

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 (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 explaining the factual basis for this determination 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: June 3, 1996.

Stephen L. Johnson,  
Director, Registration Division, Office of  
Pesticide Programs.

Therefore, 40 CFR part 180 is 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 § 180.383, the table is amended by adding alphabetically the entry for strawberry, to read as follows:

#### § 180.383 Sodium salt of acifluorfen; tolerances for residues.

*	*	*	*	*
Commodity	Parts per million			
*	*	*	*	*
Strawberry .....	0.05			

[FR Doc. 96-15195 Filed 6-13-96; 8:45 am]

BILLING CODE 6560-50-F

#### 40 CFR Part 180

[PP 9F3714/R2214A; FRL-5372-4]

RIN 2070-AB78

#### Fenoxaprop-Ethyl; Extension of Study Due Date and Time-Limited Tolerances; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule, correction.

**SUMMARY:** In the Federal Register of May 10, 1996, EPA issued an extended time-limited tolerance for fenoxaprop-ethyl from April 12, 1996 to November 1, 1997. With this document, EPA is correcting the tolerance for residues of fenoxaprop ethyl on wheat, straw.

**EFFECTIVE DATE:** June 14, 1996.

**FOR FURTHER INFORMATION CONTACT:** By mail: Joanne Miller (PM 23), Registration Division (7505C), Office of Pesticide Programs, U. S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 237, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (Telephone No. (703-305-6224), e-mail: miller.joanne@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of May 10, 1996, EPA issued a final rule which, among other things, extended the time-limit for residues of fenoxaprop-ethyl on certain raw agricultural commodities. EPA revised § 180.430 to change the expiration date for the time-limited tolerance from April 12, 1996 to November 1, 1997. The tolerance for wheat, straw was shown incorrectly in the table as 0.05 ppm. This document corrects that error as follows:

In FR Doc. 96-11338, published at 61 FR 21378, May 10, 1996, in § 180.430, the entry in the table for "Wheat, straw ..... 0.05," should be corrected to read "Wheat, straw..... 0.50."

#### List of Subjects in 40 CFR Part 180

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

Dated: May 31, 1996.

Stephen L. Johnson,

Director, Registration Division, Office of  
Pesticide Programs.

[FR Doc. 96-15190 Filed 6-13-96; 8:45 am]

BILLING CODE 6560-50-F

#### 40 CFR Part 180

[PP 4E4365 and 4E4376/R2244; FRL-5372-5]

RIN 2070-AB78

#### Diquat; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

**SUMMARY:** This document establishes a tolerance for the plant growth regulator diquat [6,7-dihydrodipyrido (1,2-a:2',1'-c) pyrazinedium] derived from application of the dibromide salt and calculated as the cation in or on the imported raw agricultural commodities bananas and coffee at 0.05 part per million (ppm). Zeneca, Inc., petitioned EPA to establish a maximum permissible level for the residues of the plant growth regulator.

**EFFECTIVE DATE:** This regulation is effective June 14, 1996.

**ADDRESSES:** Written objections and hearing requests, identified by the document control number, [PP 4E4365 and 4E4376/R2244], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the document control number and submitted 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 copy of objections and hearing requests to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket number [PP 4E4365 and 4E4376/R2244]. No Confidential Business Information (CBI) should be

submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

**FOR FURTHER INFORMATION CONTACT:** By mail: Joanne I. Miller, Product Manager (PM-23), Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 237, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, (703) 3056224; e-mail:

miller.joanne@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of March 27, 1996 (61 FR 13474), EPA issued a proposed rule (FRL-5348-1) that gave notice that Zeneca, Inc., P.O. Box 15458, Wilmington, DE 19850, has submitted pesticide petition (PP 4E4365 and 4E4376) to EPA. This petition requested that the Administrator, pursuant to the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), establish a tolerance for residues of the plant growth regulator diquat [6,7-dihydrodipyrido (1,2-a:2',1'-c) pyrazinediium derived from application of the dibromide salt and calculated as the cation in or on the raw agricultural commodity bananas at 0.02 ppm and coffee at 0.05 ppm. The petition for bananas was subsequently amended to raise the tolerance level to 0.05 ppm. There were no comments or requests for referral to an advisory committee received in response to the proposed rule.

The data submitted with the proposed rule and other relevant material have been evaluated and discussed in the proposed rule. Based on the data and information considered, the Agency concludes that the tolerance will protect the public health. Therefore, the tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the Federal Register, file written objections to the regulation and may also request a hearing on those objections. Objections and hearing requests must be filed with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of the objections and/or hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be

accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

EPA has established a record for this rulemaking under docket number [PP 4E4365 and 4E4376/R2244] (including any comments and data submitted electronically). 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 may 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 any copies of objections and hearing requests 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, October 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: May 31, 1996.

Stephen L. Johnson,  
Director, Registration Division, Office of  
Pesticide Programs.

Therefore, 40 CFR part 180 is 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 § 180.226, by adding new paragraph (c) to read as follows:

**§ 180.226 Diquat; tolerances for residues.**

\* \* \* \*

(c)(1) Tolerances are established for the plant growth regulator diquat [6,7-dihydrodipyrido (1,2-a:2',1'-c) pyrazinediium] derived from application of the dibromide salt and calculated as the cation in or on the following raw agricultural commodities:

Commodity	Parts per million
Bananas .....	0.05
Coffee .....	0.05

(2) There are no U.S. registrations as of December 6, 1995.

[FR Doc. 96-15193 Filed 6-13-96; 8:45 am]

BILLING CODE 6560-50-F

**40 CFR Part 180**

RIN 2070-AB78

[PP 4F4278/R2239; FRL-5377-7]

**Triflurosulfuron Methyl; Pesticide Tolerance**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final Rule.

**SUMMARY:** This document establishes time-limited tolerances for residues of the herbicide triflurosulfuron methyl, methyl 2-[[[4-(dimethylamino)-6-(2,2,2-trifluoroethoxy)-1,3,5-triazin-2-yl]amino]carbonyl]amino]sulfonyl]-3-methylbenzoate, in or on the raw agricultural commodities sugar beet tops and sugar beet roots. Because additional time is needed for the petitioner to submit additional product chemistry data for an updated manufacturing process, the Agency is granting the tolerances for sugar beet root and top with a 3-year expiration date. E.I. duPont de Nemours Company requested these tolerances in a petition submitted to EPA pursuant to the Federal Food, Drug, and Cosmetic Act (FFDCA). **EFFECTIVE DATE:** June 14, 1996.

**ADDRESSES:** Written objections and hearing requests, identified by the docket number, [PP PP 4F4278/R2239], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm M3708, 401 M St., SW Washington, DC 20460. Fees

accompanying objections shall be labeled "Tolerance Petition Fees" and forwarded to EPA Headquarters Accounting Office Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the docket number and submitted 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 copy of objections and hearing request to: Rm 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically by sending electronic mail (e-mail) to: oppdocket@epamail.gov. Copies of objections and hearing must submitted as an ACSII file avoiding the use of special characters and any firm of encryption. Copies of objections and hearing requests will also be accepted on disks in Word Perfect in 5.1 file format or ASCII file format. All copies of objections and hearing requests in electronic hearing requests in electronic form must be identified by the docket number [PP 4F4278/R2239]. No confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

**FOR FURTHER INFORMATION CONTACT:** By mail, Robert J. Taylor, Product Manager (PM 25), Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460. Office location and telephone number: Rm. 241, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703) 305-6027; e-mail: taylor.robert@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA issued a notice, published in the Federal Register of August 17, 1995 (60 FR 42884) (FRL-4963-7) which announced that E.I. DuPont de Nemours Co., Barley Mill Plaza, Walkers Mill Building 37, Post Office Box 80038, Wilmington, DE 19880-0038, had submitted a pesticide petition (PP 4F4278) which proposed to amend 40 CFR part 180 by establishing a regulation to permit residues of the herbicide triflurosulfuron methyl (methyl 2-[[[4-(dimethylamino)-6-(trifluoroethoxy)-1,3,5-triazin-2-

yl]amino]carbonyl]amino] sulfonyl]-3-methylbenzoate) in or on the raw agricultural commodities sugar beet root and sugar beet top at 0.05 ppm. No comments or request for referral to an advisory committee were received in response to this notice of filing.

The scientific data submitted in the petitions and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerances are listed below.

1. Several acute toxicology studies placing technical grade triflurosulfuron methyl in toxicity Category III for acute dermal toxicity and primary eye irritation and toxicity Category IV for acute oral toxicity, acute inhalation toxicity and primary dermal irritation. Technical triflurosulfuron methyl was not a skin sensitizer.

2. An acute neurotoxicity screening battery with rats fed dosages of 500, 1,000 or 2,000 milligrams/kilograms/day (mg/kg/day) with a no-observed-effect level (NOEL) of 2,000 mg/kg/day (limit dose).

3. A 21-day dermal toxicity study with rabbits fed dosages of 50, 300, or 1,000 mg/kg/day with a systemic toxicity NOEL equal to or greater than 1,000 mg/kg for males and females and a dermal toxicity NOEL equal to or greater than 1,000 mg/kg/day for males and females.

4. A subchronic neurotoxicity study with rats fed dosages of 0, 6.1, 46.1, 92.7, or 186.2 mg/kg/day (males) or 7.1, 51.6, 104.1 or 205.2 mg/kg/day (females) with a NOEL of 92.7 mg/kg/day (males) and 7.1 mg/kg/day (females) based on decreased body weight/body weight gain at the lowest observed effect level (LOEL) of 186.2 mg/kg/day (males) and 51.6 mg/kg/day (females).

5. A 1 year oral toxicity study with dogs fed dosages of 1.0, 26.9, 111.6 mg/kg/day (males) and 1.2, 27.7, and 95.5 mg/kg/day (females) with a NOEL of 26.9 mg/kg/day (males) based on increases in alkaline phosphatase; liver weight, and incidence of minimal centrilobular hepatocellular hypertrophy at the LOEL of 111.6 (males) and a NOEL of 27.7 mg/kg/day (females) based on increased liver weight and increased incidence of minimal centrilobular hepatocellular hypertrophy at the LOEL of 95.5 mg/kg/day (females).

6. In an 18-month carcinogenicity study mice were fed dosages of 1.37, 20.9, 349 and 1,024 mg/kg/day (males) and 1.86, 27.7, 488 and 1,360 mg/kg/day (females). Male mice had statistically significant positive trends for hepatocellular adenomas and for combined adenoma/carcinoma (driven entirely by adenomas) at 349 and 1,024