

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: Stephen Schaible, 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) 308-8337; e-mail: schaible.stephen@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 carboxin on onion seed to control onion smut. Information in accordance with 40 CFR part 166 was submitted as part of this request.

The loss of Arasan 50 Red, the fungicide historically used to control onion smut, has resulted in an urgent, non-routine situation for growers in northern onion growing states. Onion smut, caused by the fungus *Urocystis magica*, is a serious and widespread disease of seedling onions in northern onion producing states. In the past, onion smut was controlled with thiram 50 percent wettable powder (Arasan 50 Red) seed treatments. However, the DuPont Company ceased manufacture of this product in 1985, and growers have since exhausted existing stocks of Arasan 50 Red. According to the Applicant, there are no other registered pesticides or alternative practices available that will control this disease. There are other thiram products registered for use as onion seed treatments, but the maximum label rates are too low to control onion smut.

Under the proposed exemption, a maximum of 2.5 lbs. of product (0.75 lbs. of carboxin) per 100 lbs. of onion seed (2 oz. product/5 lbs. seed) will be applied to seed before packaging or as part of the pellet program. A maximum of one application will be applied directly to seed. A maximum of 52,300 lbs. of onion seed may be treated under this exemption.

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 an emergency exemption which has been

requested in any 3 previous years, and a complete application for registration of the use and/or a tolerance petition has not been submitted to the Agency. Such notice provides for opportunity for public comment on the application.

A record has been established for this notice under docket number [OPP-181028] (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 California Environmental Protection Agency, Department of Pesticide Regulation.

List of Subjects

Environmental protection, pesticides and pests, emergency exemptions.

Dated: October 15, 1996.

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

[FR Doc. 96-27587 Filed 10-29-96; 8:45 am]

BILLING CODE 6560-50-F

[OPP-181027; FRL 5570-4]

Chlorfenapyr; 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 Arizona Department of Agriculture (hereafter referred to as the "Applicant") to use the pesticide chlorfenapyr to treat up to 65,000 acres of lettuce to control beet armyworm (BAW). The Applicant proposes the use of a new (unregistered) chemical. 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 November 14, 1996.

ADDRESSES: Three copies of written comments, bearing the identification notation "OPP-181027," 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-181027]. 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 No. 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: Margarita Collantes, 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) 308-8347; e-mail: collantes.margarita@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 chlorfenapyr on lettuce to control BAW. Information in accordance with 40 CFR part 166 was submitted as part of this request. According to the Applicant, the BAW is a key pest in lettuce and has been most prevalent August through December. However, in recent years BAW has been causing crop damage due to infestations all season long. The BAW attacks leafy crops at emergence often causing severe crop loss. Infestations in the crop cycle will stunt growth, damage and contaminate the harvestable portion of the crop.

There are currently nine registered active ingredients for use in lettuce and for control of BAW. However all of these products have questionable efficacy or labeled restrictions that prohibits their use at critical periods. Furthermore, almost all insecticide applications targeting BAW in lettuce now include Lannate *methonmyl* or Larvin *thiodicarb*. Lannate and Larvin are similar chemicals and the probability of resistance development given the pest and the products is very high. In 1995 growers reported failures with all product combinations. The failures resulted in significant crop losses in Arizona due to stand reductions, slowed growth and unharvestable crop.

Under the proposed exemption, a maximum of 3 consecutive application at a rate of 0.15 lb active ingredient [(a.i.)] (9.5 fl oz.) per acre, not to apply more than 1.0 lb a.i. (64.0 fl oz) per acre per crop, would be applied. Do not apply the product within 3 days of harvest. Do allow at least 7 days between each application. Do not apply

by ground within 25 feet or air within 75 feet of lakes, rivers, reservoirs, permanent streams, marshes or natural ponds, estuaries of fish farms.

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 new chemical (i.e., an active ingredient not contained in any currently registered pesticide), [etc., see 40 CFR 166.24]. Such notice provides for opportunity for public comment on the application.

A record has been established for this notice under docket number [OPP-181027] (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:

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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 Arizona Department of Agriculture.

List of Subjects

Environmental protection, pesticides and pests, emergency exemptions.

Dated: October 10, 1996.

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

[FR Doc. 96-27586 Filed 10-29-96; 8:45 am]

BILLING CODE 6560-50-F

[OPP-181023; FRL-5391-7]

Emergency Exemptions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted specific exemptions for the control of various pests to 23 States listed below. Six crisis exemptions were initiated by various States and one by the U.S. Department of Agriculture, and the U.S. Department of Agriculture, Animal and Plant Health Inspector Service. EPA also granted a quarantine exemption to the U.S. Department of Agriculture and the U.S. Department of Defense. These exemptions, issued during the months of May and June 1996, are subject to application and timing restrictions and reporting requirements designed to protect the environment to the maximum extent possible. Information on these restrictions is available from the contact persons in EPA listed below.

DATES: See each specific, crisis, and quarantine exemption for its effective date.

FOR FURTHER INFORMATION CONTACT: See each emergency exemption for the name of the contact person. The following information applies to all contact persons: By mail: Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, CS 1B1, 2800 Jefferson Davis Highway, Arlington, VA (703-308-8417); e-mail: group.ermus@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA has granted specific exemptions to the:

1. Alabama Department of Agriculture for the use of tebufenozide on cotton to control beet armyworms; June 1, 1996, to September 30, 1996. (Margarita Collantes)

2. Alabama Department of Agriculture and Industries for the use of Pirate on cotton to control beet armyworms and tobacco budworms; June 1, 1996, to September 30, 1996. (Margarita Collantes)

3. Arizona Department of Agriculture for the use of buprofezin on cotton to control whiteflies; June 1, 1996, to September 1, 1996. (Andrea Beard)