

peroxide rapidly degrades into oxygen and water, neither of which is of toxicological concern.

E. Cumulative Exposure

Because of the low use rates of hydrogen peroxide, its low toxicity and rapid degradation, EPA does not believe that there is any concern regarding the potential for cumulative effects of hydrogen peroxide with other substances due to a common mechanism of action. Because hydrogen peroxide is not known to have a common toxic metabolite with other substances, EPA has not assumed that hydrogen peroxide has a common mechanism of toxicity with other substances.

F. Safety Determination to the General U.S. Population, and Infants and Children

Because hydrogen peroxide is of low toxicity, the proposed uses employ low concentrations of hydrogen peroxide, and hydrogen peroxide degrades rapidly following application, EPA concludes that this exemption from the requirement of a tolerance in or on all food commodities for hydrogen peroxide, when applied at $\leq 1\%$, will not pose a dietary risk under reasonably foreseeable circumstances. Further, the EPA Office of Water has stated that it has seen no new data that contradict the assessment previously given which is that low concentrations of hydrogen peroxide do not typically persist in drinking water at levels that pose a health risk. Accordingly EPA concluded that there is a reasonable certainty of no harm to consumers, including infants and children, from aggregate exposure to hydrogen peroxide.

G. Effects on the Immune and Endocrine Systems

There is no evidence to suggest that hydrogen peroxide in the proposed concentrations will adversely affect the endocrine system.

H. Existing Tolerances

An exemption from the requirement of a tolerance (40 CFR Part 180.1197) is established for residues of hydrogen peroxide in or on all food commodities at the rate of $\leq 1\%$ hydrogen peroxide per application on growing crops and postharvest potatoes when applied as an algaecide, fungicide and bactericide.

I. International Tolerances

There is no Codex Alimentarius Commission Maximum Residue Level (MRL) for hydrogen peroxide.

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ENVIRONMENTAL PROTECTION AGENCY

[PF-1049; FRL-6807-7]

Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

DATES: Comments, identified by docket control number PF-1049, must be received on or before December 3, 2001.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I.C. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, it is imperative that you identify docket control number PF-1049 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: By mail: Treva C. Alston, Registration Support Branch, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-8373; e-mail address: alston.treva@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

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

Categories	NAICS code	Examples of potentially affected entities
Industry	111 112 311	Crop production Animal production Food manufacturing
	32532	Pesticide manufacturing

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 the table could also be affected. The North American Industrial Classification System

(NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. 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 Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet homepage at <http://www.epa.gov/>. To access this document, on the homepage select "Laws and Regulations" and then look up the entry for this document under the "**Federal Register**—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number PF-1049. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number PF-1049 in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs

(OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in Wordperfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number PF-1049. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI That I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any 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 version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified under **FOR FURTHER INFORMATION CONTACT**.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.

3. Provide copies of any technical information and/or data you used that support your views.

4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.

5. Provide specific examples to illustrate your concerns.

6. Make sure to submit your comments by the deadline in this notice.

7. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. What Action is the Agency Taking?

EPA has received a pesticide petition as follows proposing the establishment and/or amendment of regulations for residues of a certain pesticide chemical in or on various food commodities under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that this petition contains data or information regarding the elements set forth in 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 petition. Additional data may be needed before EPA rules on the petition.

List of Subjects

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

Dated: October 18, 2001.

Peter Caulkins,

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

Summary of Petition

The petitioner's summary of the pesticide petition is printed below as required by section 408(d)(3) of the FFDCA. The summary of the petition was prepared by the petitioner and represents the view of the petitioners. EPA is publishing the petition summary verbatim without editing it in any way. The petition summary announces the availability of a description of the analytical methods available to EPA for the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed.

Wacker Silicones Corporation

5E4595

EPA has received a pesticide petition (5E4595) from Wacker Silicones Corporation, 3301 Sutton Road, Adrian, MI 49221-9397 proposing, pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180 to establish an exemption from the requirement of a tolerance for tetraethoxysilane polymer with hexamethyldisiloxane (CAS No. 104133-09-7), when used as an inert ingredient in pesticide formulations applied in accordance with good agricultural practice to growing crops and to raw agricultural commodities after harvest, and to animals. EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

In the case of certain substances that are defined as "polymers," the Agency has established a set of criteria that identify categories of polymers that present low risk. These criteria described in 40 CFR 723.250 identify polymers that are relatively unreactive and stable compounds to other chemical substances as well as polymers that typically are not readily absorbed. These properties generally limit a polymer's ability to cause adverse effects. In addition, these criteria exclude polymers about which little is known. The Agency believes that polymers meeting the criteria noted will present minimal or no risk. Tetraethoxysilane, polymer with hexamethyldisiloxane conforms to the definition of polymer given in 40 CFR 723.250(b) (as amended April 11, 1997) and meets the following criteria that are used to identify low risk polymers.

1. Tetraethoxysilane, polymer with hexamethyldisiloxane is not a cationic polymer, nor is it reasonably anticipated to become a cationic polymer in the natural aquatic environment.

2. Tetraethoxysilane, polymer with hexamethyldisiloxane contains as an integral part of its composition the atomic elements carbon, hydrogen, oxygen and silicon.

3. Tetraethoxysilane, polymer with hexamethyldisiloxane does not contain as an integral part of its composition, except as impurities, any element other than those listed in 40 CFR 723.250 (d)(2)(ii).

4. Tetraethoxysilane, polymer with hexamethyldisiloxane is not reasonably

anticipated to substantially degrade, decompose or depolymerize.

5. Tetraethoxysilane, polymer with hexamethyldisiloxane is not manufactured or imported from monomers and/or other reactants that are not already included on the TSCA Chemical Substance Inventory or manufactured under an applicable TSCA section 5 exemption.

6. Tetraethoxysilane, polymer with hexamethyldisiloxane is not a water absorbing polymer with a number average molecular weight (MW) 10,000 or greater. Tetraethoxysilane, polymer with hexamethyldisiloxane also meets the exemption criteria of 40 CFR 723.250(e)(1) (as amended April 11, 1997). Tetraethoxysilane, polymer with hexamethyldisiloxane has a number average MW greater than or equal to 1,000 and less than 10,000 daltons (and oligomer content less than 10% below MW 500 and less than 25% below MW 1,000).

A. Aggregate Exposure

1. Dietary exposure.

Tetraethoxysilane, polymer with hexamethyldisiloxane is not absorbed through the skin or gastrointestinal (GI) tract and is generally considered incapable of eliciting a toxic response.

i. *Food.* There are no food or food additive uses of tetraethoxysilane, polymer with hexamethyldisiloxane currently approved under 40 CFR. There are currently approved indirect food contact uses for tetraethoxysilane, polymer with hexamethyldisiloxane under 21 CFR 175.300, 175.320, and 176.170.

ii. *Drinking water.* Tetraethoxysilane, polymer with hexamethyldisiloxane is not absorbed through the skin or GI tract and is generally considered incapable of eliciting a toxic response.

2. *Non-dietary exposure.* There are no exposures to tetraethoxysilane, polymer with hexamethyldisiloxane through non-occupational, non-dietary routes.

B. Cumulative Effects

There are no data to support cumulative risk from tetraethoxysilane, polymer with hexamethyldisiloxane since polymers with MWs greater than 400 generally are not absorbed through the intact skin and substances with MWs greater than 1,000 generally are not absorbed through the GI tract. Chemicals not absorbed through the skin or GI tract generally are incapable of eliciting a toxic response. Therefore, there is no reasonable expectation of risk due to cumulative exposure.

C. Safety Determination

1. *U.S. population.* Tetraethoxysilane, polymer with hexamethyldisiloxane causes no safety concerns because it conforms to the definition of a low risk polymer given in 40 CFR 723.250(e)(1) and as such is considered incapable of eliciting a toxic response.

2. Infants and children.

Tetraethoxysilane, polymer with hexamethyldisiloxane causes no additional concern to infants and children because it conforms to the definition of a low risk polymer given in 40 CFR 723.250(e)(1), and as such, is considered incapable of eliciting a toxic response.

D. International Tolerances

There are no CODEX Maximum Residue Limits established for tetraethoxysilane, polymer with hexamethyldisiloxane in/on any crop commodities at this time.

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BILLING CODE 6560-50-S

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SES Performance Review Board Members

AGENCY: Equal Employment Opportunity Commission (EEOC).

ACTION: Notice.

SUMMARY: Notice is hereby given of the names of the members of the SES Performance Review Board of EEOC.

FOR FURTHER INFORMATION CONTACT: Arlethia D. Monroe, Acting Director, Office of Human Resources, Equal Employment Opportunity Commission, 1801 L Street, NW., Washington, DC 20507, (202) 663-4306.

SUPPLEMENTARY INFORMATION: Pursuant to the requirement of 5 U.S.C. 4314(c)(1), membership of the SES Performance Review Board is as follows: Mr. Roy J. Rodriguez, Deputy Chief Operating Officer, Equal Employment Opportunity Commission (Chairperson); Mr. Chester V. Bailey, Director, Milwaukee District Office, Equal Employment Opportunity Commission; Ms. Patricia T. Bivins, Director, New Orleans District Office, Equal Employment Opportunity Commission; Mr. David L. Frank, Legal Counsel, Equal Employment Opportunity Commission; Susan L. McDuffie, Director, San Francisco District Office, Equal Employment Opportunity Commission; Peggy R. Mastroianni, Associate Legal Counsel (Alternate), Equal Employment Opportunity Commission.

Signed at Washington, D.C., on this 25th day of October 2001.

For the Commission.

Cari. M. Dominguez,

Chair.

[FR Doc. 01-27408 Filed 10-31-01; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-01-43-B (Auction No. 43); DA 01-2315]

Auction No. 43 Multi-Radio Service Auction Scheduled for January 10, 2002; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments and Other Procedural Issues

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document announces the procedures and minimum opening bids for the upcoming auction of licenses in the Phase II 220 MHz Service, 800 MHz Specialized Mobile Radio ("SMR") Service General Category Frequencies, and Location and Monitoring Service ("LMS") scheduled for January 10, 2002 (Auction No. 43).

DATES: Auction No. 43 is scheduled for January 10, 2002.

FOR FURTHER INFORMATION CONTACT: Auctions and Industry Analysis Division: Howard Davenport, Legal Branch, or Lyle Ishida, Auctions Operations Branch, at (202) 418-0660; Barbara Sibert, Auctions Operations Branch, at (717) 338-2888, Media Contact: Meribeth McCarrick at (202) 418-0654, Commercial Wireless Division: Amal Abdallah, Policy and Rules Branch, or Dwain Livingston, Licensing and Technical Analysis Branch, at (202) 418-0620.

SUPPLEMENTARY INFORMATION: This is a summary of the *Auction No. 43 Procedures Public Notice* released October 10, 2001. The complete text of the *Auction No. 43 Procedures Public Notice*, including attachments, is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC, 20554. The Auction No. 43 Procedures Public Notice may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.