

continued marketing of the above raw agricultural commodity when treated in accordance with the provisions of the experimental use permit 264-EUP-97, which is being renewed under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended (Pub. L. 95-396, 92 Stat. 819; 7 U.S.C. 136).

The scientific data reported and other relevant material were evaluated, and it was determined that a renewal of the temporary tolerance will protect the public health. Therefore, the temporary tolerance has been renewed on the condition that the pesticide be used in accordance with the experimental use permit and with the following provisions:

1. The total amount of the active ingredient to be used must not exceed the quantity authorized by the experimental use permit.

2. Rhone-Poulenc AG Company must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The company must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

This tolerance expires January 1, 1997. Residues not in excess of this amount remaining in or on the above raw agricultural commodity after this expiration date will not be considered actionable if the pesticide is legally applied during the term of, and in accordance with, the provisions of the experimental use permit and temporary tolerance.

This tolerance may be revoked if the experimental use permit is revoked or if any experience with or scientific data on this pesticide indicate that such revocation is necessary to protect the public health.

The Office of Management and Budget has exempted this notice from the

requirements of section 3 of Executive Order 12866.

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).

Authority: 21 U.S.C. 346a(j).

List of Subjects

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

Dated: May 28, 1996.

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

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BILLING CODE 6560-50-F

[PF-646; FRL-5354-7]

Pesticide Tolerance Petitions; Notice of Filings and Amendment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing.

SUMMARY: This notice announces the initial filings and amendment of pesticide petitions (PP) proposing the establishment of regulations for residues of certain pesticide chemicals in or on various agricultural commodities.

DATES: Comments, identified by the docket number [PF-646], must be received on or before July 12, 1996.

ADDRESSES: By mail, submit written comments 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 comments to: Rm. 1132, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202. 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 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [PF-646]. 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 as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). CBI should not be submitted through e-mail. Information marked as CBI 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 may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: The product manager listed in the table below:

Product Manager	Office location/telephone number	Address
Rick Keigwin (PM 10)	Rm. 210, CM #2, 703-305-6788, e-mail: keigwin.richard@epamail.epa.gov.	1921 Jefferson Davis Hwy, Arlington, VA
George LaRocca (PM 13).	Rm. 204, CM #2, 703-305-6100, e-mail: larocca.george@epamail.epa.gov.	Do.
Dennis Edwards (PM 19)	Rm. 207, CM #2, 703-305-6386, e-mail: edwards.dennis@epamail.epa.gov.	Do.
Connie Welch (PM 21)	Rm. 227, CM #2, 703-305-6226, e-mail: welch.connie@epamail.epa.gov.	Do.
Cynthia Giles-Parker (PM 22).	Rm. 229, CM #2, 703-305-5540, e-mail: giles-parker.cynthia@epamail.epa.gov.	Do.
Joanne I. Miller (PM 23)	Rm. 237, CM #2, 703-305-7830, e-mail: miller.joanne@epamail.epa.gov.	Do.
Robert J. Taylor (PM 25)	Rm. 245, CM #2, 703-305-6027, e-mail: taylor.robert@epamail.epa.gov.	Do.

SUPPLEMENTARY INFORMATION: EPA has received pesticide petitions as follows proposing the establishment and/or amendment of regulations for residues

of certain pesticide chemicals in or on various raw agricultural commodities.

Initial Filings

1. *PP 0F3848*. Rhone-Poulenc Ag Company, P.O. Box 12014, 2 T.W.

Alexander Drive, Research Triangle Park, NC 27709, proposes to amend 40 CFR 180.324 by establishing tolerances for residues of the herbicide bromoxynil (3,5-dibromo-4-hydroxybenzonitrile) in or on the raw agricultural commodities rice, grain at 0.10 ppm and rice, straw at 0.10 ppm. The proposed analytical method for determining residues is gas chromatography. (PM 25)

2. *PP 5F4560*. DowElanco, 9330 Zionville Road, Indianapolis, IN 46268-1054, proposes to amend 40 CFR part 180 by establishing a regulation to permit residues of the herbicide cloransulam-methyl, in or on soybeans, soybean forage, and soybean hay at 0.02, 0.1 and 0.2 ppm, respectively. (PM 25).

3. *PP 5H5716*. ZENECA Ag Products, P.O. Box 15458, Wilmington, DE 19850-5458, proposes to amend 40 CFR 185.2500 by changing the regulations permitting residues of the plant growth regulator diquat [6,7-dihydrodipyrido (1,2-a:2',1'-c) pyrazinedium] derived from application of the dibromide salt and calculated as the cation in or on the raw agricultural commodity potatoes, processed (including potato chips) at 1.0 ppm. The proposed analytical method for determining residues is extraction with sulfuric acid with spectrometric detection. (PM 23)

4. *PP 6F4648*. Valent U.S.A. Corporation, P.O. Box 1333 N. California Blvd., Walnut Creek, CA 94596 proposes to amend 40 CFR part 180 by establishing a tolerance for fenpropathrin, *alpha*-cyano-3-phenoxbenzyl 2,2,3,3-tetramethylcyclopropanecarboxylate, in or on the crop groupings 5A head and stem brassica (including cabbage, broccoli, cauliflower, brussels sprouts, and related non-leafy brassica crops) at 1.5 ppm and 9A melons (including watermelon, honeydew, cantaloupe, and other musk melons) at 0.5 ppm. The proposed analytical method for determining residues is GC method with an electron capture detector for nitrogen and phosphorus. (PM 13)

5. *PP 6E4683*. American Cyanamid Company, Agricultural Research Division, P.O. Box 400, Princeton, N.J. 08543-0400, proposes to amend 40 CFR 180 by establishing a regulation to add an import tolerance of 0.5 ppm for residues of the insecticide chemical AC 303,630, 4-bromo-2-(4-bromo-2-(4-chlorophenyl)-1-(ethoxymethyl)-5-(trifluoromethyl)-1H-pyrrole-3-carbonitrile in or on imported citrus. (PM 19)

6. *PP 6F4614*. Ciba Crop Protection, Ciba-Geigy Corporation, P.O. Box 18300, Greensboro, NC 27419-8300 proposes to amend 40 CFR part 180 by establishing a tolerance for residues of the herbicide

Acetic Acid [[2-chloro-4-fluoro-5-[(tetrahydro-3-oxo-1H,3H-[1,3,4]thiadiazolo[3,4- α]pyridazin-1-ylidene)amino]phenyl]thio]-methyl ester in or on the raw agricultural commodity soybeans at 0.02 ppm. The proposed analytic method for determining residues is gas chromatographic. (PM 23)

7. *PP 6F4617*. Ciba-Geigy Corporation, P.O. Box 18300, Greensboro, NC 27419-8300 proposes to amend 40 CFR part 180 by establishing tolerances for the residues/combined residues of the insecticide Fenoxycarb: (ethyl[2-(4-phenoxyphenoxy)ethyl] carbamate in or on citrus fruit at .05 ppm. The proposed analytical method for determining residues is column switching high performance liquid chromatography. (PM 10)

8. *PP 6F4618*. Ciba-Geigy Corporation, P.O. Box 18300, Greensboro, NC 27419-8300 proposes to amend 40 CFR part 180 by establishing tolerances for the combined residues of the insecticide Fenoxycarb: (ethyl[2-(4-phenoxyphenoxy)ethyl] carbamate in or on pome fruit at 0.02 ppm. The proposed analytical method for determining residues is column switching high performance liquid chromatography. (PM 10)

9. *PP 6F4631*. Bayer Corporation, P.O. Box 4913, 8400 Hawthorne Road, Kansas City, MO 64120-0013 proposes amending 40 CFR 180 by establishing tolerances for the residues of the herbicide *N*-(4-fluorophenyl)-*N*-(1-methylethyl)-2-[[5-(trifluoromethyl)-1,3,4-thidrozol-2-yl]oxy]acetamide in or on the raw agricultural commodities field corn grain at 0.05 ppm, field corn forage at 0.4 ppm, field corn stover (fodder) at 0.4 ppm, soybeans at 0.1 ppm, milk at 0.01 ppm, meat at 0.05 ppm, and meat by products at 0.05 ppm. The proposed method for determining residues is nuclear magnetic resonance. (PM 22)

10. *PP 6F4633*. Ciba-Geigy Corporation, P.O. Box 18300, Greensboro, NC 27419-8300 proposes to amend 40 CFR part 180 by establishing tolerances for the combined residues of the insecticide Fenoxycarb: (ethyl[2-(4-phenoxyphenoxy)ethyl] carbamate in or on nutmeat at 0.05 ppm and almond hulls at 4.0 ppm. The proposed analytical method for determining residues is column switching high performance liquid chromatography and UV detection. (PM 10)

11. *PP 6F4640*. BASF Corporation, Agricultural Products, P.O. Box 13528, Research Triangle Park, NC 27709-3528 proposes to amend 40 CFR 180.355 by establishing tolerances for the combined residues of the herbicide bentazon (3-

isopropyl-1*H*-2,1,3-benzothiadiazin-4(3*H*-one 2,2-dioxide) and its 6- and 8-hydroxy metabolites in or on peas, succulent at 3.0 ppm. The proposed analytical method for determining residues is gas chromatography with a thermionic specific detector (TSD). (PM 25)

12. *PP 6F4641*. Zeneca Ag Products, 1800 Concord Pike, P.O. Box 15458, Wilmington, DE 19850-5458 proposes to amend 40 CFR parts 185 and 186 by establishing regulations permitting residues of the fungicide Azoxystrobin (methyl (E)-2-[2-[6-(2-cyanophenoxy)pyrimidin-4-yloxy]phenyl]-3-methoxyacrylate) in or on the raw agricultural commodities grapes at 1.0 ppm, grape pomace at 2.0 ppm and raisin waste at 9.0 ppm. (PM 22)

13. *PP 6F4642*. Zeneca Ag Products, 1800 Concord Pike, P.O. Box 15458, Wilmington, DE 19850-5458 proposes to amend 40 CFR parts 185 and 186 by establishing regulations permitting residues of the fungicide Azoxystrobin (methyl (E)-2-2-[6-(2-cyanophenoxy)pyrimidin-4-yloxy]phenyl-3-methoxyacrylate) in or on the raw agricultural commodities pecans at 0.01 ppm. (PM 22)

14. *PP 6F4654*. Bayer Corporation, Agriculture Division, Animal Health, P.O. Box 390, Shawnee Mission, KS 66201-0390 proposes to amend 40 CFR 180.436 by increasing the established tolerance for residues of the insecticide cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2-dimethyl cyclopropane carboxylate, in or on eggs at 0.02 ppm; poultry fat at 0.05 ppm; poultry meat at 0.05 ppm; and poultry meat by-products at 0.05 ppm. (PM 13)

15. *PP 6F4661*. Monsanto Company, 700 14th Street, NW., Suite 1100, Washington, DC 20005, proposes to amend 40 CFR 180.479 by establishing tolerances for residues of the herbicide halosulfuron, methyl 5-[[[4,6-dimethoxy-2-pyrimidinyl]amino]carbonylamino]sulfonyl]-3-chloro-1-methyl-1*H*-pyrazole-4-carboxylate, and its metabolites determined as 3-chloro-1-methyl-5-sulfamoylpyrazole-4-carboxylic acid and expressed as parent equivalents in or on the raw agricultural commodities sweet corn, kernal plus cob with husks removed at 0.1 ppm; sweet corn, forage at 0.5 ppm; sweet corn, fodder/stover at 1.5 ppm; pop corn, grain at 0.1 ppm; pop corn, fodder/stover at 1.5 ppm; and sugarcane, cane at 0.05 ppm. The proposed analytical method for determining residues is gas chromatography with an electron capture detector. (PM 23)

16. *PP 6F4664*. Rhone-Poulenc Ag Company, P.O. Box 12014, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709, proposes to amend 40 CFR part 180 by establishing tolerances for residues of the herbicide isoxaflutole, 5-cyclopropyl-4-(2-methylsulfonyl-4-trifluoromethylbenzoyl)isoxazole and its metabolites, 1-(2-methylsulphonyl-4-trifluoromethylphenyl)-2-cyano-3-cyclopropyl propane-1,3-dione and 2-methylsulphonyl-4-trifluoromethyl benzoic acid in or on the raw agricultural commodities field corn, grain at 0.10 ppm; field corn, fodder at 0.40 ppm; and field corn, forage at 0.40 ppm. In addition, Rhone-Poulenc proposes to establish tolerances in cattle, liver at 0.20 ppm; cattle, kidney at 0.03 ppm; goat, liver at 0.20 ppm; goat, kidney at 0.03 ppm; hog, liver at 0.04 ppm; hog, kidney at 0.01 ppm; poultry, fat at 0.05 ppm; poultry, liver at 0.20 ppm; poultry, meat at 0.05 ppm; eggs at 0.05 ppm; sheep, liver at 0.20 ppm; and sheep, kidney at 0.03 ppm. (PM 23)

17. *PP 6F4669*. Bayer Corporation, P.O. Box 4913, 8400 Hawthorne Road, Kansas City, MO 64120-0013 proposes amending 40 CFR 180 by establishing tolerances for the residues of the fungicide tebuconazole (alpha-(2-(4-(chlorophenyl)ethyl)-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol) in or on the raw agricultural commodities commodity grapes at 5.0 ppm. (PM 21)

18. *PP 9F3727*. Uniroyal Chemical Co., Inc., 74 Amity Road, Bethany, CT, proposes to amend 40 CFR 180.301 by establishing a tolerance for the residues of the herbicide carboxin (5,6-dihydro-2-methyl-1,4-oxathiin-3-carboxanilide) and its metabolite 5,6-dihydro-3-carboxanilide-2-methyl-1,4-oxathiin-4-oxide (calculated as carboxin) (from treatment of seed prior to planting) in or on the raw agricultural commodity onion (dry bulb) at 0.2 ppm. (PM 21)

Amended Filings

PP 9F3740. Ciba-Geigy Corporation, Ciba Crop Protection, P.O. Box 18300, Greensboro, NC 27419-8300 proposes to amend 40 CFR 180.434 by establishing tolerances for the combined residues of the fungicide (1-((2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl)methyl)-1H-1,2,4-triazole)), and its metabolites determined as 2,4-dichlorobenzoic acid and expressed as parent compound in or on the raw agricultural commodity tree nuts crop grouping at 0.1 ppm. Notice of this petition originally published in the Federal Register of March 23, 1989 (55 FR 12009) and proposed establishing

tolerances for almonds at 0.10 ppm and almond hulls at 0.10 ppm. The proposes analytical method for determining residue is capillary gas chromatography. (PM 21)

A record has been established for this notice under docket number [PF-646] (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 Resources 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 rulemaking, 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 rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

List of Subjects

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

Dated: May 24, 1996.

Susant Lewis,

Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 96-14450 Filed 6-11-96; 8:45 am]

BILLING CODE 6560-50-F

[FRL-5519-9]

De Minimis Settlement Under Section 122(g) of the Comprehensive Environmental Response, Compensation and Liability Act; In the Matter of Conservation Chemical Company of Illinois, Gary, IN

AGENCY: Environmental Protection Agency.

ACTION: *De Minimis* Settlement.

SUMMARY: EPA is proposing to settle claims with certain *de minimis* potentially responsible parties (PRPs) regarding past and estimated future response costs at the Conservation Chemical Company of Illinois Site in Gary, Indiana. EPA is authorized under Section 122(i)(1) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA") to enter into this settlement. The U.S. Department of Justice has approved this *de minimis* settlement, consistent with Section 122(g)(4) of CERCLA. Through July 31, 1995, response costs totalling approximately \$5,140,059.38 were incurred by EPA and certain PRPs in connection with the Site. It is estimated that future costs of \$10,806,165 will be required to complete cleanup of the Site. The settling PRPs will pay approximately \$2,800,000 in settlement payments for response costs related to the Conservation Chemical Company of Illinois Site. EPA is proposing to approve this *de minimis* settlement because it reimburses EPA, in part, for costs incurred during EPA's response activities at this Site.

On February 8, 1996, U.S. EPA sent a *de minimis* settlement offer and Administrative Order by Consent to 171 *de minimis* PRPs. Approximately 153 of these PRPs executed binding certifications of their consent to participate in the *de minimis* settlement. The Administrative Order by Consent provides for settlement with certain parties who are, individually, responsible for less than 1% of the total volume of hazardous substances sent to the Site. Settling *de minimis* PRPs will be required to pay their fair share of the past and estimated future response costs at the Site, based on \$1.01 per gallon of hazardous substances that the PRP contributed to the Site; there is a minimum settlement payment amount of \$50.00. The *de minimis* settlement includes a premium of 100% assessed against estimated future response costs to account for potential cost overruns, the potential for failure of the selected response action to clean up the Site, and other risks. The *de minimis* settlement