

## List of Subjects

Environmental Protection, Agricultural commodities, Food additives, Feed additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 24, 1996.

Peter Caulkins,

*Acting Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 96-17330 Filed 7-9-96; 8:45 am]

BILLING CODE 6560-50-F

[OPP-181015; FRL 5379-1]

### **Carbofuran, Receipt of Application for Emergency Exemption; Solicitation of Public Comment**

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

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Tennessee Department of Agriculture (hereafter referred to as the "Applicant") to use the pesticide flowable Carbofuran (Furadan 4F Insecticide/Nematicide) (EPA Reg. No. 279-2876) to treat up to 50,000 acres of cotton to control cotton aphids.

The Applicant proposes the use of a chemical which has been the subject of a Special Review within EPA's Office of Pesticide Programs, and the proposed use could pose a risk similar to the risk assessed by EPA under the Special Review of granular carbofuran. Therefore, in accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption.

**DATES:** Comments must be received on or before July 25, 1996.

**ADDRESSES:** Three copies of written comments, bearing the identification notation "OPP-181015," should be submitted by mail to: Public Response and Program Resource 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, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically 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 in 5.1

file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-181015]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as (CBI). Information so marked 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 provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: David Deegan, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Floor 6, Crystal Station #1, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308-8327; e-mail: deegan.dave@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a state agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemption for the use of carbofuran on cotton to control aphids.

Information in accordance with 40 CFR part 166 was submitted as part of this request. As part of this request, the Applicant asserts that the state of Tennessee is likely to experience a non-routine infestation of aphids during the 1996 cotton growing season. The applicant further claims that, without a specific exemption of FIFRA for the use of flowable carbofuran on cotton to control cotton aphids, cotton growers in much of the state will suffer significant economic losses. The applicant also details a use program designed to minimize risks to pesticide handlers and applicators, non-target organisms

(both Federally-listed endangered species, and non-listed species), and to reduce the possibility of drift and runoff.

The applicant proposes to make no more than two applications on older cotton (bloom to finish) at the rate of 0.25 lb. active ingredient [(a.i.)], (8 fluid oz.) in a minimum of 2 gallons of finished spray per acre by air, or 10 gallons of finished spray per acre by ground application. The total maximum proposed use during the 1996 growing season (June 1, 1996 until September 30, 1996) in Tennessee would be 0.5 lb. a.i. (16 fluid oz.) per acre. The applicant proposes that the maximum acreage which could be treated under the requested exemption would be 50,000 acres. If all acres were treated at the maximum proposed rates, then 25,000 lbs. a.i. (6,250 gallons Furadan 4F Insecticide/Nematicide) would be used.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require publication of a notice of receipt of an application for a specific exemption proposing use of a chemical (i.e., an active ingredient) which has been the subject of a Special Review within EPA's Office of Pesticide Programs, and the proposed use could pose a risk similar to the risk assessed by EPA under the previous Special Review. Such notice provides for opportunity for public comment on the application.

A record has been established for this notice under docket number OPP-181015 (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 Resource 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 notice, 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 record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document. Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above.

The Agency, accordingly, will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the Tennessee Department of Agriculture.

#### List of Subjects

Environmental protection, Pesticides and pest, Crisis exemptions.

Dated: June 12, 1996.

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

[FR Doc. 96-17326 Filed 7-9-96; 8:45 am]

BILLING CODE 6560-50-F

#### [OPP-50820; FRL-5369-3]

#### Issuance of Experimental Use Permits

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

**ACTION:** Notice.

**SUMMARY:** EPA has granted experimental use permits to the following applicants. These permits are in accordance with, and subject to, the provisions of 40 CFR part 172, which defines EPA procedures with respect to the use of pesticides for experimental use purposes.

**FOR FURTHER INFORMATION CONTACT:** By mail: Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

In person or by telephone: Contact the product manager at the following address at the office location, telephone number, or e-mail address cited in each experimental use permit: 1921 Jefferson Davis Highway, Arlington, VA.

**SUPPLEMENTARY INFORMATION:** EPA has issued the following experimental use permits:

**100-EUP-101.** Issuance. Ciba Plant Protection, P.O. Box 18300, Greensboro, NC 27419-8300. This experimental use permit allows the use of 328.04 pounds of the herbicide 2-[[[4,6-dimethyl-2-pyrimidinyl]-amino]carbonyl]amino]sulfonyl]benzoic

acid, 3-oxetanyl ester on 4,000 acres of soybeans to evaluate the control of various weeds. The program is authorized only in the States of Alabama, Arkansas, Delaware, Georgia, Illinois, Iowa, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, and Wisconsin. The experimental use permit is effective from April 30, 1996 to December 21, 1997. (Robert Taylor, PM 25, Rm. 245, CM #2, 703-305-6800, e-mail: taylor.robert@epamail.epa.gov)

**69006-EUP-1.** Issuance. Earthgro, Inc., Route 207, P.O. Box 143, Lebanon, CT 06249. This experimental use permit allows the use of 5,697 pounds of the microbial pesticides *Flavobacterium balustinum* strain 299 and *Trichoderma hamatum* isolate 382 on 226 acres of selected ornamentals and vegetable bedding plants to evaluate the control of *Rhizoctonia*, *Fusarium*, *Pythium*, and *Phytophthora*. The program is authorized only in the States of California, Connecticut, Florida, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Texas. The experimental use permit is effective from January 1, 1996 to January 1, 1998. (Diana Horne, CS #1 5th floor, 703-308-8367, e-mail: horne.diana@epamail.epa.gov)

**4581-EUP-43.** Renewal. Elf Atochem North America, Inc., 2000 Market St., 21st Floor, Philadelphia, PA 19103. This experimental use permit allows the use of 128 pounds of the herbicide mono(N,N-dimethylalkylamine) salt of endothall on 50 acres of cotton to evaluate the enhancement of cotton boll opening. The program is authorized only in the States of Alabama, Arkansas, Georgia, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Texas, and Virginia. The experimental use permit is effective from May 16, 1996 to May 16, 1997. This permit is issued with the limitation that all treated crops will be destroyed or used for research purposes only. (Joanne Miller, PM 23, Rm. 237, CM #2, 703-305-6224, e-mail: miller.joanne@epamail.epa.gov)

**68173-EUP-1.** Extension. Kaken Pharmaceutical Co., Ltd. of Japan, c/o Stewart Pesticide Registration Associates, Inc., Suite 603, 1901 North Moore St., Arlington, VA 22209. This experimental use permit allows the use

of 30.2 pounds of the fungicide polyoxorim-zinc (1:1)<sup>1</sup>, zinc 5-[[2-amino-5-O-(aminocarbonyl)-2-deoxy-L-xylonoyl]amino]-1-(5-carboxy-3,4-dihydro-2,4-dioxo-1(2H)-pyrimidinyl)-1,5-dideoxy-beta-D-allofuranuronate on 28 acres of ornamental turf grass to evaluate the control of brown patch and large patch. The program is authorized only in the States of Delaware, Georgia, Kansas, Maryland, Missouri, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas, and Virginia. The experimental use permit is effective from April 16, 1996 to November 1, 1996. (Denise Greenway, CS #1 5th floor, 703-308-8263, e-mail: greenway.denise@epamail.epa.gov)

**10182-EUP-59.** Issuance. Zeneca Ag Products, Inc., 1800 Concord Pike Wilmington, DE 19897. This experimental use permit allows the use of 2,250 pounds of the herbicide 2-cyclohexen-1-one, 2-[1-ethoxyimino]propyl]-3-hydroxy-5-(2,4,6-trimethylphenyl)-(9Cl) on 5,000 acres of wheat and barley to evaluate the control of green foxtail, persian dandel, yellow foxtail, and wild oats. The program is authorized only in the States of Idaho, Minnesota, Montana, North Dakota, South Dakota, and Washington. The experimental use permit is effective from April 23, 1996 to April 19, 1998. A temporary tolerance for residues of the active ingredient in or on barley and wheat has been established. (Robert Taylor, PM 25, Rm. 245, CM #2, 703-305-6800, e-mail: taylor.robert@epamail.epa.gov)

Persons wishing to review these experimental use permits are referred to the designated product managers. Inquires concerning these permits should be directed to the person cited above. It is suggested that interested persons call before visiting the EPA office, so that the appropriate file may be made available for inspection purposes from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

Authority: 7 U.S.C. 136.

#### List of Subjects

Environmental protection,  
Experimental use permits.

Dated: June 18, 1996.

Stephen L. Johnson.

Director, Registration Division, Office of  
Pesticide Programs.

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