

absence of an ECA, EPA reserves the right to proceed with rulemaking.

More specifically, EPA will not enter into an ECA if either the Agency and affected manufacturers or processors cannot reach an agreement on the provisions of the ECA, or the draft ECA is considered inadequate by other interested parties who have submitted timely objections to the draft ECA.

However, EPA may reject these objections if the Agency concludes that:

1. They are not made in good faith;
2. They are untimely;
3. They are not related to the

adequacy of the proposed testing program or other features of the ECA that may affect EPA's ability to fulfill the goals and purposes of TSCA; or

4. They are not accompanied by a specific explanation of the grounds on which the draft ECA is considered objectionable.

EPA will prepare an explanation of the basis for each ECA. That document will summarize the agreement (including the needed data development), explain the objectives of the data collection/development activity, and outline the chemicals' use and exposure characteristics. That document, which will also announce the availability of the final ECA, will be published in the **Federal Register**. Upon the successful completion of an ECA, export notification under TSCA section 12(b) would be required for all signatories to the ECA who export or intend to export the chemicals subject to the ECA. A separate action would be published in the **Federal Register** following the announcement of the ECA to apply the export notification requirement to others by adding the ECA chemicals to the list of chemicals subject to testing consent orders at 40 CFR 799.5000.

VI. References

These references have been placed in the official docket that was established under docket ID number OPPT-2003-0012 for this action as indicated in Unit I.B.2. Reference documents identified with an Administrative Record number (AR226-XXXX) are available in the public version of the official docket maintained in the OPPT Docket. Copies of these documents may be obtained as described in Unit I.B.2.

1. USEPA. Preliminary Risk Assessment of the Developmental Toxicity Associated with Exposure to Perfluorooctanoic Acid (PFOA) and its Salts. OPPT, Risk Assessment Division. Washington, DC. April 10, 2003.

2. **Federal Register**. (65 FR 62319, October 18, 2000) (FRL-6745-5); (67 FR 11008; March 11, 2002) (FRL-6823-6);

(67 FR 11014, March 11, 2002) (FRL-6823-7); (67 FR 72854, December 9, 2002) (FRL-7279-1).

3. (AR226-0639) PFOA Presentation to CMA. Auer, Charles M., USEPA. Washington, DC. June 19, 2000.

4. (AR226-1127) Revision of PFOA Hazard Assessment and Next Steps. Memorandum from Charles M. Auer to Oscar Hernandez, Mary Ellen Weber, and Ward Penberthy. USEPA. Washington, DC. September 27, 2002.

5. Section 4(f) of TSCA (15 U.S.C. 2603 (4)).

6. (AR226-0620) Sulfonated Perfluorochemicals in the Environment: Sources, Dispersion, Fate, and Effects. 3M. St. Paul, MN. March 1, 2000.

7. Environmental, Health And Safety Measures Relating to Perfluorooctanoic Acid and Its Salts (PFOA). Letter from Dr. Larry Wendling, 3M, to Stephen L. Johnson, USEPA. 3M. St. Paul, MN. March 13, 2003.

8. Characterization of Fluorinated Metabolites by a Gas Chromatographic-Helium Microwave Plasma Detector; The Biotransformation of 1H, 1H, 2H, 2H-Perfluorodecanol to Perfluorooctanoate. Hagen, Donald F.; Belisle, John; Johnson, James D.; and Venkateswarlu, P. *Analytical Biochemistry*. 118, 336-343 (1981).

9. (AR226-1149). Revision 1, Biodegradation Screen Study for Telomer-Type Alcohols. Lange, Cleston C. Pace Analytical Services, Minneapolis, MN. November 6, 2002.

10. Mabury, Scott. Annual Report of Activities for Telomer Research Program Grant to University of Toronto. University of Toronto, Toronto, Canada. September 2002.

11. (AR226-1136) Revised Draft Hazard Assessment of Perfluorooctanoic Acid and Its Salts. USEPA, OPPT, Risk Assessment Division. Washington, DC. November 4, 2002.

12. Voluntary Actions to Evaluate and Control Emissions of Ammonium Perfluorooctanoate (APFO). Letter from Charles D. Allen, Asahi Glass Fluoropolymers USA, Inc.; Takahiko Sakanoue, Daikin America, Inc.; James E. Gregory, Dyneon LLC.; and Richard J. Angiullo, E.I. duPont de Nemours & Company, to Stephen L. Johnson, USEPA. March 14, 2003.

13. Letter of Intent for the Telomer Research Program from H. Okuno, AGA Chemicals, Inc.; Hans Ludwig Panke and Reinhard Jung, Clariant GmbH; Takahiko Sakanoue, Daikin America, Inc.; and Stephen H. Korzeniowski, E.I. duPont de Nemours & Company, to Stephen L. Johnson, USEPA. March 14, 2003.

14. Order on Consent between E.I. duPont de Nemours & Company and

USEPA, Region III and Region V. Philadelphia, PA. March 12, 2002.

15. West Virginia Department of Environmental Protection. Final Ammonium Perfluorooctanoate (C8) Assessment of Toxicity Team (CATT) Report. Charleston, WV. August 2002.

List of Subjects

Environmental protection, Chemicals, Hazardous substances.

Dated: April 14, 2003.

Stephen L. Johnson,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 03-9418 Filed 4-14-03; 1:26 pm]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2003-0078; FRL-7299-2]

Kansas State Plan for Certification of Applicators of Restricted Use Pesticides; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of intent.

SUMMARY: The State of Kansas has submitted to EPA programmatic amendments to its State Plan for Certification and Training of Applicators of Restricted Use Pesticides. The proposed amendment establishes new requirements for the recertification of pesticide applicators. Notice is hereby given of the intention of the Regional Administrator, Region VII, to approve the revised Plan for the Certification of Applicators of Restricted Use Pesticides. EPA is soliciting comments on the proposed amendments.

DATES: Comments, identified by docket ID number OPP-2003-0078, must be received on or before May 16, 2003.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: John T. Tice, Water, Wetlands and Pesticides Division, WWPDP-PEST, 100 Centennial Mall N., Room 289, Lincoln, NE 68508; telephone number: (402) 437-5080; e-mail address: Tice.john@epa.gov.

SUPPLEMENTARY INFORMATION: