

TABLE 5.—OFFSITE AIR MONITORING DATA USING AVERAGE CONCENTRATIONS FROM THREE STUDY SITES (AZ, NC, WA)

| Distance from treated field (m)      | Mean conc. 7 day ( $\mu\text{g}/\text{m}^3$ ) | Mean conc. 15 day ( $\mu\text{g}/\text{m}^3$ ) |
|--------------------------------------|---|--|
| 1600 (AZ)                            | 3   | 2  |
| 1,200 (AZ)                           | 6   | 4  |
| 800                                  | 11  | 7  |
| 500                                  | 19  | 10   |
| 125 Edge of buffer zone <sup>1</sup> | 92  | 56   |
| 25                                   | 196   | 63   |
| 5                                    | 185   | 67   |
| onsite                               | 181   | 171  |

<sup>1</sup>Edge of buffer zone - EPA uses this distance to approximate risks at 300-foot buffer

The errors in Table 5 of the PD2 did not affect the Agency's risk-benefit determination or conclusions about potential bystander exposure to Telone.

2. *Comment.* Friends of the Earth expressed concerns about pesticide drift from telone use and asked that EPA prohibit Telone fumigation within 72 hours of activities in and around schools, nursing homes, and similar structures. Friends of the Earth also requested that "occupied structures" for the purposes of the 300-foot buffer be better defined.

*Response.* The Agency believes that the 300-foot buffer zone around occupied structures provides protection to those in and around schools, nursing homes, and other structures from potential 1,3-D drift. This buffer area provides the same type of protection suggested by the Friends of the Earth's 72-hour prohibition on use.

The term "occupied structure" is broadly defined on the label to be a structure "such as a school, hospital, business, or residence." The label further specifies that "no person shall be present at this structure at any time during the 7 consecutive day period following application" to ensure that Telone cannot be used around structures, without the 300-foot buffer zone, even if such structures are unoccupied at the time of actual Telone application, if individuals would be returning to the structure earlier than 7 days (or 168 hours) following Telone use. The Agency does not have any information suggesting that users of Telone have experienced confusion from the current label language that

would require clarification of the term "occupied structure."

#### *G. Request for Extension of Comment Period*

*Comment.* The Florida Consumer Action Network and Farmworker Association of Florida, Inc. requested an extension of the Telone PD2 comment period, because they felt that the farmworker advocacy community had not been adequately notified of EPA's proposed termination of the Special Review, since farmworkers had not been included in the introduction to the PD2 among the list of those affected by the proposal.

*Response.* A number of national and regional farmworker advocacy groups routinely receive notice of the Agency's proposed actions. The Agency also received a number of comments from farmworker and other advocacy groups in response to the PD2. Although the Agency strives to notify regional groups that may be interested in a given action, it is not possible for the Agency to identify all such groups for every decision. Since these groups requesting an extension did have time to file their comments, and did not identify any other groups who did not have enough time, EPA is not extending the comment period for this action.

#### *H. Telone CIS-Isomer vs. Trans-Isomer*

*Comment.* The Shoshone-Bannock Tribes urged that EPA should only allow the Telone registrant to market the CIS-isomer formulation of Telone, as in Europe, and not the TRANS-isomer, because only the CIS-isomer of Telone is effective as a nematocide.

*Response.* The Agency does not have any information that the TRANS-Isomer is not effective as a nematocide. Further, Telone has already met the standard for registration in the context of Reregistration and Special Review as a mixture of the CIS-Isomer and TRANS-Isomer. Therefore, the Agency does not see any reason to require the registrant to reformulate Telone as a single-Isomer formulation at this time.

#### III. Ecological Effects

*Comment.* Friends of the Earth expressed the opinion that EPA should pay more attention to the ecological effects of Telone use, due to the abundance of wildlife in Florida.

*Response.* The scope of the Special Review is limited to human health carcinogenicity concerns. However, the Telone RED of 1998 evaluated the ecological risks posed by Telone use. Further through the RED process, under the FIFRA Section 3(c)(2)(b) authority,

the Agency required several ecological effects studies which will be evaluated.

#### IV. The EPA's Decision Regarding Special Review

This notice concludes EPA's administrative Special Review of the risks and benefits of Telone, which was initiated in a **Federal Register** notice of October 8, 1986 (51 FR 36160). In the January 12, 2000 **Federal Register** (65 FR 1869), EPA announced its intent to terminate the Telone Special Review. As stated in that document, based on its risk and benefits assessment, EPA has concluded that the benefits provided from the continued existing uses of Telone outweigh the risks. EPA's review of comments received in response to the January 12, 2000 proposal to terminate the Telone Special Review, have not resulted in a change in the Agency's risk-benefit determination. Accordingly, for the reasons set forth in the January 12, 2000 notice (65 FR 1869) (FRL-6380-6). EPA is announcing that it has terminated the Telone Special Review.

#### List of Subjects

Environmental protection, Pesticides.

Dated: November 8, 2001.

**Stephen Johnson,**

*Assistant Administrator for Prevention, Pesticides and Toxic Substances*

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#### ENVIRONMENTAL PROTECTION AGENCY

[OPP-30475A; FRL-6808-8]

#### Pesticide Product; Registration Approval

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

**ACTION:** Notice.

**SUMMARY:** This notice announces Agency approval of an application to register the pesticide product, Beetleball Technical containing the active ingredient 4-allyl anisole not included in any previously registered product pursuant to the provisions of section 3(c)(5) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**FOR FURTHER INFORMATION CONTACT:** Robyn Rose, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 703-308-9581; and e-mail address: rose.robyn@epa.gov.

**SUPPLEMENTARY INFORMATION:**

## I. General Information

### A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

| Categories | NAICS Codes | Examples of Potentially Affected Entities |
|------------|-------------|---|
| Industry   | 32532       | Pesticide manufacturing                   |

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

### B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the **Federal Register—Environmental Documents**." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

To access a fact sheet which provides more detail on this registration, go to the Home Page for the Office of Pesticide Programs at <http://www.epa.gov/pesticides/>, and select "fact sheet."

2. *In person.* The Agency has established an official record for this action under docket control number OPP-30475A. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well

as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm.119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

In accordance with section 3(c)(2) of FIFRA, a copy of the approved label, the list of data references, the data and other scientific information used to support registration, except for material specifically protected by section 10 of FIFRA, are also available for public inspection. Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), 1200 Pennsylvania Ave., NW., Washington, DC 20460. The request should: Identify the product name and registration number and specify the data or information desired.

A paper copy of the fact sheet, which provides more detail on this registration, may be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161.

## II. Did EPA Approve the Application?

The Agency approved the application after considering all required data on risks associated with the proposed use of 4-allyl anisole, and information on social, economic, and environmental benefits to be derived from use. Specifically, the Agency has considered the nature of the chemical and its pattern of use, application methods and rates, and level and extent of potential exposure. Based on these reviews, the Agency was able to make basic health and safety determinations which show that use of 4-allyl anisole when used in accordance with widespread and commonly recognized practice, will not generally cause unreasonable adverse effects to the environment.

## III. Approved Application

EPA issued a notice, published in the **Federal Register** of April 20, 1999 (64 FR 19356) (FRL-6072-9), which announced that Taensa, Inc., 26 Sherman Court, P.O. Box 764, Fairfield, CT 06430, had submitted an application to register the pesticide product, Beetleball Technical, a technical

product to be used to manufacture invertebrate repellents (EPA File Symbol 72098-U), containing 97.5% 4-allyl anisole. This product was not previously registered.

The application was approved on September 28, 2001, as Beetleball Technical (EPA Registration Number 72098-4) for use in manufacturing invertebrate repellents.

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: October 31, 2001.

**Janet L. Andersen,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

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**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[PF-1056; FRL-6811-7]

### Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

**DATES:** Comments, identified by docket control number PF-1056, must be received on or before December 21, 2001.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I.C. of the

**SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, it is imperative that you identify docket control number PF-1056 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** By mail: Shaja R. Brothers, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-3194; e-mail address: [brothers.shaja@epa.gov](mailto:brothers.shaja@epa.gov).

**SUPPLEMENTARY INFORMATION:**