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]

Triflusulfuron Methyl; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final Rule.

SUMMARY: This document establishes time-limited tolerances for residues of the herbicide triflusulfuron methyl, methyl 2-[[[[[4-(dimethylamino)-6-(2,2,2-trifluroroethoxy)-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@epamil.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 triflusulfuron 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 triflusulfuron 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 triflusulfuron 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

mg/kg/day. These increases were not significant in pair-wise comparisons with control groups and were determined not to be carcinogenic effects by the Carcinogenicity Peer Review Committee (CPRC).

7. In the combined chronic toxicity/carcinogenicity study rats were fed dosages of 0, 0.406, 4.06, 30.6 and 64.5 mg/kg/day (males) and 0, 0.546, 5.47, 41.5, and 87.7 mg/kg/day (females). Male rats had a significant increasing trend and significant differences in pair-wise comparisons of the 30.6 and 64.5 mg/kg/day dose groups with controls for interstitial cell ademonas. This effect was determined to be a carcinogenic effect by the CPRC. No carcinogenic effects were noted in females up to and including 87.7 mg/kg/day (highest dose tested (HDT)). The LOEL for chronic toxicity is 30.6 mg/kg/day (males) and 41.5 mg/kg/day (females) based on decreased body weight and body weight gain, alterations in the hematology parameters (males predominately) and an increased incidence of interstitial cell hyperplasia in males. The NOEL for chronic toxicity is 4,06 mg/kg/day (males) and 5.47 mg/kg/day (females). This value is adjusted to the lowest concentration level of the chemical at this dosage (60%) resulting in NOELs 2.44 mg/kg/day (males) and 3.28 mg/kg/day (females).

8. In a developmental study rats were fed dosages of 0, 30, 120, 350, and 1,000 mg/kg/day with a developmental NOEL equal to or greater than 1,000 mg/kg/day (HDT) and a maternal toxicity NOEL of 120 mg/kg/day with a LOEL of 350 mg/kg/day based on reduced body weight gain in the 350 and 1,000 mg/kg/day animals, reduced food consumption in the 1,000 mg/kg/day animals and lower food efficiency in the 350 and 1,000 mg/kg/day groups.

9. In a developmental study rabbits were fed dosages of 0, 15, 90, 270, and 800 mg/kg/day with a NOEL for developmental toxicity of 90 mg/kg/day with a LOEL of 270 mg/kg/day based on the increase in abortions and a decrease in mean fetal body weight. The NOEL for maternal toxicity is 90 mg/kg/day with a LOEL of 270 mg/kg/day based on maternal death and abortions, an increase in clinical signs noted in the mid-high and high dose groups, decreased food efficiency and increased post mortem finding describing gastrointestinal effects.

10. In a two-generation rat reproduction study rats were fed dosages of 0, 0.588, 5.81, 44.0 and 89.5 mg/kg/day (males) and 0, 0.764, 7.75, 58 and 115 mg/kg/day (females) with a reproductive toxicity NOEL equal to or greater than 89.5 and 115 mg/kg/day for males and females, respectively, based on the absence of reproductive effects in rats at the highest dose level. The NOEL for systemic toxicity was 5.81 and 7.75 for males and females, respectively, based on decreased body weight/body weight gain and food efficiency in males and females, and decreased weights of offspring from the Fo generation on days 14 and 21 post-partum at 44.0 and 58.0 mg/kg/day in males and females respectively.

11. Mutagenicity data submitted for the parent compound, triflusulfuron methyl included a reverse mutation assay (Ames Test) which was negative at concentrations up to 1,000 µg/plate, the highest level tested; a *Salmonella typhimurium* plate incorporation assay which was negative at concentration up to 3,000 µg/plate, the highest level tested; and a CHO/HPRT assay which was negative at concentrations up to 2,000 mg/kg/day, the highest level tested. A chromosomal aberration/human lymphocyte assay was positive in the presence of metabolic activation at concentrations greater than or equal to 1,500 µg/ml. A second chromosomal aberration/human lymphocyte assay was positive in the presence of metabolitic activation at concentrations of 2,000 µg/ml. Results in the absence of metabolic activation were inconclusive for both chromosomal aberration studies. The mouse bone marrow micronucleus test was negative at doses up to 5,000 mg/kg, the highest dose level tested. In three *Salmonella typhimurium* plate incorporation assays metabolites of triflusulfuron methyl were negative up to 5,000 µg/plate, the highest level tested.

12. A series of *in vivo* and *in vitro* studies were conducted in male rats to investigate the mechanism by which triflusulfuron methyl induces Leydig cell tumors in the testes. The studies demonstrated that triflusulfuron methyl produces a dose dependent decrease in the aromatase activity *in vitro*. However, the effects of the chemical on the enzyme *in vivo* are not conclusive since no inhibition of activity at extremely high dose levels after a 2-week exposure period were observed. Further, the hypothesis that this effect is mediated by a chronic depression in estradiol altering the negative feedback mechanism for LH upon the Leydig cells of the testes has been suggested but not clearly demonstrated. A trend but not pairwise statistical significance has been shown for either the 750 or 1,500 ppm serum levels of testosterone or estradiol after 1 year of exposure. In addition, no elevation in serum levels of LH were noted at either dose level.

The Carcinogenicity Peer Review Committee (CPRC) of Health Effects Division (HED) has evaluated the rat and mouse cancer studies on triflusulfuron methyl along with other short term toxicity studies, mutagenicity studies and structure activity relationships. The CPRC agreed that triflusulfuron methyl should be classified as a Group C-possible human carcinogen and that for the purpose of risk characterization the Reference Dose (RfD) approach should be used for quantification of human risk.

This decision was based on evidence of highly significant, dose-related increase in the incidence of interstitial cell adenomas in the rat at two doses. Evidence of a hormonal basis for these tumors was suggestive, but not conclusive. There was some evidence of clastogenic activity for triflusulfuron methyl which needs further study. A DNA damage/repair test in germ cells (e.g. alkaline elution assay) is being requested to clarify this. The evidence from structurally related analogs was mixed, of 12 chemicals in this class (sulfonylureas), primisulfuron methyl, prosulfuron, and tribenuron methyl have been associated with carcinogenic activity in rodents. The RfD approach for risk quantification was chosen because the tumors (testicular interstitial cell) were benign.

Based on an NOEL of 2.44 mg/kg bwt/day in the 2 year rat feeding study, and using a 100-fold safety factor, the reference dose RfD for triflusulfuron methyl is calculated to be 0.024 mg/kg bwt/day. The theoretical maximum residue contribution (TMRC) for these tolerances is 0.000017 mg/kg/day which represents 0.069% of the RfD for the overall U. S. population. For U. S. subgroup population, children aged 1 to 6, the TMRC for these tolerances is 0.000041 which represents 0.17% of the RfD assuming residue levels are at established tolerances and that 100 percent of the crop is treated. No other tolerances are published for triflusulfuron methyl.

Data desirable but lacking for this chemical include additional product chemistry data on an updated manufacturing process and a DNA damage/repair test on germ cells. The Agency is granting the tolerances for sugar beet top and sugar beet root with a 3-year expiration date to allow the petitioner E.I. DuPont de Nemours Company to provide the additional product chemistry data.

There are currently no regulations against the registration of this chemical for use on sugar beets. Even though triflusulfuron methyl is classified as a C-carcinogen, EPA believes that the

establishment of these tolerances will not pose an unreasonable risk to humans as a result of dietary exposure. The establishment of these tolerances utilize less than 1% (0.069%) of the RfD.

The pesticide is useful for the purpose for which the tolerances are sought. The nature of the residue in plants and animals is adequately understood for the purposes of establishing these tolerances. Adequate analytical methodology (high pressure liquid chromatography (HPLC) using a C-8 or C-18 reverse phase analytical column) is available for enforcement purposes. Because of the long lead-time from establishing tolerances to publication, the enforcement methodology is being made available in the interim to anyone interested in pesticide enforcement. Request by mail from Calvin Furlow, Public Response Program Resources Branch, Field Operations Division (H7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, SW., Washington DC 20460. Office location and telephone number: Rm. 1130A, CM #2, 1921 Jefferson Davis Hwy, Arlington, VA 22202. No detectable secondary residues are expected in milk; eggs; meat, fat, and meat byproducts of cattle, goats, hogs, horses, sheep, or poultry from this use.

Based on the information and data considered, the Agency has determined that the tolerances established by amending 40 CFR part 180 would protect the public health. Therefore, EPA is establishing the tolerances 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 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 each such issue, 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 a 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.

A record has been established for this rulemaking under docket number [PP 4F4278/R2239] (including objections and hearing requests 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.

Written objections and hearing requests, identified by the docket number [PP 4F4278/R2239], may be submitted to the Hearing Clerk (1900), Environmental Protection Agency, Rm 3708, 401 M St., SW., Washington, DC 20460. A copy of electronic objections and hearing requests filed with the Hearing Clerk can be sent directly to EPA at:opp-Docket@epamail.epa.gov.

A copy of electronic objections and hearing requests filed with the Hearing Clerk 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 describes above will be kept in paper form. Accordingly, EPA will transfer any 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 objections and hearing requests submitted directly in writing. The official rulemaking record is a paper record maintained at the Virginia 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 review by the Office Of Management and Budget (OMB) and the requirements of the Executive Order. Under section 3(f), the order defines a ‘‘significant regulatory action’’ as an action that is likely to result in 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 referred to as ‘‘economicallysignificant’’); (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 the rights and obligation of recipients thereof; 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 the 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, Food additive, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 3, 1996.

Daniel M. Barolo,

Director, 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. By adding § 180.492 to subpart C to read as follows;

§ 180.492 Triflusulfuron Methyl; Tolerances for Residues

Tolerances to expire as shown in the table below are established for residues of the herbicide, triflusulfuron methyl, methyl 2-[[[[[4-(dimethylamino)-6-(2,2,2-trifluorothoxy)-1,3,5-triazin-2-yl]amino]carbonyl]amino]sulfonyl]-3-methylbenzoate, in or on the raw agricultural commodities:

Commodity	Parts per million	Expiration date
Sugar beet, root	0.05	June 14, 1999.
Sugar beet, top	0.05	June 14, 1999.

[FR Doc. 96–15194 Filed 6–13–96; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Part 180

[PP 0E3835/R2241; FRL–5370–8]

RIN 2070–AB78

Diflubenzuron; Pesticide Tolerance for use on Artichokes

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: This document establishes a tolerance for the insecticide diflubenzuron in or on the raw agricultural commodity artichokes. The Interregional Research Project No. 4 (IR-4) requested the regulation to establish a maximum permissible level for residues of the insecticide pursuant to the Federal Food, Drug and Cosmetici Act (FFDCA).

EFFECTIVE DATE: This regulations is effective June 14, 1996.

ADDRESSES: Written objections and hearing requests, identified by the docket number, [PP 0E3835/R2241], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. 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 requests to Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Fees accompanying objections shall be labeled ''Tolerance Petition Fees'' and forwarded: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Copies of electronic objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of electronic objections and hearing requests will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All copies of electronic objections and hearing requests must be identified by the docket number [PP 0E3835/R2241]. No Confidential Business Information (CBI) should be submitted through e-mail. Copies of electronic 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: Hoyt L. Jamerson, Registration Division (7505C), 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: In the Federal Register of April 17, 1996 (61 FR 16745), EPA issued a proposed rule (FRL–5356–5) that gave notice that the Interregional Research Project No.4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, New Brunswick, NJ 08903, had submitted pesticide petition (PP) 0E3835 to EPA on behalf of the Agricultural Experiment Station of California. This petition requests that the Administrator, pursuant to section 408(e) of the FFDCA, 21 U.S.C. 346a(e) amend 40 CFR 180.377 by establishing a tolerance for residues of the insectide diflubenzuron (*N*-[[4-chlorophenyl)amino]carbonyl]-2,6-diflubenzamide) in or on the raw agricultural commodity artichokes at 6.0 parts per million (ppm). There were no comments or request for referral to an advisory committee received in response to the proposed rule.

The data submitted with the proposal 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 [OPP–300401A] (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