may be delivered to Room 1313 at the same address between 8:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589–2965.

FOR FURTHER INFORMATION CONTACT: Mr. Phil Johnson, Bridge Administration Branch, at the address given above, telephone (504) 589–2965.

SUPPLEMENTARY INFORMATION:

Request for Comments

Interested parties are invited to participate in the proposed rulemaking by submitting written views, comments, or arguments. Persons submitting comments should include their names and addresses, identify the bridge and give reasons for concurrence with or any recommended change in this proposal. Persons desiring acknowledgment that their comments have been received should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Eighth Coast Guard District at the address under **ADDRESSES.** The request should include reasons why a hearing would be beneficial. If it is determined that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

The Commander, Eighth Coast Guard District, will evaluate all communications received and determine a course of final action on this proposal. The proposed regulation may be changed in the light of comments received.

Background and Purpose

The Iberville Parish School Board has requested the regulation because a new, staggered starting time has been implemented for the schools in the Parish. The extension of the morning and afternoon closure for the LA 77 bridge will assist school buses in transporting the students to and from their classes in a timely manner. The new proposed regulation would allow for the free flow of vehicular traffic, while still serving the reasonable needs of navigational interests.

Discussion of Proposed Rules

The LA 77 bridge is a pontoon bridge. Navigational clearances provided by the bridge are 2.0 feet vertical above mean high water in the closed to navigation position and unlimited vertical clearance in the open to navigation position. Horizontal clearance is 125.0 feet. Navigation on the waterway consists of tugs with tows, commercial fishing vessels, occasional small oil field work boats and recreational craft. Data obtained from the Louisiana Department of Transportation and Development show that, during a six month period ending late in August 1995, the number of vessels that passed the bridge during the proposed extended half-hour closure (7:30 a.m. to 8:00 a.m., Monday through Friday) totaled 242. This breaks down to about 1.3 vessels per day during this half-hour period. Since this count includes vessels that were waiting because of the already in effect one and one-half hour closure, 1.3 vessels are a very minimal amount of traffic being detained. The Coast Guard feels that this request for a one-half hour extension is reasonable.

Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential cost and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979).

The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will have a significant economic impact on a substantial number of small entities. ''Small entities'' may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

Since the proposed rule also considers the needs of local commercial fishing vessels, the economic impact is expected to be minimal. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this rule will have a significant economic impact on your business or organization, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this rule will economically effect it.

Collection of Information

This proposal contains no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism Implications

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the proposed rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under paragraph 2.B.2. of Commandant Instruction M16475.1B, this proposal is categorically excluded from further environmental documentation. A ''Categorical Exclusion Determination'' is available in the docket for inspection or copying where indicated under **ADDRESSES.**

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons set out in the preamble, the Coast Guard proposes to amend Part 117 of Title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g).

2. In section 117.478, paragraph (b) is revised to read as follows:

§ 117.478 Lower Grand River.

* * * * *

(b) The draw of the LA 77 bridge, mile 47.0 (Alternate Route) at Grosse Tete, shall open on signal; except that, from about August 15 to about June 5 (the school year), the draw need not be opened from 6 a.m. to 8 a.m. and from 2:30 p.m. to 4:30 p.m., Monday through Friday except Federal holidays. The draw shall open on signal at any time for an emergency aboard a vessel.

* * * * *

Dated: February 14, 1996.

R.C. North,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 96–10083 Filed 4–25–96; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 5E4434/P–651; FRL–5363–3]

RIN 2070–AB18

Aluminum Tris (O-ethylphosphonate); Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to establish a time-limited tolerance for residues of the fungicide aluminum tris (*O*-ethylphosphonate) (also referred to in this document as fosetyl-Al) in or on the raw agricultural commodity blueberry. The proposed regulation to establish a maximum permissible level for residues of the fungicide was requested in a petition submitted by the Interregional Research Project No. 4 (IR-4). The time-limited tolerance for blueberry would expire on December 31, 1998.

DATES: Comments, identified by the document control number [PP 5E4434/P–651], must be received on or before May 28, 1996.

ADDRESSES: By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1132 CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202. Comments and data may also be submitted to OPP by sending electronic mail (e-mail) to: 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. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [PP 5E4434/P–651]. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in the ''SUPPLEMENTARY INFORMATION'' section of this document.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as ''Confidential Business Information''. CBI should not be submitted through e-mail. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the Virginia address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Hoyt L. Jamerson, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Sixth Floor, Crystal Station #1, 2800 Jefferson Davis Highway, Arlington, VA 22202, (703) 308-8783; e-mail:jamerson.hoyt@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition (PP) 5E4434 to EPA on behalf of the Agricultural Experiment Stations of Maine, Michigan, New Jersey, North Carolina, and Oregon. This petition requests that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), amend 40 CFR 180.415 by establishing a time-limited tolerance for residues of the fungicide fosetyl-Al [aluminum tris (*O*-ethylphosphonate)], in or on the raw agricultural commodity blueberry at 40 parts per million (ppm). The petitioner requested that the tolerance expire on December 31, 1998, to allow IR-4 sufficient time to develop additional magnitude of residue data in support of a permanent tolerance for blueberries.

The scientific data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerance include:

(1) A 2–year feeding study in dogs fed diets containing 0, 10,000, 20,000, or 40,000 ppm with a no-observed-effect level (NOEL) of 10,000 ppm (250 milligrams (mg)/kilogram (kg)/day). The lowest-observed-effect level (LOEL) was 20,000 ppm (500 mg/kg/day) based on a slight degeneration of the testes.

(2) A 2–year feeding/carcinogenicity study in rat fed diets containing 0, 2,000, 8,000, or 40,000/30,000 ppm with a systemic NOEL of 8,000 ppm (400 mg/kg/day). The 40,000 ppm dose was reduced to 30,000 ppm after the first two weeks of the study due to the occurrence of red urine and staining of the abdominal fur in male and female rats dosed at 40,000 ppm. Systemic effects (urinary tract stone formation and epithelial irritation) were observed at the high dose level. The study also demonstrated a significantly elevated incidence of urinary bladder tumors (adenomas and carcinomas combined) at the highest dose tested. The tumors were mainly seen in surviving males at the time of terminal sacrifice.

The registrant submitted additional information regarding the relationship between the induction of urinary bladder tumors and the presence of urinary bladder stones in rats, which indicates that the extremely high dose level (40,0000/30,000 ppm) fed to rats produces urinary tract toxicity that precedes and seems to lead to the carcinogenic response in rats.

(3) A 2–year feeding/carcinogenicity study in mice fed diets containing 0, 2,500, 10,000, or 20,000/30,000 ppm. The 20,000 ppm dose was increased to 30,000 ppm during week 19 of the study. The NOEL for systemic effects is established at 20,000/30,000 ppm (3,000/4,500 mg/kg/day) based on hematological effects. There were no carcinogenic effects observed under the conditions of this study.

(4) A three-generation reproduction study in rats fed diets containing 0, 6,000, 12,000 or 24,000 ppm with a NOEL for reproductive effects of 6,000 ppm (300 mg/kg/day). The LOEL is established at 12,000 ppm (600 mg/kg/day) based on decreased pup litter and pup weight.

(5) A developmental toxicity study in rats fed doses of 500, 1,000 or 4,000 mg/kg/day with a NOEL for developmental toxicity of 1,000 mg/kg/day based on a significant reduction in litter and fetal weight, a slight increase in malformations, and increased skeletal variations at the 4,000 mg/kg/day dose level.

(6) A developmental toxicity study in rabbits fed doses of 125, 250, or 500 mg/kg/day with no developmental toxicity observed under the conditions of the study.

(7) Fosetyl-Al was tested and found be negative for mutagenic effects in a battery of studies designed to detect gene mutation, chromosomal aberrations, and other genotoxic effects.

(8) A metabolism study in rats indicates that fosetyl-Al is hydrolyzed to ethanol, which is excreted in expired air as carbon dioxide, and to phosphite, which is excreted in the urine. In addition, some of the compound is also excreted unchanged in the urine.

The Office of Pesticide Programs', Health Effects Division, Carcinogenicity Peer Review Committee (CPRC)

determined that fosetyl-Al was not amenable to classification using current Agency cancer guidelines. Additionally it was concluded that based on a mechanistic evaluation of the only tumor which occurred at exceptionally high doses (40,000/30,0000 ppm) in the bladder of male rats and possibly in the bladder and renal pelvis of female rats, it appears that humans are not likely to be exposed to doses of fosetyl-Al that produce urinary tract toxicity which precedes and leads to the carcinogenic response observed in rats. Based on the available information, the CPRC concludes that the pesticidal use of fosetyl-al is unlikely to pose a carcinogenic hazard to humans. EPA has, therefore, chosen to use the Reference Dose (RfD) to quantify dietary risk to humans.

The Reference Dose (RfD) is calculated at 3.0 mg/kg of body weight/day. The RfD is based on a NOEL of 250 mg/kg/day from the 2-year dog feeding study and an uncertainty factor of 100. The theoretical maximum residue contribution (TMRC) from existing tolerances and the proposed tolerance for blueberry utilizes 2.3 percent of the RfD for the U.S. population, while the TMRC for non-nursing infants utilizes 4.6 percent of the RfD. EPA generally has no concern for exposures below 100 percent of the RfD.

There is no reasonable expectation that secondary residues will occur in milk, eggs, or meat of livestock and poultry since there are no livestock feed items associated with this action. The nature of the residue in plants is adequately understood. An adequate analytical method, is available for enforcement purposes. Prior to its publication in the *Pesticide Analytical Manual*, Volume II (PAM II), the enforcement method is being made available in the interim to anyone who is interested in pesticide residue enforcement from: By mail, Calvin Furlow, Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Crystal Mall #2, Rm 1128, 1921 Jefferson Davis Hwy., Arlington, VA 22202, telephone: 703–305–5805.

There are presently no actions pending against the continued registration of this chemical.

Based on the information and data considered, the Agency has determined that the tolerance established by amending 40 CFR part 180 would protect the public health. Therefore, it is proposed that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this notice in the Federal Register that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the FFDCA.

A record has been established for this rulemaking under docket number [PP 5E4434/P–651] (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 Room 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.

Under Executive Order 12866 (58 FR 51735, Oct. 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to all the requirements of the Executive Order (i.e., Regulatory Impact Analysis, review by the Office of Management and Budget (OMB)). Under section 3(f), the order defines ''significant'' as those actions likely to lead to a rule (1) having an annual effect on the economy of $100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also known as ''economically significant''); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of this Executive Order, EPA has determined that this rule is not ''significant'' and is therefore not subject to OMB review.

This action does not impose any enforceable duty, or contain any ''unfunded mandates'' as described in Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), or require prior consultation as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), entitled Enhancing the Intergovernmental Partnership, or special consideration as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96–354, 94 Stat. 1164, 5 U.S.C. 601–612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: April 11, 1996.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR Part 180 be amended as follows:

PART 180—[AMENDED]

1. The authority citation for Part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. In § 180.415, by adding a new paragraph (c), to read as follows:

§ 180.415 Aluminum tris (O-ethylphosphonate); tolerances for residues.

* * * * *

(c) Time-limited tolerances are established for residues of the fungicide aluminum tris (*O*-ethylphosphonate) in or on the following raw agricultural commodities:

Commodity	Parts per million	Expiration date
Blueberry	40	Dec. 31, 1998

[FR Doc. 96–10251 Filed 4–25–96; 8:45 am]
BILLING CODE 6560–50–F

40 CFR Part 180

[PP 5E4590/P652; FRL–5363–5]

RIN 2070–AB18

Quizalofop Ethyl; Proposed Tolerance for Residues on Pineapple

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed Rule.

SUMMARY: EPA proposes to establish a tolerance for the residues of the herbicide quizalofop-*p* ethyl ester and its acid metabolite quizalofop-*p* and the *S* enantiomers of both the ester and the acid, all expressed as quizalofop-*p*-ethyl ester, in or on the raw agricultural commodity pineapple. The proposed regulation to establish a maximum permissible level for residues of the herbicide was requested in a petition submitted by the Interregional Research Project No. 4 (IR-4).

DATES: Comments, identified by the docket number [PP 5E4590/P652], must be received on or before May 28, 1996.

ADDRESSES: By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1132 CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202. Comments and data may also be submitted to OPP by sending electronic mail (e-mail) to: 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. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [PP 5E4590/P652]. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in the ''SUPPLEMENTARY INFORMATION'' section of this document.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as ''Confidential Business Information'' (CBI). CBI should not be submitted through e-mail. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the Virginia address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Hoyt L. Jamerson, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. Office location and telephone number: Sixth Floor, Crystal Station #1, 2800 Jefferson Davis Highway, Arlington, VA 22202, (703) 308–8783, e-mail: jamerson.hoyt@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition (PP) 5E4590 to EPA on behalf of the Agricultural Experiment Station of Hawaii. This petition requests that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), amend 40 CFR 180.441 by establishing a tolerance for combined residues of the herbicide quizalofop-*p* ethyl ester [ethyl (*R*)-(2-[4-((6-chloroquinoxalin-2-yl)oxy)phenoxyl])-propanoate], and its acid metabolite quizalofop-*p* [*R*-(2-[4-((6-chloroquinoxalin-2yl)oxy)phenoxy]) propanoic acid], and the *S* enantiomers of both the ester and the acid, all expressed as quizalofop-*p*-ethyl ester, in or on the raw agricultural commodity pineapple at 0.1 part per million (ppm). IR-4 proposed that use of quizalofop ethyl on pineapple be limited to Hawaii based on the geographical representation of the residue data submitted. Additional residue data will be required to expand the area of usage. Persons seeking geographically broader registration should contact the Agency's Registration Division at the address provided above.

The scientific data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerance include:

1. Several acute toxicology studies placing technical-grade quizalofop ethyl in Toxicity Category III.

2. An 18–month carcinogenicity study with CD-1 mice fed diets containing 0, 2, 10, 80 and 320 ppm (equivalent to 0, 0.2, 1.5, 12, and 48 mg/kg/day) with no carcinogenic effects observed under the conditions of the study at levels up to and including 80 ppm. There was an elevated incidence of hepatocellular adenomas and carcinomas combined in CD-1 male mice at the 320 ppm dose level, which exceeded the maximum tolerated dose (MTD).

3. A 2–year chronic toxicity/carcinogenicity study in rats fed diets containing 0, 25, 100 and 400 ppm (equivalent to 0, 0.9, 3.7, and 15.5 mg/kg/day for males and 0, 1.1, 4.6, and 18.6 mg/kg/day for females) with no carcinogenic effects observed under the conditions of the study. The no-observed-effect-level (NOEL) for systemic toxicity is established at 25 ppm (0.9 mg/kg/day) based on red blood cell destruction in males, and slight/minimal centrilobular enlargement of the liver in females at the 100 ppm dose level.

4. A 1–year feeding study in dogs fed diets containing 0, 0.625, 2.5, and 10 mg/kg/day with a NOEL of 10 mg/kg/day, the highest dose tested (HDT).

5. A developmental toxicity study in rats fed dosage levels of 0, 30, 100, and 300 mg/kg/day, with no developmental effects observed under the conditions of the study. The NOEL for maternal toxicity is established at 30 mg/kg/day.

6. A developmental toxicity study in rabbits fed dosage levels of 0, 7, 20, and 60 mg/kg/day with no developmental effects observed under the conditions of the study. The NOEL for maternal toxicity is established at 20 mg/kg/day based on decreases in food consumption and body weight gain at 60 mg/kg/day (HDT).

7. A two-generation reproduction study in rats fed diets containing 0, 25, 100 and 400 ppm (equivalent to 0, 1.25, 5, and 20 mg/kg/day with a NOEL for developmental toxicity at 25 ppm based on an increase in liver weight and increase in the incidence of eosinophillic changes in the liver at 100 ppm. The NOEL for parental toxicity is established at 100 ppm based on