use, and because no other toxicity or risk concerns have been identified with them. For active ingredients lacking complete data sets, EPA substituted analog data, which the Agency believes is sufficient for the purpose of the screening. The screening process EPA employed could be compared to a shortened version of the reregistration process, in terms of determining potential risk.

EPA is comfortable with the degree of risk posed by the chemicals that qualify for the reduced REIs. EPA's screening process for active ingredients and enduse products was designed to eliminate chemicals that posed too many unknown risks because of data gaps, absence of chronic effects data, or no analog data. EPA believes that because the active ingredients associated with 4hour REIs do not appear to pose any significant worker risks, decontamination supplies should be required for less than the current 30day period. Therefore, the Agency proposes to reduce the 30-day decontamination requirement for all pesticides for which EPA approves 4hour REIs.

2. *Proposal.* EPA is proposing a range of 1 to 15 days for those pesticides with 4-hour REIs. However, EPA will consider other lengths of time if appropriate data are submitted to support any requested periods. After 45 days from the publication of this proposed rule, EPA will evaluate public comments, select an interval, and issue its conclusions in the final rule.

This change is not proposed for situations where two or more pesticides are mixed together, unless the mixed pesticides have 4-hour REIs, or have all met or exceeded the criteria in the policy statement, or are designated by EPA as having the same or lower risk profile as those chemicals on the list of active ingredients in the policy statement.

Because of the low costs associated with providing decontamination sites and the potential risks workers face from exposure to pesticide residues, EPA is not proposing any other change to the decontamination requirement. EPA has not made the risk-benefit finding necessary to eliminate or otherwise alter the length of the decontamination requirement, except for products with 4-hour REIs.

VI. Solicitation of Comments

EPA is interested in receiving comments and information on the proposal and on options presented, and is providing 45 days for the submission of comments.

While stakeholders did not submit any data to support their request to shorten the period when decontamination sites are required, EPA believes that there is merit to the assertion that the 30-day decontamination requirement may be inappropriate for some low-toxicity pesticides. Therefore, EPA is issuing this proposal to notify the public about possible changes in the WPS decontamination requirement and to solicit information and comments. This information will assist EPA in determining whether the conditions resulting from the proposed change would pose unreasonable risks to workers. In addition, EPA is soliciting information about the economic impact of the proposed option in this document. EPA desires comments on all of the options considered by the Agency, as presented in this proposed rule.

EPA is especially interested in receiving information about the potential implications for regulatory compliance and enforcement that the proposed change might create. Many commenters have requested that the WPS be changed to better fit actual field situations. EPA has responded to these requests by making changes to the WPS where they are justified by weighing the risks and the benefits. However, EPA has received many comments that the WPS is too complicated as a result of these changes, and that these changes result in a more complex rule that is more difficult to comply with and to enforce. Any information that will help EPA resolve the relative trade-offs between regulatory flexibility and more complex regulations will be useful.

EPA is also interested in receiving worker exposure data or worker incident data related to decontamination requirements. Information on the possible risks to workers that could result from any of the proposed options is of interest to EPA. Information from sources such as state incident reporting, poison control centers, hospital surveys, and worker exposure studies (studies involving passive dosimetry are particularly desirable) is valuable.

VII. Statutory Requirements

As required by FIFRA section 25(a), this proposed rule was provided to the U.S. Department of Agriculture and to Congress for review. The FIFRA Scientific Advisory Panel waived its review.

VIII. Public Docket

A record has been established for this rulemaking under docket number

"OPP-250108 " (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Rm. 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Electronic comments can be sent directly to EPA at:

opp-docket@epamail.epa.gov.

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

IX. Regulatory Assessment Requirements

A. Executive Order 12866

Pursuant to Executive Order 12866 (58 FR 51735, October 4, 1993), it has been determined that this is not a "significant regulatory action." OMB has waived its review.

This proposal does not increase requirements which would increase costs to any person. Any optional changes implemented would reduce the regulatory burden.

B. Regulatory Flexibility Act

This proposed rule was reviewed under the provisions of section 3(a) of the Regulatory Flexibility Act, and it was determined that the rule would not have an adverse impact on any small entities. Moreover, this proposed rule would provide regulatory relief and would not impose any additional costs (in fact, it could lower costs). I therefore certify that this proposal does not require a separate analysis under the Regulatory Flexibility Act.