

system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID Number OPP-2004-0055.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, Attention: Docket ID Number OPP-2004-0055. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

D. How Should I Submit CBI to the Agency?

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, 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 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 docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior

notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed 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. Offer alternative ways to improve the notice.
7. Make sure to submit your comments by the deadline in this document.
8. To ensure proper receipt by EPA, be sure to identify the docket ID 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. Background

In the **Federal Register** of January 6, 2004 (69 FR 658) (FRL-7328-5), EPA announced the issuance of the EUPs 68467-EUP-7 and 29964-EUP-5 to Mycogen Seeds c/o Dow AgroSciences LLC, 9330 Zionsville Road, Indianapolis, IN 46268-1054 and Pioneer Hi-Bred International, P.O. Box 552, Johnston, IA 50131-0552. Mycogen Seeds c/o Dow AgroSciences and Pioneer Hi-Bred have requested to amend and extend these EUPs through April 30, 2006, for *Bacillus thuringiensis* Cry34/35Ab1 protein and the genetic material necessary for its production (from the insert of plasmid PHP 17662) in corn.

For Mycogen Seeds/Dow AgroSciences LLC, 1,177 acres are proposed during the 2004 season and 7,687 acres are proposed for the 2005 season under EUP 68467-EUP-7 for testing in Arizona, Colorado, Delaware, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Puerto Rico, South Dakota, Tennessee, Texas, Vermont, and Wisconsin. Testing is to include maize breeding and observation nursery, maize agronomic observation, herbicide tolerance, maize efficacy, insect

resistance management, and maize demonstration trials.

For Pioneer Hi-Bred International, 9,050 acres are proposed during the 2004 season and 13,050 acres are proposed for the 2005 season under EUP 29964-EUP-5 for testing in Alabama, Arizona, California, Colorado, Delaware, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Pennsylvania, Puerto Rico, South Dakota, Tennessee, Texas, Washington, and Wisconsin. Testing is to include insect resistance management, maize agronomic observation, maize breeding and observation, maize demonstration, maize efficacy, maize research seed production, maize inbred seed increase, maize regulatory studies, non-target organism, and herbicide tolerance trials.

III. What Action is the Agency Taking?

Following the review of the Mycogen Seeds c/o Dow AgroSciences LLC and Pioneer Hi-Bred International applications and any comments and data received in response to this notice, EPA will decide whether to issue or deny the EUP requests for the EUP programs, and if issued, the conditions under which it is to be conducted. Any issuance of EUPs will be announced in the **Federal Register**.

IV. What is the Agency's Authority for Taking this Action?

The specific legal authority for EPA to take this action is under FIFRA section 5.

List of Subjects

Environmental protection,
Experimental use permits.

Dated: February 26, 2004.

Janet L. Andersen,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. E4-462 Filed 3-9-04; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[FRL-7633-6]

Development Plan for the Causal Analysis/Diagnosis Decision Information System (CADDIS)

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: This notice announces the availability of a final report titled,

Development Plan for the Causal Analysis/Diagnosis Decision Information System (CADDIS) (EPA/600/R-03/074, January 2004), which was prepared by the U.S. Environmental Protection Agency's (EPA) National Center for Environmental Assessment (NCEA) of the Office of Research and Development (ORD).

ADDRESSES: The document will be made available electronically through the NCEA Web site (www.epa.gov/ncea). A limited number of paper copies will be available from the 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, your mailing address, the title and the EPA number of the requested publication.

FOR FURTHER INFORMATION CONTACT: The Technical Information Staff, National Center for Environmental Assessment/ Washington Office (8623D), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Telephone: 202-564-3261; fax: 202-565-0050; e-mail: nceadc.comment@epa.gov.

SUPPLEMENTARY INFORMATION: This document describes a strategy for developing the Causal Analysis/Diagnosis Decision Information System (CADDIS). CADDIS is envisioned as a decision support system that will help investigators in EPA Regions, states, and tribes find, access, organize, and share information useful for causal evaluations in aquatic systems. It will include supporting case studies and analysis tools, and it will provide access to databases that contain information useful for causal evaluations. The system will be developed incrementally and iteratively, and frequent user input and feedback will be essential to the system's success.

Dated: February 25, 2004.

Peter W. Preuss,

Director, National Center for Environmental Assessment.

[FR Doc. 04-5370 Filed 3-9-04; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-7633-5]

Final National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges From Construction Activities That Are Classified as Associated With Industrial Activity

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final National Pollutant Discharge Elimination System (NPDES) general permit reissuance for storm water discharges from construction activities that are classified as "associated with industrial activity."

SUMMARY: EPA Region 4 is reissuing a final NPDES general permit for discharges from large and small construction activities. The reissued permit covers Phase II (small) construction activities and replaces the previous permit issued March 31, 1998 (63 FR 15622), and modified on April 28, 2000 (64 FR 25122), which covered Phase I (large) construction activities. The reissued permit covers facilities on Indian country lands within the states of Alabama, Florida, Mississippi and North Carolina.

DATES: The effective date of this permit is May 1, 2004, and will expire at midnight April 30, 2009.

ADDRESSES: The administrative record is available for inspection and copying at the United States Environmental Protection Agency, Region 4, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, GA 30303-8960.

FOR FURTHER INFORMATION CONTACT: For further information on the final permit, the Notice of Intent (NOI) or Notice of Termination (NOT), contact Mr. Floyd Wellborn of the NPDES and Biosolids Permits Section at (404) 562-9296 or by email at wellborn.floyd@epa.gov or Mr. Michael Mitchell at (404) 562-9303 or by email at mitchell.michael@epa.gov. Copies may be obtained by writing the United States Environmental Protection Agency, Region 4, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, GA 30303-8960, Attention: Ms. Ann Brown, or calling (404) 562-9288. In addition, copies of the final NPDES general permit, fact sheet or other relevant documents may be downloaded at www.epa.gov/region4/water/permits/stormwater.html.

SUPPLEMENTARY INFORMATION:

I. Procedures for Reaching a Final Permit Decision

A formal hearing is available to challenge any NPDES permit issued according to the regulations at 40 CFR 124.15, except for a general permit as cited by 40 CFR 124.71. Within 120 days following notice of EPA's final decision for the general permit under 40 CFR 124.15, any interested person may appeal the permit in the Federal Court of Appeals in accordance with section 509(b)(1) of the CWA. Persons affected by a general permit may not challenge the conditions of a general permit as a right in further Agency proceedings. They may instead either challenge the general permit in court, or apply for an individual permit as specified at 40 CFR 122.21, as authorized at 40 CFR 122.28, and then request a formal hearing on the issuance or denial of an individual permit.

II. Background

A. Statutory and Regulatory History

Section 405 of the Water Quality Act of 1987 added section 402(p) to the CWA, which directed the EPA to develop a phased approach to regulate the storm water discharges under the National Pollutant Discharge Elimination System (NPDES) program. EPA published a final regulation on the first phase of this program on November 16, 1990, establishing permit application requirements for "storm water discharges associated with industrial activity." Construction activities that disturb at least five acres of land or are part of a larger plan of development and have point source discharges to waters of the U.S., are defined in 40 CFR 122.26(b)(14)(x) as an "industrial activity." Upon the advent of the Phase II storm water regulations, these activities became referred to as large construction activities.

Phase II of the storm water program was published in the **Federal Register** on December 8, 1999. Phase II includes sites disturbing at least one acre of land and less than five acres, as well as sites less than one acre of land area that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres. Small construction activity is defined at 40 CFR 122.26(b)(15)(i).

B. Significant Changes From the 1998 General Permit and the Subsequent 2000 Modification

1. The organization and numbering of the permit has been changed from the March 1998 (63 FR 15622) permit and