

preservative in toys, paints, mattresses, clothing, brooms, mulch, floors, shower curtains, awnings, tents, toilet bowls, urinals, garbage cans, refuse container liners, insulation, concrete mixtures, grouts, and upholstery fabrics. The FDA-regulated uses include hand soaps, toothpaste, deodorants, laundry detergent, fabric softeners, facial tissues, antiseptics for wound care, and medical devices. Although these uses are not regulated under pesticide law, EPA considered these exposures in the aggregate risk assessment. EPA used population-based biological monitoring data to assess the co-occurrence of uses to develop an aggregate exposure assessment.

EPA has determined that the data base to support reregistration is substantially complete and that products containing triclosan are eligible for reregistration provided the risks are mitigated either in the manner described in the RED or by another means that achieves equivalent risk reduction. Upon submission of any required product specific data under section 4(g)(2)(B) of FIFRA and any necessary changes to the registration and labeling (either to address concerns identified in the RED or as a result of product specific data), EPA will make a final reregistration decision under section 4(g)(2)(C) of FIFRA for products containing triclosan.

Although the triclosan RED was signed on September 18, 2008, certain components of the document, which did not affect the final regulatory decision, were undergoing final editing at that time. These components, the appendices, have been added to the triclosan RED document.

EPA is applying the principles of public participation to all pesticides undergoing reregistration and tolerance reassessment. The Agency's Pesticide Tolerance Reassessment and Reregistration; Public Participation Process, published in the **Federal Register** on May 14, 2004, (69 FR 26819) (FRL-7357-9) explains that in conducting these programs, EPA is tailoring its public participation process to be commensurate with the level of risk, extent of use, complexity of issues, and degree of public concern associated with each pesticide. Due to its uses, risks, and other factors, triclosan was reviewed through the modified 4-Phase process. Through this process, EPA worked extensively with stakeholders and the public to reach the regulatory decisions for triclosan.

The reregistration program is being conducted under congressionally mandated time frames, and EPA recognizes the need both to make timely decisions and to involve the public. The

Agency is issuing the triclosan RED for public comment. This comment period is intended to provide an additional opportunity for public input and a mechanism for initiating any necessary amendments to the RED. All comments should be submitted using the methods in **ADDRESSES**, and must be received by EPA on or before the closing date. These comments will become part of the Agency Docket for triclosan. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

The Agency will carefully consider all comments received by the closing date and will provide a Response to Comments Memorandum in the Docket and regulations.gov. If any comment significantly affects the document, EPA also will publish an amendment to the RED in the **Federal Register**. In the absence of substantive comments requiring changes, the triclosan RED will be implemented as it is now presented.

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

Section 4(g)(2) of FIFRA, as amended, directs that, after submission of all data concerning a pesticide active ingredient, the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration, before calling in product specific data on individual end-use products and either reregistering products or taking other "appropriate regulatory action."

List of Subjects

Environmental protection, Pesticides and pests, antimicrobials, triclosan.

Dated: October 23, 2008.

Joan Harrigan Farrelly,

Director, Antimicrobials Division, Office of Pesticide Programs.

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SES Performance Review Board

AGENCY: U.S. Equal Employment Opportunity Commission (EEOC).

ACTION: Notice of Membership of the EEOC Performance Review Board.

SUMMARY: Notice is hereby given of the appointment of members to the EEOC Performance Review Board.

FOR FURTHER INFORMATION CONTACT: Joann C. Riggs, Acting Chief Human

Capital Officer, Office of Human Resources, U.S. Equal Employment Opportunity Commission, 1801 L Street, NW., Washington, DC 20507, (202) 663-4306.

SUPPLEMENTARY INFORMATION:

Publication of the Performance Review Board (PRB) is required by 5 U.S.C. Section 4314(c)(4). The PRB reviews and evaluates the initial appraisal of a senior executive's performance by the supervisor, and makes written recommendations regarding performance ratings, performance awards, potential Presidential Rank Award nominees, and performance-based pay adjustments to the Chair. The Board shall consist of at least three voting members. When evaluating a career appointee's initial appraisal or recommending a career appointee for a performance award, more than half of the members must be career appointees. The names and titles of the PRB members and alternates are as follows:

Primary Members:

Anthony J. Kaminski, Chief Operating Officer (Chairperson);
Michel C. Fetzer, Director, Dallas District Office;
Kimberly J. Hancher, Chief Information Officer;
Jeffrey Smith, Chief Financial Officer; and
A. Jacy Thurmond, Jr. Esq., Senior Advisor to the Commissioner, Social Security Administration.

Alternates:

John Czajkowski, Assistant Inspector General for Management, Department of Treasury;
Peggy R. Mastroianni, Associate Legal Counsel; and
Roy J. Ruff, Jr., Director, Houston District Office.

DATES: Membership is effective on the date of this notice.

Signed at Washington, DC, on this 23rd day of October 2008.

For the Commission.

Naomi C. Earp,
Chair.

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FEDERAL COMMUNICATIONS COMMISSION

[DA 08-2338]

Consumer Advisory Committee

AGENCY: Federal Communications Commission.

ACTION: Notice.