

interagency review of "significant regulatory actions." It has been determined by the Office of Management and Budget (OMB) and EPA that this action, which is a proposed determination that requiring the control of methyl bromide emissions through the use of tarps is not appropriate, is not a "significant regulatory action" under the terms of Executive Order 12866 and is therefore not subject to OMB review under the Executive Order.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601-602, requires that Federal agencies, when developing regulations, consider the potential impact of those regulations on small entities. Because this action is a proposed determination that requiring the control of methyl bromide emissions through the use of tarps is not appropriate, the Regulatory Flexibility Act does not apply. By its nature, this action will not have an adverse effect on the regulated community, including small entities.

II. Judicial Review

Because this proposed determination is of nationwide scope and effect, under section 307(b)(1) of the Act, judicial review of this action is available only by the filing of a petition for review in the United States Court of Appeals for the District of Columbia Circuit within sixty days of publication of this action in the **Federal Register**.

List of Subjects in 40 CFR Part 82

Environmental protection, Administrative practice and procedure, Air pollution control, Chemicals, Reporting and recordkeeping requirements, Stratospheric ozone layer.

Dated: January 30, 1998.

Carol M. Browner,
Administrator.

[FR Doc. 98-2873 Filed 2-4-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 144 and 146

[FRL-5962-7]

Additional Stakeholder Meeting on Revisions to the Underground Injection Control Regulations for Class V Injection Wells

AGENCY: Environmental Protection Agency.

ACTION: Announcement of additional stakeholder meeting.

SUMMARY: The Environmental Protection Agency (EPA) will hold a public meeting on February 19, 1998 in San Francisco, CA. The purpose of this meeting is to gather information and collect opinions from parties who will be affected by or are otherwise interested in the Revisions to the Underground Injection Control (UIC) Regulations for Class V Injection Wells. Typically, Class V wells are shallow wells which inject a variety of fluids directly below the land surface. The Class V wells under consideration for new requirements include motor vehicle waste disposal wells, cesspools, and industrial waste disposal wells in ground water-based source water protection areas. EPA will consider the comments and views expressed in these meetings in developing the proposed regulation. EPA encourages the full participation of all stakeholders throughout this process.

DATES: The stakeholder meeting regarding the Revisions to the Underground Injection Control Regulations for Class V Injection Wells will be held on February 19, 1998, 9:30 a.m. to 3:30 p.m. PST in San Francisco, CA.

ADDRESSES: To register for the meeting, please contact the EPA Safe Drinking Water Hotline at 1-800-426-4791, or Jennifer Greenamoyer of EPA's Office of Ground Water and Drinking Water at (202) 260-7829. Participants registering in advance will be mailed a packet of materials before the meeting. Interested parties who cannot attend the meeting in person may participate via conference call and should register with the Safe Drinking Water Hotline. Conference lines will be allocated on the basis of first-reserved, first served. The stakeholder meeting will be held in the following location: Second Floor, Room C, 75 Hawthorne Street, San Francisco, CA.

FOR FURTHER INFORMATION CONTACT: For general information on meeting logistics, please contact the Safe Drinking Water Hotline at 1-800-426-4791. For information on the activities related to this rulemaking, contact: Jennifer Greenamoyer, U.S. EPA at (202) 260-7829.

SUPPLEMENTARY INFORMATION: The Environmental Protection Agency is developing revisions to the Underground Injection Control Regulations for Class V Injection Wells (40 CFR parts 144 and 146) to address the risk posed by Class V injection wells to drinking water supplies. EPA is considering changes to the Class V Underground Injection Control regulations that would add new

requirements for relatively high-risk Class V wells in areas near drinking water supplies. Under consideration is a ban on Class V motor vehicle waste disposal wells and large-capacity cesspools located in ground water-based source water protection areas being delineated by States under the 1996 Amendments to the Safe Drinking Water Act. In addition, fluids released in Class V industrial waste disposal wells in ground water-based source water protection areas could be required to meet certain standards of quality.

EPA is considering proposing these new requirements because available information shows that Class V motor vehicle waste disposal wells, cesspools, and industrial waste disposal wells pose a high risk of ground water contamination. Targeting the requirements to those wells near ground water-based drinking water supplies would achieve substantial protection of underground sources of drinking water. The rule addressed in this notification is being developed in response to a January 28, 1997 consent decree with the Sierra Club Legal Defense Fund and has a court deadline of June 18, 1998 for proposal and July 31, 1999 for final.

Cynthia C. Dougherty,

Director, Office of Ground Water and Drinking Water.

[FR Doc. 98-2876 Filed 2-4-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 180 and 186

[OPP-300602; FRL-5743-9]

RIN 2070-AC18

Revocation of Tolerances for Canceled Food Uses

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes to revoke the tolerances listed in this document. EPA is proposing to revoke these tolerances because EPA has canceled the food uses associated with them.

DATES: Written comments should be submitted to EPA by April 6, 1998.

ADDRESSES: By mail, submit written comments to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to: Rm. 119,

CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically to: opp-docket@epamail.epa.gov. Follow the instructions under Unit VI. of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted as a comment concerning this document 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 submitted for inclusion in the public record. Information not marked confidential will be included in the public docket by EPA without prior notice. The public docket is available for public inspection in Rm. 119 at the Virginia address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Jeff Morris, Special Review and Reregistration Division (7508W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Special Review Branch, Crystal Station #1, 3rd floor, 2800 Crystal Drive, Arlington, VA, Telephone: (703) 308-8029; e-mail: morris.jeffrey@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Legal Authority

The Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 301 *et seq.*, as amended by the Food Quality Protection Act of 1996 (FQPA), Pub. L. 104-170, authorizes the establishment of tolerances (maximum residue levels), exemptions from the requirement of a tolerance, modifications in tolerances, and revocation of tolerances for residues of pesticide chemicals in or on raw agricultural commodities and processed foods pursuant to section 408, 21 U.S.C. 346(a), as amended. Without a tolerance or exemption, food containing pesticide residues is considered to be unsafe and therefore "adulterated" under section 402(a) of the FFDCA, and hence may not legally be moved in interstate commerce (21 U.S.C. 331(a) and 342(a)). For a pesticide to be sold and distributed, the pesticide must not only have appropriate tolerances or exemptions under the FFDCA, but also must be registered under section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136a.

Under FFDCA section 408(f), if EPA determines that additional data are

needed to support continuation of a tolerance, EPA may require that those data be submitted by registrants under FIFRA section 3(c)(2)(B), by producers under the Toxic Substances Control Act (TSCA) section 4, or by other persons by order after opportunity for hearing. EPA intends to use Data Call-In (DCI) procedures for pesticide registrants, and FFDCA section 408(f)(1)(C) orders for non-registrants as its primary means of obtaining data. In general, EPA does not intend to use the procedures under TSCA section 4, because such procedures generally will not be applicable to pesticides.

Section 408(f) of the FFDCA states that if EPA determines that additional data are needed to support the continuation of an existing tolerance or exemption, EPA shall issue a notice that: (1) Requests that any parties identify their interest in supporting the tolerance or exemption, (2) solicits the submission of data and information from interested parties, (3) describes the data and information needed to retain the tolerance or exemption, (4) outlines how EPA will respond to the submission of supporting data, and (5) provides time frames and deadlines for the submission of such data and information.

II. Regulatory Background

It is EPA's general practice to propose revocation of tolerances for residues of pesticide active ingredients on food uses that EPA has canceled. In accord with FFDCA section 408, however, EPA will not revoke any tolerance or exemption proposed for revocation if any person will commit to support its retention, and if retention of the tolerance will meet the tolerance standard established under FQPA. Generally, interested parties commit to support the retention of such tolerances in order to permit treated commodities to be legally imported into the United States, since raw or processed food or feed commodities containing pesticide residues not covered by a tolerance or exemption are considered to be adulterated and subject to detention and regulatory action.

Tolerances and exemptions established for pesticide chemicals with FIFRA registrations cover residues in or on both domestic and imported commodities. To retain these tolerances and exemptions for import purposes only, EPA must make a finding that the tolerances and exemptions are safe. To make this safety finding, EPA needs data and information indicating that there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide residues

covered by the tolerances and exemptions. EPA determines on a case-by-case basis the data required to determine that a tolerance or exemption is safe, and in general requires the same technical chemistry and toxicology data for tolerances without related U.S. registrations as are required to support U.S. food-use registrations and any resulting tolerances or exemptions. (See 40 CFR part 158 for EPA's data requirements to support domestic use of a pesticide and the establishment and maintenance of a tolerance. Also, at a future date EPA will announce its import tolerance policy in a pesticide regulation (PR) notice.) In most cases, EPA also requires residue chemistry data (crop field trials) that are representative of growing conditions in exporting countries in the same manner that EPA requires representative residue chemistry data from different U.S. regions to support domestic use of a pesticide and any resulting tolerance(s) or exemption(s). Good Laboratory Practice (GLP) requirements for studies submitted in support of tolerances and exemptions for import purposes only are the same as for domestic purposes; i.e., the studies are required to either fully meet GLP standards, or have sufficient justification presented to show that deviations from GLP requirements do not significantly affect the results of the studies.

Monitoring and enforcement of pesticide tolerances and exemptions are carried out by the U.S. Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA). This includes monitoring for pesticide residues in or on commodities imported into the United States.

III. Proposed Actions

This document proposes to revoke the tolerances listed at the regulatory text of this document. EPA is proposing these revocations because, for specific chemicals, EPA has canceled the food uses covered by the tolerances.

IV. Effective Date

EPA proposes that these actions become effective 30 days following publication in the **Federal Register** of a final rule revoking the tolerances. EPA is proposing this effective date because EPA believes that all existing stocks of pesticide products labeled for the uses associated with the tolerances proposed for revocation have been exhausted.

Any commodities listed in the regulatory text of this document that are treated with the pesticides subject to this proposal, and that are in the channels of trade following the tolerance revocations, shall be subject to

FFDCA section 408(1)(5), as established by FQPA. Under this section, any residue of these pesticides in or on such food shall not render the food adulterated so long as it is shown to the satisfaction of FDA that: (1) The residue is present as the result of an application or use of the pesticide at a time and in a manner that was lawful under FIFRA, and (2) the residue does not exceed the level that was authorized at the time of the application or use to be present on the food under a tolerance or exemption from a tolerance. Evidence to show that food was lawfully treated may include records that verify the dates that the pesticide was applied to such food.

V. Public Comment Procedures

EPA invites interested persons to submit written comments, information, or data in response to this proposed rule. After consideration of comments, EPA will issue a final rule. Such rule will be subject to objections. Failure to file an objection within the appointed period will constitute waiver of the right to raise in future proceedings issues resolved in the final rule.

Comments must be submitted by April 6, 1998. Comments must bear a notation indicating the docket control number "OPP-300602." Three copies of the comments should be submitted to either location listed under "ADDRESSES" at the beginning of this document.

This proposal provides 60 days for any interested person to request that a tolerance be retained. If EPA receives a comment to that effect, EPA will not revoke the tolerance, but will take steps to ensure the submission of supporting data and will issue an order in the **Federal Register** under FFDCA section 408(f). The order would specify the data needed, the time frames for its submission, and would require that within 90 days some person or persons notify EPA that they will submit the data. Thereafter, if the data are not submitted as required, EPA will take appropriate action under FIFRA or FFDCA.

VI. Public Record and Electronic Submissions

The official record for this rulemaking, as well as the public version, has been established for this rulemaking under docket control number "OPP-300602" (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 8:30 a.m. to 4 p.m.,

Monday through Friday, excluding legal holidays. The official rulemaking record is located at the Virginia address in "ADDRESSES" at the beginning of this document.

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. Comment and data will also be accepted on disks in Wordperfect 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket control number "OPP-300602". Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries.

VII. Regulatory Assessment Requirements

This is a proposed revocation of a tolerance established under FFDCA section 408. The Office of Management and Budget (OMB) has exempted this type of action, i.e., a tolerance revocation for which extraordinary circumstances do not exist, from review under Executive Order 12866, entitled Regulatory Planning and Review (58 FR 51735, October 4, 1993). In addition, this proposal does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (P.L. 104-4). Nor does it require any prior consultation as specified by Executive Order 12875, entitled *Enhancing the Intergovernmental Partnership* (58 FR 58093, October 28, 1993), special considerations as required by Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994), or require special OMB review in accordance with Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997).

In addition, pursuant to the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), the Agency previously assessed whether the revocations of tolerances might significantly impact a substantial number of small entities and concluded that, as a general matter, these actions do not impose a significant economic impact on a substantial number of small entities. The factual basis and the

Agency's certification under section 605(b) for tolerance revocations published on December 17, 1997 (62 FR 66020), and was provided to the Chief Counsel for Advocacy of the Small Business Administration. Since no extraordinary circumstances exist as to the present revocation that would change EPA's previous analysis, the Agency is able to reference the general certification. Any comments about the Agency's determination should be submitted to EPA along with comments on the proposal, and will be addressed prior to issuing a final rule."

List of Subjects

40 CFR Part 180

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

40 CFR Part 186

Environmental protection, Animal feeds, Pesticides and pests.

Dated: January 12, 1998.

Lois Rossi,

Director, Special Review and Reregistration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR parts 180 and 186 be amended as follows:

PART 180—[AMENDED]

1. In part 180:

a. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

§ 180.103 [Amended]

b. In § 180.103, by amending the table in paragraph (a) by removing the entries for avocados; garlic; leeks; pimentos; shallots; and taro (corn).

§ 180.106 [Amended]

c. In § 180.106, by amending the table in paragraph (a) by removing the entries for Bermuda grass and Bermuda grass hay.

§ 180.108 [Amended]

d. In § 180.108, by amending the table in paragraph (a) by removing the entries for grass hay and grass (pasture and range).

§ 180.110 [Amended]

e. In § 180.110, by amending the table in paragraph (a) by removing the entries for apricots; beans (succulent form); carrots; celery; nectarines; peaches; rhubarb; and spinach.

f. By revising § 180.114 to read as follows:

§ 180.114 Ferbam; tolerances for residues.

(a) *General.* Tolerances are established for residues of the fungicide ferbam (ferric dimethyldithiocarbamate), calculated as zinc ethylenedisithiocarbamate, in or on the following raw agricultural commodities:

Commodity	Parts per million
Apples	7
Apricots	7
Beans	7
Blackberries	7
Blueberries (huckleberries)	7
Cabbage	7
Cherries	7
Citrus fruits	7
Cranberries	7
Dewberries	7
Grapes	7
Lettuce	7
Loganberries	7
Mangoes	7
Nectarines	7
Peaches	7
Pears	7
Peas	7
Raspberries	7
Squash	7
Youngberries	7

the insecticidal fluorine compounds cryolite and synthetic cryolite (sodium aluminum fluoride) in or on the following agricultural commodities:

Commodity	Parts per million
Beets, roots	7
Blueberries (huckleberries)	7
Broccoli	7
Brussels sprouts	7
Cabbage	7
Cauliflower	7
Citrus fruits	7
Cranberries	7
Cucumbers	7
Eggplant	7
Grapes	7
Kohlrabi	7
Lettuce	7
Melons	7
Peaches	7
Peppers	7
Plums (fresh prunes)	7
Pumpkins	7
Radish, roots	7
Raspberries	7
Rutabaga, roots	7
Squash (winter)	7
Squash (summer)	7
Strawberries	7
Tomatoes	7
Turnip, roots	7
* * * * *	

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

m. By revising § 180.181 to read as follows:

§ 180.181 CIPC; tolerances for residues.

(a) *General.* A tolerance is established for residues of the plant regulator and herbicide CIPC (isopropyl *m*-chlorocarbamate) and its metabolite 1-hydroxy-2-propyl-3'-chlorocarbamate (calculated as CIPC) in or on the following raw agricultural commodity:

Commodity	Parts per million
Potatoes (POST-H)	50

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

§ 180.183 [Amended]

n. In § 180.183, by amending the table in paragraph (a)(1) by removing the entries for alfalfa, fresh; alfalfa, hay; and clover, fresh; and clover, hay.

§ 180.188 [Removed]

o. By removing § 180.188.

§ 180.198 [Removed]

p. By removing § 180.198.

§ 180.200 [Amended]

q. In § 180.200, by revising paragraph (a)(1) to read as follows:

§ 180.200 2,6-Dichloro-4-nitroaniline; tolerances for residues.

(a) *General.* (1) Tolerances are established for residues of the fungicide 2,6-dichloro-4-nitroaniline in or on the following raw agricultural commodities. Unless otherwise specified, these tolerances prescribed in this paragraph provide for residues from preharvest application only.

Commodity	Parts per million
Apricots (pre- and post-H)	20
Beans, snap	20
Carrots (post-H)	10
Celery	15
Cherries, sweet (pre- and post-H)	20

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

g. In § 180.121, by amending paragraph (a) by adding a paragraph heading and designating the text after the heading as paragraph (a)(1) and removing from the table therein the entries for citrus fruits; sugarcane; sugarcane, fodder; and sugarcane, forage; redesignating existing paragraph (b) as (a)(2); and adding and reserving with headings new paragraphs (b), (c), and (d) to read as follows:

§ 180.121 Parathion or its methyl homolog; tolerances for residues.

(a) *General.* (1) * * *

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

h. In § 180.145, by revising paragraph (a)(1) to read as follows:

§ 180.145 Fluorine compounds; tolerances for residues.

(a) *General.* (1) Tolerances are established for the combined residues of

§ 180.153 [Amended]

i. In § 180.153, by amending the table in paragraph (a)(1) by removing the entry for bananas.

§ 180.170 [Removed]

j. By removing § 180.170.

§ 180.173 [Amended]

k. In § 180.173, by amending the table in paragraph (a) by removing all entries except those for citrus fruits; milk fat; and the fat, meat, and mbyp entries of cattle, goats, hogs, horses, and sheep.

l. By revising § 180.178 to read as follows:

§ 180.178 Ethoxyquin; tolerances for residues.

(a) *General.* A tolerance is established for residues of the plant regulator ethoxyquin (1,2-dihydro-6-ethoxy-2,2,4-trimethylquinoline) from preharvest or postharvest use in or on the following commodity:

Commodity	Parts per million
Pears	3

Commodity	Parts per million
Cucumbers	5
Endive (escarole) ..	10
Garlic	5
Grapes	10
Lettuce	10
Nectarines (pre- and post-H)	20
Onions	5
Peaches (pre- and post-H)	20
Plums (fresh prunes) (pre- and post-H)	15
Potatoes	0.25
Rhubarb	10
Sweet potatoes (post-H)	10
Tomatoes	5

* * * * *

§ 180.206 [Amended]

r. In § 180.206, by amending the table in paragraph (a) by removing the entries for alfalfa, fresh; alfalfa, hay; barley, grain; barley, straw; Bermuda grass, straw; lettuce; rice; and tomatoes.

s. In § 180.207, by designating the existing text as paragraph (a), adding a paragraph heading to the newly designated paragraph (a) and amending the table therein by removing the entries for flax, straw; rape, straw; and Upland cress; and adding and reserving with headings paragraphs (b), (c), and (d) to read as follows:

§ 180.207 Trifluralin; tolerances for residues.(a) *General.* * * *

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

§ 180.209 [Amended]

t. In § 180.209, by amending the table in paragraph (a)(1) by removing the entry for citrus fruits.

u. In § 180.211, by designating the existing text as paragraph (a), adding a paragraph heading to the newly designated paragraph (a) and amending the table therein by removing the entries for beets, sugar, roots; beets, sugar, tops; corn, forage; corn, grain; corn, sweet (K+CWHR); cottonseed; flax, seed; flax, straw; peas (with pods, determined on peas after removing any pod present when marketed); peas, forage; and pumpkins; and adding and reserving with headings paragraphs (b), (c), and (d) to read as follows:

§ 180.211 2-Chloro-N-isopropylacetanilide; tolerances for residues.(a) *General.* * * *

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

§ 180.213 [Amended]

v. In § 180.213, by amending the table in paragraph (a)(1) by removing the entries for artichokes, asparagus, and sugarcane.

w. By revising § 180.214 to read as follows:

§ 180.214 Fenthion; tolerances for residues.

(a) *General.* Tolerances are established for residues of the insecticide fenthion (*O,O*-dimethyl *O*-[4-(methylthio)-*m*-tolyl] phosphorothioate) and its cholinesterase-inhibiting metabolites in or on the following raw agricultural commodities:

Commodity	Parts per million
Cattle, fat	0.1
Cattle (mbyp)	0.1
Cattle, meat	0.1
Hogs, fat	0.1
Hogs (mbyp)	0.1
Hogs, meat	0.1
Milk	0.01 (N)
Poultry, fat	0.1
Poultry (mbyp)	0.1
Poultry, meat	0.1

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

x. By revising § 180.215 to read as follows:

§ 180.215 Naled; tolerances for residues.

(a) *General.* (1) Tolerances are established for residues of the insecticide naled (1,2-dibromo-2,2-dichloro-ethyl dimethyl phosphate) and its conversion product 2,2-dichlorovinyl dimethyl phosphate, expressed as naled, resulting from the application of the pesticide to growing crops or from direct application to livestock and poultry, in or on the following raw agricultural commodities:

Commodity	Parts per million
Almonds (hulls)	0.5

Commodity	Parts per million
Almonds (nuts)	0.5
Beans (dry)	0.5
Beans (succulent)	0.5
Beets, sugar, roots	0.5
Beets, sugar, tops	0.5
Broccoli	1
Brussels sprouts	1
Cabbage	1
Cattle, fat	0.05
Cattle, mbyp	0.05
Cattle, meat	0.05
Cauliflower	1
Celery	3
Collards	3
Cottonseed	0.5
Eggplant	0.5
Eggs	0.05
Goats, fat	0.05
Goats, mbyp	0.05
Goats, meat	0.05
Grapefruit	3
Grapes	0.5
Grasses, forage	10
Hogs, fat	0.05
Hogs, mbyp	0.05
Hogs, meat	0.05
Hops	0.5
Horses, fat	0.05
Horses, mbyp	0.05
Horses, meat	0.05
Kale	3
Lemons	3
Melons	0.5
Milk	0.05
Oranges	3
Peaches	0.5
Peas (succulent)	0.5
Peppers	0.5
Poultry, fat	0.05
Poultry, mbyp	0.05
Poultry, meat	0.05
Safflower, seed	0.5
Sheep, fat	0.05
Sheep, mbyp	0.05
Sheep, meat	0.05
Spinach	3
Squash, summer	0.5
Strawberries	1
Swiss chard	3
Tangerines	3
Walnuts	0.5

(2) A tolerance of 0.5 part per million is established for the pesticide naled in or on all raw agricultural commodities, except those otherwise listed in this section, from use of the pesticide for area pest (mosquito and fly).

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

y. By revising § 180.217 to read as follows:

§ 180.217 Ammoniates for [ethylenebis-(dithiocarbamate)] zinc and ethylenebis [dithiocarbamic acid] bimolecular and trimolecular cyclic anhydrosulfides and disulfides; tolerances for residues.

(a) *General.* Tolerances are established for residues of a fungicide that is a mixture of 5.2 parts by weight of ammoniates of [ethylenebis (dithiocarbamate)] zinc with 1 part by weight ethylenebis [dithiocarbamic acid] bimolecular and trimolecular cyclic anhydrosulfides and disulfides, calculated as zinc ethylenebisdithiocarbamate, in or on the following raw agricultural commodities as follows:

Commodity	Parts per million
Apples	2
Potatoes	0.5

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

z. In § 180.220, by amending paragraph (a) to add a paragraph heading and amending the table therein by removing the entries for pineapples; pineapples, fodder; and pineapples, forage; by removing and reserving with a heading paragraph (b); and adding and reserving with headings paragraphs (c) and (d) to read as follows:

§ 180.220 Atrazine; tolerances for residues

(a) *General.* * * *

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

aa. By revising § 180.222 to read as follows:

§ 180.222 Prometryn; tolerances for residues.

(a) *General.* Tolerances are established for residues of the herbicide prometryn (2,4-bis(isopropylamino)-6-methylthio-s-triazine) in or on the following raw agricultural commodities:

Commodity	Parts per million
Celery	0.5
Corn, grain	0.25
Cotton	1
Cottonseed	0.25
Pigeon peas	0.25

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registration.* Tolerances with regional registration, as defined in § 180.1(n), are established for residues of the herbicide prometryn (2,4-bis(isopropylamino)-6-methylthio-s-triazine) in or on the following raw agricultural commodity:

Commodity	Parts per million
Dill	0.3
Parsley	0.1

(d) *Indirect or inadvertent residues.* [Reserved]

bb. By revising § 180.229 to read as follows:

§ 180.229 Fluometuron; tolerances for residues.

(a) *General.* A tolerance is established for negligible residues of the herbicide fluometuron (1,1-dimethyl-3-(α,α -trifluoro-*m*-tolyl)urea) in or on the following raw agricultural commodity:

Commodity	Parts per million
Cottonseed	0.1

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

cc. By revising § 180.231 to read as follows:

§ 180.231 Dichlobenil; tolerances for residues.

(a) *General.* Tolerances are established for the combined negligible residues of the herbicide dichlobenil (2,6-dichlorobenzonitrile) and its metabolite 2,6-dichlorobenzoic acid in or on the following raw agricultural commodities:

Commodity	Parts per million
Almond hulls	0.15
Apples	0.15
Avocados	0.15
Blackberries	0.15
Blueberries	0.15
Citrus	0.15
Cranberries	0.15
Figs	0.15
Grapes	0.15
Mangoes	0.15
Nuts	0.15

Commodity	Parts per million
Pears	0.15
Raspberries	0.15

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

dd. In § 180.235, by amending paragraph (a) by adding a paragraph heading and designating the text after the heading as paragraph (a)(1), and in the table therein by removing the entries for cucumbers, lettuce, radishes, and tomatoes; redesignating paragraph (b) as paragraph (a)(2); and adding and reserving with headings new paragraphs (b), (c), and (d) to read as follows:

§ 180.235 2,2-Dichlorovinyl dimethyl phosphate; tolerances for residues.

(a) *General.* (1) * * *

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved].

§ 180.242 [Amended]

ee. In § 180.242, by amending the table in paragraph (a)(1) by removing the entry for grapes.

§ 180.254 [Amended]

ff. In § 180.254, by amending the table in paragraph (a) by removing the entries for peanuts and peanuts, hulls.

gg. By revising § 180.258 to read as follows:

§ 180.258 Ametryn; tolerances for residues.

(a) *General.* Tolerances are established for residues of the desiccant and herbicide (2-ethylamino)-4-(isopropylamino)-6-(methylthio)-s-triazine in or on the following raw agricultural commodity:

Commodity	Parts per million
Bananas	0.25
Corn, fodder	0.5
Corn, forage	0.5
Corn, fresh (inc. sweet K+CWHR)	0.25
Corn, grain	0.25
Pineapples	0.25
Pineapples, fodder	0.25
Pineapples, forage	0.25
Sugarcane	0.25
Sugarcane, fodder	0.25
Sugarcane, forage	0.25
Taniers	0.25

Commodity	Parts per million
Yams	0.25

(b) *Section 18 emergency exemptions.*
[Reserved]

(c) *Tolerances with regional registrations.* Tolerances with regional registration, as defined in § 180.1(n), are established for the residues of ametryn in or on the following raw agricultural commodities:

Commodity	Parts per million
Cassava, root	0.1

(d) *Indirect or inadvertent residues.*
[Reserved]

hh. In § 180.261, by amending paragraph (a) by adding a new paragraph heading and removing from the table therein the entry for tomatoes; redesignating paragraph (b) as paragraph (c) and adding a new paragraph heading to newly designated (c); and adding and reserving with headings new paragraphs (b) and (d) to read as follows:

§ 180.261 Phosmet; tolerances for residues.

(a) *General.* * * *

(b) *Section 18 emergency exemptions.*
[Reserved]

(c) *Tolerances with regional registrations.* * * *

(d) *Indirect or inadvertent residues.*
[Reserved]

ii. In § 180.262, by amending paragraph (a) by adding a new paragraph heading and removing from the table therein the entries for soybeans; soybeans, forage; and soybeans, hay; redesignating paragraph (b) as paragraph (c) and adding a new paragraph heading to newly designated (c); and adding and reserving with headings new paragraphs (b) and (d) to read as follows:

§ 180.262 Ethoprop; tolerances for residues.

(a) *General.* * * *

(b) *Section 18 emergency exemptions.*
[Reserved]

(c) *Tolerances with regional registrations.* * * *

(d) *Indirect or inadvertent residues.*
[Reserved]

jj. In § 180.294, by amending the table in paragraph (a) by revising the entries for apples; apricots; cherries; nectarines; peaches; pears; and plums (including fresh prunes) to read as follow:

§ 180.294 Benomyl; tolerances for residues.

(a) * * *

Commodity	Parts per million
Apples (PRE-H)	7.0
Apricots (PRE-H) ..	15.0
* * *	* * *
Cherries (PRE-H) ..	15.0
* * *	* * *
Nectarines (PRE-H)	15.0
* * *	* * *
Peaches (PRE-H)	15.0
* * *	* * *
Pears (PRE-H)	7.0
* * *	* * *
Plums (fresh prunes) (PRE-H)	15.0
* * *	* * *

* * *

§ 180.297 [Amended]

kk. By revising § 180.297 to read as follows:

§ 180.297 N-1-Naphthylphthalamic acid; tolerances for residues.

(a) *General.* Tolerances are established for residues of the herbicide N-1-naphthylphthalamic acid from application of its sodium salt in or on the following raw agricultural commodities:

Commodity	Parts per million
Cantaloupe	0.1 (N)
Cucumbers	0.1 (N)
Muskmelons	0.1 (N)
Watermelons	0.1 (N)

(b) *Section 18 emergency exemptions.*
[Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.*
[Reserved]

ll. In § 180.298, by amending paragraph (a) by adding a new paragraph heading and designating the text after the heading as paragraph (a)(1) and removing from the table therein the entries for clover; clover, hay; and potatoes; redesignating paragraph (b) as paragraph (a)(2); adding a paragraph heading to paragraph (c); and adding and reserving with headings new paragraphs (b) and (d) to read as follows:

§ 180.298 Methidathion; tolerances for residues

(a) *General.* (1) * * *

(b) *Section 18 emergency exemptions.*
[Reserved]

(c) *Tolerances with regional registrations.* * * *

(d) *Indirect or inadvertent residues.*
[Reserved]

§ 180.314 [Amended]

mm. In § 180.314, by amending paragraph (a) by removing from the table therein the entries for grass, canary, annual, seed; and grass, canary, annual, straw.

nn. By revising § 180.319 to read as follows:

§ 180.319 Interim tolerances.

While petitions for tolerances for negligible residues are pending and until action is completed on these petitions, interim tolerances are established for residues of the listed pesticide chemicals in or on the following raw agricultural commodities:

Chemical	Use	Tolerance in parts per million	Raw agricultural commodity
Carbaryl (1-naphthyl N-methylcarbamate and its metabolite 1-naphthol, calculated as carbaryl).	Insecticide	0.5	Eggs
Coordination product of zinc ion and maneb ...	Fungicide	1 (Calculated as zinc ethylenebisdithio-carbamate).	Potatoes
Endothall (7-oxabicyclo-(2.2.1) heptane 2, 3-dicarboxylic acid).	Herbicide	0.2	Sugar beets
Isopropyl carbanilate (IPC)	Herbicide	5	Hay of alfalfa, clover, and grass
		2	Alfalfa, clover, and grass

Chemical	Use	Tolerance in parts per million	Raw agricultural commodity
Isopropyl <i>m</i> -chlorocarbanilate (CIPC) .....	.....do	0.1	Flaxseed, lentils, lettuce, peas, safflower seed, spinach, and sugar beets (roots and tops)
		0.05	Eggs; milk; and the meat fat, and meat by-products of cattle, goats, hogs, horses, poultry, and sheep
		0.3	Spinach
		0.05	Milk; meat, fat, and meat byproducts of cattle, hogs, horses, and sheep
Parathion (O,O-diethyl-O-p-nitrophenylthiophosphate) or its methyl homolog. ....	.....do	0.5	Rye
Pentachloronitrobenzene	Fungicide	1	Peanuts
		0.1	Beans, broccoli, brussels sprouts, cabbage, cauliflower, garlic, peppers, potatoes, tomatoes.

§ 180.320 [Removed]

oo. By removing § 180.320.

§ 180.330 [Amended]

pp. In § 180.330, by amending paragraph (a) by removing from the table therein the entries for blackberries; raspberries; peas; peas, forage; peas, hay; and potatoes.

qq. By revising § 180.341 to read as follows:

§ 180.341 2,4-Dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate; tolerances for residues.

(a) *General*. Tolerances are established for the combined negligible residues of a fungicide and insecticide that is a mixture of 2,4-dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate in or on the following raw agricultural commodities:

Commodity	Parts per million
Apples	0.1
Grapes	0.1

(b) *Section 18 emergency exemptions*. [Reserved]

(c) *Tolerances with regional registrations*. [Reserved]

(d) *Indirect or inadvertent residues*. [Reserved]

rr. By revising § 180.346 to read as follows:

§ 180.346 Oxadiazon; tolerances for residues.

(a) *General*. Tolerances are established for the combined residues of the herbicide oxadiazon (2-*tert*-butyl-4-(2,4-dichloro-5-isopropoxyphenyl)- Δ^2 1,3,4-oxadiazolin-5-one) and its metabolites (2-*tert*-butyl-4-(2,4-dichloro-5-hydroxyphenyl)- Δ^2 1,3,4-oxadiazolin-

5-one and 2-carboxyisopropyl-4-(4-dichloro)-5-isopropoxyphenyl)- Δ^2 1,3,4-oxadiazolin-5-one) in or on the following raw agricultural commodities:

Commodity	Parts per million
Cattle, fat	0.01(N)
Cattle, mbyp	0.01(N)
Cattle, meat	0.01(N)
Goats, fat	0.01(N)
Goats, mbyp	0.01(N)
Goats, meat	0.01(N)
Hogs, fat	0.01(N)
Hogs, mbyp	0.01(N)
Hogs, meat	0.01(N)
Horses, fat	0.01(N)
Horses, mbyp	0.01(N)
Horses, meat	0.01(N)
Milk fat (reflecting negligible residues in milk)	0.1
Rice straw	0.2(N)
Sheep, fat	0.01(N)
Sheep, mbyp	0.01(N)
Sheep, meat	0.01(N)

(b) *Section 18 emergency exemptions*. [Reserved]

(c) *Tolerances with regional registrations*. [Reserved]

(d) *Indirect or inadvertent residues*. [Reserved]

§ 180.349 [Amended]

ss. In § 180.349, by amending paragraph (a) by adding a new paragraph heading and designating the text after the heading as paragraph (a)(1) and removing from the table therein the entries for cocoa beans and soybeans; redesignating paragraph (b) as paragraph (a)(2); adding a new paragraph heading to paragraph (c); and adding and reserving with headings new paragraphs (b) and (d) to read as follows:

§ 180.349 Ethyl 3-methyl-4-(methylthio)phenyl (1-methylethyl) phosphoramidate; tolerances for residues.

(a) *General*. (1) * * *

(b) *Section 18 emergency exemptions*. [Reserved]

(c) *Tolerances with regional registrations*. * * *

(d) *Indirect or inadvertent residues*. [Reserved]

tt. In § 180.350, by amending paragraph (a) by adding a paragraph heading and removing from the table therein the entry for cottonseed; removing the existing text under paragraph (b) then reserving with a heading paragraph (b); and adding and reserving with headings paragraphs (c) and (d) to read as follows:

§ 180.350 Nitropryrin; tolerances for residues.

(a) *General*. * * *

(b) *Section 18 emergency exemptions*. [Reserved]

(c) *Tolerances with regional registrations*. [Reserved]

(d) *Indirect or inadvertent residues*. [Reserved]

§§ 180.358 and 180.366 [Removed]

uu. By removing §§ 180.358 and 180.366.

vv. By revising § 180.370 to read as follows:

§ 180.370 5-Ethoxy-3-(trichloromethyl)-1,2,4-thiadiazole; tolerances for residues.

(a) *General*. Tolerances are established for residues of the fungicide 5-ethoxy-3-(trichloromethyl)-1,2,4-thiadiazole and its monoacid metabolite 3-carboxy-5-ethoxy-1,2,4-thiadiazole in or on the following raw agricultural commodities:

Commodity	Parts per million
Cattle, fat .....	.10
Cattle, mbyb .....	.10
Cattle, meat .....	.10
Corn, field, grain .....	.05
Corn, fodder .....	.10
Corn, forage .....	.10
Cottonseed .....	.20
Eggs .....	.05
Goats, fat .....	.10
Goats, mbyb .....	.10
Goats, meat .....	.10
Hogs, fat .....	.10
Hogs, mbyb .....	.10
Hogs, meat .....	.10
Horses, fat .....	.10
Horses, mbyb .....	.10
Horses, meat .....	.10
Milk .....	.05
Poultry, fat .....	.10
Poultry, mbyb .....	.10
Poultry, meat .....	.10
Sheep, fat .....	.10
Sheep, mbyb .....	.10
Sheep, meat .....	.10
Tomatoes .....	.15
Wheat, forage .....	.10
Wheat, grain .....	.05
Wheat, straw .....	.10

(b) *Section 18 emergency exemptions.*
[Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.*
[Reserved]

§ 180.374 [Removed]

ww. By removing § 180.374.
xx. By revising § 180.385 to read as follows:

§ 180.385 Diclofop-methyl; tolerances for residues.

(a) *General.* Tolerances are established for the combined residues of the herbicide diclofop-methyl (methyl 2-[4-(2,4-dichlorophenoxy)phenoxy]propanoate) and its metabolites, 2-[4-(2,4-dichlorophenoxy)phenoxy]propanoic acid and 2-[4-(2,4-dichloro-5-hydroxyphenoxy)phenoxy]propanoic acid, in or on the following raw agricultural commodities:

Commodity	Parts per million
Barley, grain	0.1
Barley, straw	0.1
Wheat, grain	0.1
Wheat, straw	0.1

(b) *Section 18 emergency exemptions.*
[Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.*
[Reserved]

§§ 180.386 and 180.387 [Removed]

yy. By removing §§ 180.386 and 180.387.

§ 180.410 [Amended]

zz. In § 180.410, by amending paragraph (a) in the table therein by removing the entries for almonds; almond, hulls; apricots; peaches; and plums (fresh prunes).

§ 180.416 [Amended]

aaa. In § 180.416, by revising paragraph (a) to read as follows:

§ 180.416 Ethalfuralin; tolerances for residues.

(a) *General.* Tolerances are established for residues of the herbicide ethalfuralin [*N*-ethyl-*N*-(2-methyl-2-propenyl)-2,6-dinitro-4-(trifluoromethyl)benzenamine] in or on the following raw agricultural commodities:

Commodity	Parts per million
Beans, dry	0.05
Cucurbits vegetable group	0.05
Goats, fat	0.05
Goats, mbyb	0.05
Goats, meat	0.05
Peanuts	0.05
Peas, dry	0.05
Soy beans	0.05
Sunflower seed	0.05

* * * * *

PART 186—[AMENDED]

2. In part 186:

a. The authority citation for part 186 continues to read as follows:

Authority: 21 U.S.C. 342, 348, and 371.

§ 186.2325 [Removed]

b. By removing § 186.2325.

§ 186.3000 [Removed]

c. By removing § 186.3000.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 799

[OPPTS-42187M; FRL-5769-3]

RIN 2070-AC76

Amended Proposed Test Rule for Hazardous Air Pollutants; Extension of Comment Period; Clarification

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period on amended proposed rule; extension of deadline for receipt of alternative testing proposals; clarification.

SUMMARY: EPA is extending the public comment period from February 9, 1998 to May 11, 1998, on the proposed rule published in the **Federal Register** of June 26, 1996 (61 FR 33178) (FRL-4869-1), amended December 24, 1997 (62 FR 67466) (FRL-5742-2), requiring the testing of certain hazardous air pollutants (HAPs) for specific health effects. EPA is also extending the deadline for the receipt of proposals for enforceable consent agreements (ECAs) for HAPs test rule chemicals for which proposals for ECAs have not been received from February 9, 1998 to March 11, 1998. In addition, EPA is clarifying Unit III.C. "Persons Required to Test" of the amended proposed HAPs preamble and the corresponding proposed regulatory text of the amendment to indicate those persons who would be required to initially comply with the HAPs rule.

DATES: Written comments on the proposed rule, as amended, must be received by EPA on or before May 11, 1998. ECA proposals to provide alternative testing to meet HAPs testing requirements must be received by EPA on or before March 11, 1998.

ADDRESSES: Submit three copies of written comments on the proposed HAPs test rule, as amended, identified by docket control number (OPPTS-42187A; FRL-4869-1) to: U.S. Environmental Protection Agency, Office of Pollution Prevention and Toxics (OPPT), Document Control Office (7407), Rm. G-099, 401 M St., SW., Washington, DC 20460. The Document Control Office telephone number is (202) 260-7093.

Submit three copies of ECA proposals to: U.S. Environmental Protection Agency, Office of Pollution Prevention and Toxics, Document Control Office (7407), Room G-099, 401 M St., SW., Washington, DC 20460. The Document Control Office telephone number is