

and garden pesticides in urban areas of California, Oregon and Washington through which "salmon supporting waters" pass that they are to make the point of sale notification whenever products containing these seven active ingredients are sold. The Court's Order also requires defendant-intervenors (groups representing pesticide manufacturers, growers and other pesticide users) to distribute the point of sale notifications to sales outlets in these urban areas on or before April 5, 2004.

The January 22 Order does not direct defendant-intervenors to distribute the point of sale notifications as "labeling" within the meaning of section 2(p) of FIFRA. To the extent, however, that intervenors or pesticide registrants wish to distribute the point of sale notification developed by EPA as labeling, EPA will exercise its enforcement discretion authority. This will allow defendant-intervenors to distribute the notifications for the duration of the Court's injunction without notifying EPA, without seeking or obtaining approval from EPA and without the need for establishment registration or reporting regarding the production of the notification. Further, EPA will not take enforcement actions on the basis of misbranding under FIFRA, solely with respect to the point of sale notification materials that may be attached to or accompany any of the subject pesticide products. Any labeling changes different from or in addition to the point of sale notification developed by EPA remain subject to FIFRA's labeling requirements and misbranding provisions, and the existing procedures of 40 CFR parts 152 and 167.

3. Through this Notice, EPA is requesting that state pesticide agencies, state fish agencies and Land Grant University extension coordinators in urban areas of California, Oregon and Washington, provide the point of sale notification to Certified Applicators certified in any category that would permit the applicator to apply pesticides in parks, golf courses and housing areas in the urban areas. EPA will provide to the state pesticide agencies, state fish agencies and Land Grant University extension pesticide coordinators in California, Oregon and Washington, copies of the point of sale notification on or before April 5, 2004.

#### *B. Court's Definition of Urban Areas*

The urban areas subject to the Order are defined by the Court as all urbanized areas in California, Oregon and Washington with populations of at least 50,000 people (as defined by the 2000 U.S. Census) within a federally listed

salmon ESU. These areas are identified in exhibit 2 of the January 22, 2004 Order, which can be accessed on EPA's Web site at [www.epa.gov/espp](http://www.epa.gov/espp).

#### *C. Time Period for Which These Requirements are in Effect*

1. As explained in detail in the January 22, 2004 Order, the Order terminates automatically for a particular pesticide and salmon ESU upon the occurrence of one of the following: (i) Completion by EPA of its ESA section 7(a)(2) consultation obligation; (ii) the issuance by NMFS of a biological opinion; (iii) a finding by EPA made for ESA section 7 compliance purposes that the pesticide is "not likely to adversely affect" that particular salmon ESU, provided that NMFS has not rejected or affirmatively failed to concur in that "not likely to adversely affect" determination; or (iv) a finding by EPA made for ESA section 7 compliance purposes that the pesticide will have "no effect" on the particular salmon ESU. EPA's findings for particular pesticides and salmon ESUs as of the January 22, 2004 Order are set forth in exhibit 1 of that Order. As EPA makes additional effects determinations, or as NMFS moves ahead in its review of EPA's determinations, pesticide registrants, retailers and users should review EPA's Web site, as well as any additional information updating the Order, to ascertain the applicability of the Order, including the requirement to make point of sale notifications, in their area.

2. On February 17, 2004, CropLife America and other defendant-intervenors in the Washington Toxics Coalition case, appealed the Court's Order. If further judicial proceeding occur that may affect the Order, EPA intends to provide notice on its Web site at [www.epa.gov/espp](http://www.epa.gov/espp).

#### *D. Obtaining Additional Copies of Point of Sale Notifications*

1. Any sales outlet of lawn and garden pesticide products subject to the point of sale notification provisions in the January 22, 2004 Order, in these urban areas that have not received the point of sale notifications from defendant-intervenors by April 5, 2004, may obtain such materials from defendant-intervenors through the following Web site: [www.pestfacts.org](http://www.pestfacts.org).

2. Any state pesticide agency, state fish agency, or Land Grant University extension coordinator subject to the request to distribute the point of sale notification to certain Certified Applicators who have not received the point of sale notifications from EPA by April 5, 2004, or who need additional

copies of the point of sale notification, may obtain such materials by contacting the person indicated in this Notice under **FOR FURTHER INFORMATION CONTACT**.

#### *E. What is the Agency's Authority for Taking this Action?*

This action is taken pursuant to the January 22, 2004 Order of the Court in *Washington Toxics Coalition, et al. v. EPA*, CO1-0132 (W.D. WA).

#### **List of Subjects**

Environmental protection,  
Endangered species.

Dated: March 18, 2004.

**James Jones,**

*Director, Office of Pesticide Programs.*

[FR Doc. 04-6610 Filed 3-19-04; 2:44 pm]

**BILLING CODE 6560-50-S**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7639-3]

### **Lees Former Impoundment Superfund Site; Notice of Proposed Settlement**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Proposed Settlement.

**SUMMARY:** Under Section 122(h) (1) of the Comprehensive Environmental Response Compensation and Liability Act, the Environmental Protection Agency has entered into a Settlement Agreement at the Lees Former Impoundment Superfund Site located in Bunnell, Flagler County, Florida, with Mr. George R. Lees, Laura D. Lees, and Lees Development Company. EPA will consider public comments on the Agreement until April 23, 2004. EPA may withdraw from or modify the Agreement should such comments disclose facts or considerations which indicate the Agreement is inappropriate, improper, or inadequate. Copies of the Agreement are available from: Ms. Paula V. Batchelor, US Environmental Protection Agency, Region 4, Superfund Enforcement and Information Management Branch, Waste Management Division, 61 Forsyth St., SW., Atlanta, Georgia 30303, (404) 562-8887, e-mail: [batchelor.paula@epa.gov](mailto:batchelor.paula@epa.gov).

Written or e-mail comments may be submitted to Paula V. Batchelor at the above address within 30 days of the date of publication.

Dated: March 5, 2004.

**Rosalind H. Brown,**

*Chief, Superfund Enforcement and Information, Management Branch, Waste Management Division.*

[FR Doc. 04-6569 Filed 3-23-04; 8:45 am]

**BILLING CODE 6560-50-P**

## FARM CREDIT SYSTEM INSURANCE CORPORATION

### Sunshine Act Meeting

**SUMMARY:** Notice is hereby given of the quarterly meeting of the Farm Credit System Insurance Corporation Board (Board).

**DATE AND TIME:** The meeting of the Board will be held at the offices of the Farm Credit Administration in McLean, Virginia, on March 26, 2004, from 9 a.m. until such time as the Board concludes its business.

**FOR FURTHER INFORMATION CONTACT:** Jeanette C. Brinkley, Secretary to the Farm Credit System Insurance Corporation Board, (703) 883-4009, TTY (703) 883-4056.

**ADDRESSES:** Farm Credit System Insurance Corporation, 1501 Farm Credit Drive, McLean, Virginia 22102.

**SUPPLEMENTARY INFORMATION:** Parts of this meeting of the Board will be open to the public (limited space available), and parts will be closed to the public. In order to increase the accessibility to Board meetings, persons requiring assistance should make arrangements in advance. The matters to be considered at the meeting are:

### Open Session

#### A. Approval of Minutes

—December 11, 2003 (Quarterly Meeting)

### Closed Session

Report on System Performance and Insurance Risk.

### Open Session

#### B. Business Reports

1. Financials.
2. Quarterly Report on Annual Performance Plan.
3. Report on Insured Obligations.

#### A. New Business

1. Review of Insurance Premium Rate Alternatives.
2. Presentation of 2003 Audit Results.

### Closed Session

Executive Session.

Dated: March 22, 2004.

**Jeanette C. Brinkley,**

*Secretary, Farm Credit System Insurance Corporation Board.*

[FR Doc. 04-6689 Filed 3-22-04; 11:28 am]

**BILLING CODE 6710-10-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Public Information Collections Approved by Office of Management and Budget

March 17, 2004.

**SUMMARY:** The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid control number.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Laurenzano, Federal Communications Commission, 445 12th Street, SW, Washington DC, 20554, (202) 418-1359 or via the Internet at [plarenz@fcc.gov](mailto:plarenz@fcc.gov).

#### SUPPLEMENTARY INFORMATION:

*OMB Control No.:* 3060-1044.

*OMB Approval date:* 3/02/2004.

*Expiration Date:* 3/31/2007.

*Title:* Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers CCDckt # 01-338, 96-98, 98-147, Report and Order and Order on Remand and Further NPRM.

*Form No.:* N/A.

*Estimated Annual Burden:* 2,369 responses; 74,120 total annual hours; 31-32 hours per respondent.

*Needs and Uses:* In the Report and Order on Remand and Further Notice of Proposed Rulemaking, issued in CC Dockets 01-338, 96-98, 98-147, the Commission adopts new rules to govern the availability of unbundled network elements to competitive local exchange carriers from incumbent local exchange carriers. The Commission amends its standard for determining which network elements must be provided on an unbundled basis and determines which network elements meet this standard. The Commission establishes eligibility criteria for certain combinations of unbundled network elements. The Commission allows state regulatory commissions to initiate proceedings to make additional determinations consistent with specific Commission guidance.

*OMB Control No.:* 3060-0513.

*OMB Approval date:* 3/02/2004.

*Expiration Date:* 3/31/2007.

*Title:* ARMIS Joint Cost Report.

*Form No.:* FCC 43-03.

*Estimated Annual Burden:* 85 responses; 4,250 total annual hours; 50 hours per respondent.

*Needs and Uses:* The Joint Cost Report is needed to administer our joint cost rules (Part 64) and to analyze data in order to prevent cross-subsidization of nonregulated operations by the regulated operations of Tier 1 carriers.

*OMB Control No.:* 3060-0496.

*OMB Approval date:* 3/02/2004.

*Expiration Date:* 3/31/2007.

*Title:* The ARMIS Operating Data Report.

*Form No.:* FCC 43-08.

*Estimated Annual Burden:* 55 responses; 7,645 total annual hours; 139 hours per respondent.

*Needs and Uses:* The Operating Data Report collects annual statistical data in a consistent format that is essential for the Commission to monitor network growth, usage, and reliability.

*OMB Control No.:* 3060-0942.

*OMB Approval date:* 3/02/2004.

*Expiration Date:* 3/31/2007.

*Title:* In the Matter of Access Charge Reform, Price Cap Performance Review for Local Exchange Carriers, Low-Volume Long Distance Users, Federal-State Joint Board On Universal Service.

*Form No.:* N/A.

*Estimated Annual Burden:* 108 responses; 6,677 total annual hours; 61-62 hours per respondent.

*Needs and Uses:* The Report and Order implements the Coalition for Affordable Local and Long Distance Services (CALLS) Proposal, which resolves major outstanding issues concerning access charges; the pending NPRM to address implicit universal service support in access charges, the X-factor remand, the Low-Volume Long-Distance Users NOI, the pending NPRM on geographically deaveraging SLCs and the next scheduled price cap performance review.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-6561 Filed 3-23-04; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL HOUSING FINANCE BOARD

[No. 2004-N-6]

### Federal Home Loan Bank Members Selected for Community Support Review

**AGENCY:** Federal Housing Finance Board.