

at http://books.nap.edu/catalog.php?record_id=11688.

EPA is now beginning to prepare a response to the NAS review of the dioxin reassessment. The Agency has requested that the SAB form an expert panel to provide independent advice regarding the draft technical plan, the revised draft, and the final draft of the EPA response to the recommendations of the NAS.

Expertise Sought: The SAB Staff Office requests nominations of recognized experts with specific experience and knowledge of dioxin in one or more of the following areas: (a) Epidemiology; (b) toxicology (with expertise in cancer, reproductive toxicology, developmental toxicology, immunotoxicology, dosimetry, toxicokinetics, mechanisms of action, or mixtures); (c) endocrinology; (d) lipid metabolism; (e) cardiovascular mechanisms of pathology; (f) risk assessment (with expertise in statistics, quantitative uncertainty analysis, or dose-response modeling); and (g) exposure assessment (with expertise in bioavailability, weathering, or effects of partitioning in environmental media).

How to Submit Nominations: Any interested person or organization may nominate qualified individuals to be considered for appointment on this SAB Panel. Candidates may also nominate themselves. Nominations should be submitted in electronic format (which is preferred over hard copy) following the instructions for "Nominating Experts to Advisory Panels and Ad Hoc Committees Being Formed" provided on the SAB Web site. The form can be accessed through the "Nomination of Experts" link on the blue navigational bar on the SAB Web site at <http://www.epa.gov/sab>. To receive full consideration, nominations should include all of the information requested.

EPA's SAB Staff Office requests contact information about: The person making the nomination; contact information about the nominee; the disciplinary and specific areas of expertise of the nominee; the nominee's curriculum vita; sources of recent grant and/or contract support; and a biographical sketch of the nominee indicating current position, educational background, research activities, and recent service on other national advisory committees or national professional organizations.

Persons having questions about the nomination procedures, or who are unable to submit nominations through the SAB Web site, should contact Dr. Thomas Armitage, DFO, at the contact information provided above in this notice. Non-electronic submissions

must follow the same format and contain the same information as the electronic.

The SAB Staff Office will acknowledge receipt of the nomination and inform nominees of the panel for which they have been nominated. From the nominees identified by respondents to this **Federal Register** notice (termed the "Widecast") and other sources, the SAB Staff Office will develop a smaller subset (known as the "Short List") for more detailed consideration. The Short List will be posted on the SAB Web site at <http://www.epa.gov/sab> and will include, for each candidate, the nominee's name and biosketch. Public comments on the Short List will be accepted for 21 calendar days. During this comment period, the public will be requested to provide information, analysis, or other documentation on nominees that the SAB Staff Office should consider in evaluating candidates for the Panel.

For the SAB, a balanced panel is characterized by inclusion of candidates who possess the necessary domains of knowledge, the relevant scientific perspectives (which, among other factors, can be influenced by work history and affiliation), and the collective breadth of experience to adequately address the charge. Public responses to the Short List candidates will be considered in the selection of the panel, along with information provided by candidates and information gathered by SAB Staff independently concerning the background of each candidate (e.g., financial disclosure information and computer searches to evaluate a nominee's prior involvement with the topic under review). Specific criteria to be used in evaluation of an individual Panel member include: (a) Scientific and/or technical expertise, knowledge, and experience (primary factors); (b) absence of financial conflicts of interest; (c) scientific credibility and impartiality; (d) availability and willingness to serve; and (e) ability to work constructively and effectively in committees.

Prospective candidates will be required to fill out the "Confidential Financial Disclosure Form for Special Government Employees Serving on Federal Advisory Committees at the U.S. Environmental Protection Agency" (EPA Form 3110-48). This confidential form allows Government officials to determine whether there is a statutory conflict between that person's public responsibilities (which include membership on an EPA Federal advisory committee) and private interests and activities, or the appearance of a lack of impartiality, as

defined by Federal regulation. Ethics information, including EPA Form 3110-48, is available on the SAB Web site at <http://yosemite.epa.gov/sab/sabproduct.nsf/Web/ethics?OpenDocument>.

Dated: October 6, 2008.

Anthony F. Maciorowski,
Deputy Director, EPA Science Advisory Board Staff Office.

[FR Doc. E8-24417 Filed 10-14-08; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2007-1163; FRL-8383-2]

Guidance for Conducting Prospective Ground-Water Monitoring Studies, Response to Public Comments and Final Guidance; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This document announces the availability of the final Guidance for Conducting Prospective Ground-Water (PGW) Monitoring Studies and EPA's response to public comments on the development of the final PGW monitoring studies guidance. This PGW monitoring study, which is required on a case-by-case basis, is conducted in a controlled setting and provides EPA with data for evaluating the impact of legal pesticide use on ground-water quality. The PGW guidance document describes how to conduct a PGW monitoring study, milestones for consulting with EPA, and how to report results to EPA. Data generated from these field studies have proven valuable to EPA scientists and risk managers as they are specifically designed to relate pesticide use indicated on the label to measurements of the pesticide and its degradates in ground water used as a source of drinking water.

FOR FURTHER INFORMATION CONTACT: Betsy Behl, Environmental Fate and Effects Division (7507P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-6128; fax number: (703) 305-6309; e-mail address: behl.betsy@epa.gov.

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 under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2007-1163. 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 Office of Pesticide Programs (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.

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>.

II. Background

A. What Action is the Agency Taking?

The PGW monitoring study, which is required on a case-by-case basis (40 CFR 158.1300), is conducted in a controlled setting and provides the Agency with data for evaluating the impact of legal pesticide use on ground-water quality. After assessing the overall environmental fate of a pesticide, the Agency may require the pesticide manufacturer (registrant) to conduct a PGW monitoring study, with input from EPA on key aspects of the PGW monitoring study design. The Agency’s assessment is based on a review of laboratory data on mobility and

persistence of the compound, estimates of potential exposure, available monitoring and modeling information, and a consideration of the potential for risk from drinking-water exposure. Data generated from these field studies have proven valuable to EPA scientists and risk managers as they are specifically designed to relate pesticide use indicated on the label to measurements of the pesticide and its degradates in ground water used as a source of drinking water. The PGW guidance document describes how to conduct a PGW monitoring study, describes milestones for consulting with EPA, and describes how results should be reported to EPA. EPA uses the results of PGW monitoring studies to help answer questions such as:

1. Will the pesticide leach in portions of the pesticide use area that are similar to the field study area?

2. How do pesticide residues change over time?

3. What measures might be effective in mitigating the pesticide leaching?

Monitoring data generated in these PGW monitoring studies provide a time-series of concentrations that can be used in exposure and risk assessments as a reasonable surrogate for pesticide concentrations in drinking water drawn from shallow private wells in agricultural areas. PGW monitoring studies have been used to test alternative mitigation strategies for pesticides that have adversely affected ground-water quality to determine, for example, if a reduction in application rate or specific irrigation technology will reduce or eliminate the impact. Data from these PGW monitoring studies have also been used to develop the EPA regression screening model, Screening Concentration in Ground Water (SCI-GROW) (<http://www.epa.gov/oppefed1/models/water/models4.htm#scigrow>), which is used to estimate screening-level pesticide concentrations in ground water used as a source of drinking water. Currently, the results of these PGW monitoring studies are being used to evaluate models of subsurface pesticide transport, and as a basis for model scenarios for estimating pesticide concentrations in shallow-ground water.

The original draft guidance for PGW monitoring studies was developed primarily in the early 1990s and has been subjected to substantial public review and comment, including a public workshop sponsored by EPA in 1995 (Ref. 1), a Scientific Advisory Panel (SAP) review in 1998 (Ref. 2), and a request for final public comments in January 2008 (Ref. 3). From the January 2008 final request for comments, two

public comments were received: California Department of Pesticide Regulation and Florida Department of Agriculture and Consumer Services (Ref. 4). Conference calls were held with these two commenters to discuss proposed revisions in response to their comments. The comments received during the workshop (Ref. 1) and SAP meeting (Ref. 2) provided valuable suggestions from both a technical and practical perspective and were used to revise the PGW monitoring studies guidance document and to address other issues identified in the Agency’s review of PGW monitoring studies conducted for the registration of over 50 pesticides. EPA incorporated comments solicited from industry, academia, and consultants into the revised PGW monitoring studies guidance document. The recommendations in the PGW monitoring studies guidance document also represent the Agency’s substantial experience, over the last decade, in developing and articulating effective procedures for collecting high-quality data on pesticide movement into ground water.

B. What is the Agency’s Authority for Taking this Action?

This action is issued under the authority of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), section 3.

III. References

1. EPA. Prospective Ground-Water Monitoring Study 1995 Workshop Notes. Document Number: EPA-HQ-OPP-2007-1163-0009. Available on-line at: <http://www.regulations.gov>.

2. EPA. FIFRA Scientific Advisory Panel Meeting, October 14–15, 1998, Report. SAP Report No. 98-01. I—Review of Guidance Document for Small-Scale Prospective Ground-Water Monitoring Studies. November 19, 1998. Available on-line at: <http://www.epa.gov/scipoly/sap/meetings/1998/october/final.pdf>.

3. EPA. Guidance for Conducting Prospective Ground-Water Studies; Notice. **Federal Register** (73 FR 2910, January 16, 2008) (FRL-8347-5). Available on-line at: <http://www.epa.gov/fedrgstr>.

4. EPA. Response to Public Comments Document on the Guidance for Conducting Prospective Ground-Water Monitoring Studies. Document Number: EPA-HQ-OPP-2007-1163-0005. Available on-line at: <http://www.regulations.gov>.

List of Subjects

Environmental protection, Ground-water monitoring studies, Pesticides and pests.

Dated: October 8, 2008.

Donald J. Brady,

Director, Environmental Fate and Effects Division, Office of Pesticide Programs.

[FR Doc. E8-24414 Filed 10-14-08; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2008-0653; FRL-8383-4]

Pesticide Emergency Exemptions; Agency Decisions and State and Federal Agency Crisis Declarations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted emergency exemptions under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for use of pesticides as listed in this notice. The exemptions were granted during the period April 1, 2008 through June 30, 2008, to control unforeseen pest outbreaks.

FOR FURTHER INFORMATION CONTACT: See each emergency exemption for the name of a contact person. The following information applies to all contact persons: Team Leader, Emergency Response Team, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-9366.

SUPPLEMENTARY INFORMATION:**I. General Information***A. Does this Action Apply to Me?*

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- 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 emergency exemption of interest.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2008-0653. Publicly available docket materials are available either electronically 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.

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>.

II. Background

EPA has granted emergency exemptions to the following State and Federal agencies. The emergency exemptions may take the following form: Crisis, public health, quarantine, or specific.

Under FIFRA section 18, EPA can authorize the use of a pesticide when emergency conditions exist. Authorizations (commonly called emergency exemptions) are granted to State and Federal agencies and are of four types:

1. A "specific exemption" authorizes use of a pesticide against specific pests on a limited acreage in a particular State. Most emergency exemptions are specific exemptions.
2. "Quarantine" and "public health" exemptions are a particular form of emergency exemption issued for quarantine or public health purposes. These are rarely requested.
3. A "crisis exemption" is initiated by a State or Federal agency (and is confirmed by EPA) when there is insufficient time to request and obtain EPA permission for use of a pesticide in an emergency.

EPA may deny an emergency exemption: If the State or Federal agency cannot demonstrate that an emergency exists, if the use poses unacceptable risks to the environment,

or if EPA cannot reach a conclusion that the proposed pesticide use is likely to result in "a reasonable certainty of no harm" to human health, including exposure of residues of the pesticide to infants and children.

If the emergency use of the pesticide on a food or feed commodity would result in pesticide chemical residues, EPA establishes a time-limited tolerance meeting the "reasonable certainty of no harm standard" of the Federal Food, Drug, and Cosmetic Act (FFDCA).

In this document: EPA identifies the State or Federal agency granted the exemption, the type of exemption, the pesticide authorized and the pests, the crop or use for which authorized, number of acres (if applicable), and the duration of the exemption. EPA also gives the **Federal Register** citation for the time-limited tolerance, if any.

III. Emergency Exemptions: U.S. States and Territories**Arkansas**

State Plant Board

Crisis: On June 5, 2008, for the use of imazethapyr on rice to control weeds (red rice). This program ended on July 20, 2008. Contact: Andrew Ertman.

California

Environmental Protection Agency, Department of Pesticide Regulation

Crisis: On May 15, 2008, for the use of difenoconazole on almonds to control *Alternaria* leaf spot. This program ended on June 20, 2008. Contact: Stacey Groce.

Specific exemption: EPA authorized the use of lavanduly senecioate on raisin, wine, and table grapes to control the vine mealybug; April 9, 2008 to September 30, 2008. Contact: Andrew Ertman.

EPA authorized the use of propiconazole on peaches and nectarines to control sour rot; April 15, 2008 to September 30, 2008. Contact: Andrea Conrath.

Quarantine: EPA authorized the use of environ LpH (containing the active ingredients ortho-benzyl-para-chlorophenol, para-tertiary-amylphenol, and ortho-phenylphenol) in government laboratories to disinfect surfaces potentially contaminated with prions; March 26, 2008 to March 26, 2011. Contact: Princess Campbell.

Colorado

Department of Agriculture

Specific exemption: EPA authorized the use of acibenzolar on onions to control iris yellow spot virus; April 2, 2008 to September 1, 2008. Contact: Andrew Ertman.