov/ttn/naaqs/standards/no2so2sec/cr\\_rea.html](http://www.epa.gov/ttn/naaqs/standards/no2so2sec/cr_rea.html). The Panel's draft report and agenda for the teleconference will be posted in advance of the meeting on the SAB Web site at <http://www.epa.gov/casac>.

**Procedures for Providing Public Input:** Interested members of the public may submit relevant written or oral information for consideration on the topics included in this advisory activity. **Oral Statements:** To be placed on the public speaker list for the November 19, 2008 meeting, interested parties should notify Ms. Kyndall Barry, DFO, by e-mail no later than November 14, 2008. Individuals making oral statements will be limited to three minutes per speaker. **Written Statements:** Written statements for the November 19, 2008 meeting should be received in the SAB Staff Office by November 14, 2008, so that the information may be made available to the CASAC Panel for its consideration

prior to this meeting. Written statements should be supplied to the DFO in the following formats: One hard copy with original signature and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, MS Word, WordPerfect, 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 Ms. Barry at the phone number or e-mail address noted above, preferably at least ten days prior to the face-to-face meeting, to give EPA as much time as possible to process your request.

Dated: October 30, 2008.

**Anthony F. Maciorowski,**

Deputy Director, EPA Science Advisory Board Staff Office.

[FR Doc. E8-26397 Filed 11-4-08; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPP-2008-0046; FRL-8385-1]

**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 5, 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 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 [regulations.gov](http://www.regulations.gov) or e-mail. The [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 [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.

**Docket:** All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. 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, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** A contact person is listed at the end of each pesticide petition summary and may be contacted by telephone or e-mail. The mailing address for each contact person listed is: Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

#### **SUPPLEMENTARY INFORMATION:**

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

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

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to 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. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed at the end of the pesticide petition summary of interest.

###### *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](http://www.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 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.

3. **Environmental justice.** EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticides discussed in this document, compared to the general population.

##### **II. What Action is the Agency Taking?**

EPA is announcing its receipt of several pesticide petitions filed under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, proposing the establishment or modification of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities. EPA has determined that the pesticide petitions described in this document contain the data or information prescribed in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petitions. Additional data may be needed before EPA can make a final determination on these pesticide petitions.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions that are the subject of this notice, prepared by the petitioner, is included in a docket EPA has created for each rulemaking. The docket for each of the petitions is available on-line at <http://www.regulations.gov>.

As specified in FFDCA section 408(d)(3), (21 U.S.C. 346a(d)(3)), EPA is publishing notice of the petition so that the public has an opportunity to comment on this request for the establishment or modification of regulations for residues of pesticides in or on food commodities. Further information on the petition may be obtained through the petition summary referenced in this unit.

### New Tolerances

1. *PP 8E7367*. (EPA-HQ-OPP-2008-0624). BASF Corporation Research Triangle Park, NC 27709, proposes to establish a tolerance for residues of the fungicide, Boscalid (BAS 510F); 3-pyridinecarboxamide, 2-chloro-N-(4'-chloro(1,1'-biphenyl)-2-yl), in or on coffee, green bean at 0.05 parts per million (ppm). In plants, the parent residue is extracted using an aqueous organic solvent mixture followed by liquid/liquid partitioning and a column clean up. Quantitation is by gas chromatography using mass spectrometry (GC/MS). In livestock the residues are extracted with methanol. The extract is treated with enzymes in order to release the conjugated glucuronic acid metabolite. The residues are then isolated by liquid/liquid partition followed by column chromatography. The hydroxylated metabolite is acetylated followed by a column clean-up. The parent and acetylated metabolite are quantitated by gas chromatography with electron capture detection. Contact: Bryant Crowe, (703) 305-0025, [crowe.bryant@epa.gov](mailto:crowe.bryant@epa.gov).

2. *PP 7F7221*. (EPA-HQ-OPP-2007-0514). BASF Corporation, 26 Davis Drive, P.O. Box 13528, Research Triangle Park, NC 27709-3528, proposes to establish a tolerance for residues of the fungicide metconazole, 5-[(4-chlorophenyl)-methyl]-2,2-dimethyl-1-(1H-1,2,4-triazol-1-ylmethyl)cyclopentanol, measured as the sum of cis- and trans-isomers, in or on corn, field, aspirated grain fractions at 0.05 ppm; corn, field, forage at 3.5 ppm; corn, field, grain at 0.02 ppm; corn, field, stover at 4.5 ppm; corn, pop, grain at 0.02 ppm; corn, pop, stover at 4.5 ppm; corn, sweet, forage at 3.5 ppm; corn, sweet, kernel plus cob with husks removed at 0.01 ppm; corn, sweet, stover at 4.5 ppm; cotton, undelinted

seed at 0.25 ppm; cotton, gin byproducts at 8.0 ppm. Independently validated analytical method have been submitted for analyzing parent metconazole residues with appropriate sensitivity in all the crop and processed commodities for corn and cotton for which tolerances are being requested. Contact: Tracy Keigwin, (703) 305-6605, [keigwin.tracy@epa.gov](mailto:keigwin.tracy@epa.gov).

3. *PP 7F7292*. (EPA-HQ-OPP-2008-0718). Valent U.S.A. Company, 1600 Riviera Ave., Suite 200, Walnut Creek, CA 94596-8025, proposes to establish a tolerance for residues of the fungicide, metconazole, 5-[(4-chlorophenyl)-methyl]-2,2-dimethyl-1-(1H-1,2,4-triazol-1-ylmethyl)cyclopentanol, measured as the sum of cis- and trans-isomers, in or on canola seed at 0.04 ppm. Independently validated analytical methods have been submitted for analyzing parent metconazole residues with appropriate sensitivity for all canola crop and processed commodities for which a tolerance is being requested. Contact: Tracy Keigwin, (703) 305-6605, [keigwin.tracy@epa.gov](mailto:keigwin.tracy@epa.gov).

4. *PP 8F7338*. (EPA-HQ-OPP-2008-0262). Bayer CropScience, P.O. Box 12014, 2 T. W. Alexander Dr., Research Triangle Park, NC 27709, proposes to establish a tolerance for residues of the insecticide spiromesifen; butanoic acid, 3,3-dimethyl-, 2-oxo-3-(2,4,6-trimethylphenyl)-1-oxaspiro[4.4]non-3-en-4-yl ester, and its enol metabolite; 4-hydroxy-3-(2,4,6-trimethylphenyl)-1-oxaspiro[4.4]non-3-en-2-one, calculated as parent compound equivalents, in or on corn, pop grain at 0.02 ppm and corn, pop, stover at 1.5 ppm. Adequate analytical methodology using liquid chromatography/mass spectrometry/mass spectrometry (LC/MS/MS) detection is available for enforcement purposes. Contact: John Hebert, (703) 308-6249, [hebert.john@epa.gov](mailto:hebert.john@epa.gov).

5. *PP 8F7398*. (EPA-HQ-OPP-2008-0262). Bayer CropScience, P.O. Box 12014, 2 T. W. Alexander Dr., Research Triangle Park, NC 27709, proposes to establish a tolerance for the indirect or inadvertent residues of the insecticide, spiromesifen; butanoic acid, 3,3-dimethyl-, 2-oxo-3-(2,4,6-trimethylphenyl)-1-oxaspiro[4.4]non-3-en-4-yl ester, its enol metabolite; 4-hydroxy-3-(2,4,6-trimethylphenyl)-1-oxaspiro [4.4]non-3-en-2-one and its metabolites containing the 4-hydroxymethyl moiety (i.e. 4-hydroxy-3-[4-(hydroxymethyl)-2,6-dimethylphenyl]-1-oxaspiro[4.4]non-3-en-2-one and its conjugates), calculated as parent compound equivalents, when present therein as a result of the application of the pesticide in or on

vegetable, bulb, group 3 to growing crops at 0.07 ppm. Adequate analytical methodology using LC/MS/MS detection is available for enforcement purposes. Contact: Amer Al-Mudalla, (703) 605-0566, [al-mudalla.amer@epa.gov](mailto:al-mudalla.amer@epa.gov).

### Amendment to Existing Tolerance

1. *PP 8E7366*. (EPA-HQ-OPP-2008-0624). BASF Corporation Research Triangle Park, NC 27709, proposes to increase the established tolerance in 40 CFR 180.589 for residues of the fungicide, boscalid (BAS 510F); 3-pyridinecarboxamide, 2-chloro-N-(4'-chloro(1,1'-biphenyl)-2-yl), in or on banana, import from 0.2 ppm to 0.5 ppm. In plants, the parent residue is extracted using an aqueous organic solvent mixture followed by liquid/liquid partitioning and a column clean up. Quantitation is by gas chromatography using mass spectrometry (GC/MS). In livestock the residues are extracted with methanol. The extract is treated with enzymes in order to release the conjugated glucuronic acid metabolite. The residues are then isolated by liquid/liquid partition followed by column chromatography. The hydroxylated metabolite is acetylated followed by a column clean-up. The parent and acetylated metabolite are quantitated by gas chromatography with electron capture detection. Contact: Bryant Crowe, (703) 305-0025, [crowe.bryant@epa.gov](mailto:crowe.bryant@epa.gov).

2. *PP 8F7388*. (EPA-HQ-OPP-2008-0688). Dow AgroSciences, LLC, 9330 Zionsville Rd., Indianapolis, IN 46268, proposes to decrease the established tolerances in 40 CFR 180.635 for residues of the insecticide, spinetoram, expressed as a combination of XDE-175-J: 1-H-as-indaceno[3,2-d]oxacyclododecin-7,15-dione, 2-[(6-deoxy-3-O-ethyl-2,4-di-O-methyl- $\alpha$ -L-mannopyranosyl)oxy]-13-[(2R,5S,6R)-5-(dimethylamino)tetrahydro-6-methyl-2H-pyran-2-yl]oxy]-9-ethyl-2,3,3a,4,5,5a,5b,6,9,10,11,12,13,14,16a,16b-hexadecahydro 14-methyl-, (2R,3aR,5aR,5bS,9S,13S,14R,16aS,16bR); XDE-175-L: 1H-as-indaceno[3,2-d]oxacyclododecin-7,15-dione, 2-[(6-deoxy-3-O-ethyl-2,4-di-O-methyl- $\alpha$ -L-mannopyranosyl)oxy]-13-[(2R,5S,6R)-5-(dimethylamino)tetrahydro-6-methyl-2H-pyran-2-yl]oxy]-9-ethyl-2,3,3a,5a,5b,6,9,10,11,12,13,14,16a,16b-tetradecahydro-4,14-dimethyl-, (2S,3aR,5aS,5bS,9S,13S,14R,16aS,16bS); ND-J:(2R,3aR,5aR,5bS,9S,13S,14R,16aS,16bR)-9-ethyl-14-methyl-13-[(2S,5S,6R)-6-methyl-5-(methylamino)tetrahydro-2H-pyran-2-yl]oxy]-7,15-dioxo-

2,3,3a,4,5,5a,5b, 6,7,9,10,11, 12,13,14,15, 16a,16b-octadecahydro-1H-as-indaceno[3,2-d] oxacyclododecin-2-yl 6-deoxy- 3-O-ethyl-2,4-di-O-methyl-alpha-L-mannopyranoside; and NF-J: (2R,3S,6S)-6-([(2R, 3aR,5aR,5bS,9S,13S,14R, 16aS, 16bR)-2-[(6-deoxy-3-O-ethyl-2,4-di-O-methyl-alpha-L-mannopyranosyl) oxy]-9-ethyl-14-methyl- 7,15-dioxo-2,3,3a,4,5,5a,5b,6,7,9, 10,11,12,13,14,15,16a,16b-octadecahydro-1H-as-indaceno [3,2-d]oxacyclododecin-13-yl[oxy]-2-methyltetrahydro-2H-pyran-3-yl(methyl)formamide, in or on nut trees, group 14 and pistachios from 0.4 ppm to 0.02 ppm and increase the established tolerances for almond, hulls from 2.0 ppm to 3.5 ppm. Per the **Federal Register** of October 10, 2007 (72 FR 57492) (FRL-8149-9), EPA has determined adequate analytical methods are available for enforcement purposes for spinetoram in plant and animal matrices. The independent laboratory validation data were acceptable. Specific to the determination of residues for tree nuts, spinetoram and its metabolites were determined using liquid chromatography with positive-ion atmospheric pressure chemical ionization tandem mass spectrometry (LC/MS/MS) using the method GRM 05.04. The limit of detection (LOD) and limit of quantitation (LOQ) in almonds and pecans were 0.003 g/g and 0.01 g/g, respectively. Contact: Carmen Rodia, (703) 306-0327, [rodia.carmen@epa.gov](mailto:rodia.carmen@epa.gov).

#### New Exemptions from an Inert Tolerance

1. *PP 8E7377*. (EPA-HQ-OPP-2008-0618). BASF Corporation, 100 Campus Dr., Florham Park, NJ 07932, proposes to establish an exemption from the requirement of a tolerance in 40 CFR 180.960 for residues of the 2-propenoic acid, 2-hydroxyethyl ester, polymer with alpha-[4-(ethenyloxy)butyl]-omega-hydroxypoly(oxy-1,2-ethanediyl)(CAS No. 1007234-89-0) when used as a pesticide inert ingredient as a dispersant in pesticide formulations without limitation. Because this petition is a request for an exemption from the requirement of a tolerance, no analytical method is required. Contact: Karen Samek, (703) 347-8825, [samek.karen@epa.gov](mailto:samek.karen@epa.gov).

2. *PP 8E7378*. (EPA-HQ-OPP-2008-0619). BASF Corporation, 100 Campus Dr., Florham Park, NJ 07932, proposes to establish an exemption from the requirement of a tolerance in 40 CFR 180.960 for residues of the 2-propenoic acid, polymer with alpha-[4-(ethenyloxy)butyl]-omega-hydroxypoly(oxy-1,2-ethanediyl) and

2,5-furandione, sodium salt (CAS No. 251479-97-7) when used as a pesticide inert ingredient as a dispersant in pesticide formulations without limitation. Because this petition is a request for an exemption from the requirement of a tolerance, no analytical method is required. Contact: Karen Samek, (703) 347-8825, [samek.karen@epa.gov](mailto:samek.karen@epa.gov).

3. *PP 8E7379*. (EPA-HQ-OPP-2008-0620). BASF Corporation, 100 Campus Dr., Florham Park, NJ 07932, proposes to establish an exemption from the requirement of a tolerance in 40 CFR 180.960 for residues of the 2-propenoic acid, monoester with 1,2-propanediol, polymer with alpha-[4-(ethenyloxy)butyl]-omega-hydroxypoly(oxy-1,2-ethanediyl) and 2,5-furandione (CAS No. 955015-23-3) when used as a pesticide inert ingredient as a dispersant in pesticide formulations without limitation. Because this petition is a request for an exemption from the requirement of a tolerance, no analytical method is required. Contact: Karen Samek, (703) 347-8825, [samek.karen@epa.gov](mailto:samek.karen@epa.gov).

4. *PP 8E7380*. (EPA-HQ-OPP-2008-0621). BASF Corporation, 100 Campus Dr., Florham Park, NJ 07932, proposes to establish an exemption from the requirement of a tolerance in 40 CFR 180.960 for residues of the 2-propenoic acid, polymer with alpha-[4-(ethenyloxy)butyl]-omega-hydroxypoly(oxy-1,2-ethanediyl), sodium salt (CAS No. 250591-84-5) when used as a pesticide inert ingredient as a dispersant in pesticide formulations without limitation. Because this petition is a request for an exemption from the requirement of a tolerance, no analytical method is required. Contact: Karen Samek, (703) 347-8825, [samek.karen@epa.gov](mailto:samek.karen@epa.gov).

5. *PP 8E7381*. (EPA-HQ-OPP-2008-0617). BASF Corporation, 100 Campus Dr., Florham Park, NJ 07932, proposes to establish an exemption from the requirement of a tolerance in 40 CFR 180.960 for residues of the 2-propenoic acid, polymer with alpha-[4-(ethenyloxy)butyl]-omega-hydroxypoly(oxy-1,2-ethanediyl) and 1,2-propanediol mono-2-propenoate, potassium sodium salt (CAS No. 518026-64-7) when used as a pesticide inert ingredient as a dispersant in pesticide formulations without limitation. Because this petition is a request for an exemption from the requirement of a tolerance, no analytical method is required. Contact: Karen Samek, (703) 347-8825, [samek.karen@epa.gov](mailto:samek.karen@epa.gov).

#### List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 20, 2008.

**Lois Rossi,**

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

[FR Doc. E8-26265 Filed 11-4-08; 8:45 am]

**BILLING CODE 6560-50-S**

#### FEDERAL MARITIME COMMISSION

##### Notice of Agreement Filed

The Commission hereby gives notice of the filing of the following agreement under the Shipping Act of 1984. Interested parties may submit comments on agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within ten days of the date this notice appears in the **Federal Register**. Copies of agreements are available through the Commission's Web site (<http://www.fmc.gov>) or contacting the Office of Agreements at (202)-523-5793 or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov).

*Agreement No.:* 201196-001.

*Title:* Los Angeles and Long Beach Marine Terminal Agreement.

*Parties:* City of Los Angeles and City of Long Beach.

*Filing Party:* Matthew J. Thomas, Esq.; Troutman Sanders LLP; 401 9th Street, NW., Suite 1000; Washington, DC 20004.

*Synopsis:* The amendment adds a definition for "Early Replacement Drayage Trucks" and amends the definition of "Program Funds," simplifies the wording regarding the installation of RFID or OCR readers, extends the deadline for access for pre-1989 model year drayage trucks that are registered as being replaced by Early Replacement Drayage Trucks, clarifies the size of containers subject to clean truck fee, adds an exception for defense cargo, and clarifies that the Ports may assess more than one type of concession fee.

By Order of the Federal Maritime Commission.

Dated: October 31, 2008.

**Karen V. Gregory,**  
*Secretary.*

[FR Doc. E8-26399 Filed 11-4-08; 8:45 am]

**BILLING CODE 6730-01-P**