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40 CFR Part 180

[PP 4E3060/P641; FRL-4996-6]

RIN 2070-AC18

Pesticide Tolerance for 2,4-D

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule

SUMMARY: EPA proposes to extend the tolerances for residues of the herbicide 2,4-D (2,4-dichlorophenoxyacetic acid) in or on the raw agricultural commodity soybeans. The Agency has not completed the regulatory assessment of its science findings; therefore, the Agency is proposing to extend this tolerance for 3 years.

DATES: Comments, identified by the docket number, [PP 4E3060/P641], must be received on or before February 16, 1996. The proposed tolerance would expire on December 31, 1998.

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 Hwy., Arlington, VA 22202. 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). 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 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.

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

[PP 4E3060/P641]. No CBI should be submitted through e-mail. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

FOR FURTHER INFORMATION CONTACT: By mail: Joanne Miller, Product Manager (PM 23), Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 237, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-6224.

SUPPLEMENTARY INFORMATION: EPA issued a final rule, published in the Federal Register of August 19, 1992 (57 FR 37475), which established a tolerance for residues of 2,4-D (2,4-dichlorophenoxyacetic acid) in or on soybeans with an expiration date of December 1995. This tolerance, with an expiration date, was required by EPA to allow the Industry Task Force II on 2,4-D Research Data to submit additional field residue trials, including bridging studies with ester and amine formulations, plant metabolism studies, storage stability data, and oncogenicity studies in two species, rat and mouse preferred. All the studies except the oncogenicity studies in the rat and mouse and the storage stability data have been reviewed. Oncogenicity studies using male and female mice and female rats are currently in review, and an oncogenicity study in the male rat is due into the Agency in January 1996. The storage stability data is currently in progress. Because the Agency has not completed the regulatory assessment of its scientific findings, EPA is proposing to amend 40 CFR 180.142(k) to extend the expiration date for these tolerances until December 31, 1998. Based on the information cited above and in the document proposing the establishment of the time-limited tolerance for 2,5-D (57 FR 24565, June 10, 1992), the Agency has determined that when used in accordance with good agricultural practices, this ingredient is useful and the tolerance will protect the public health. Therefore, EPA is proposing to extend the tolerance as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this notice in the Federal Register that this rulemaking proposal be referred to an Advisory Committee in

accordance with section 408(e) of the FFDCA.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number, [PP 4E3060/P641]. All written comments filed in response to this proposed rule will be available in the Public Response and Program Resources Branch, at the address given above from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

A record has been established for this rulemaking under docket number [PP 4E3060/P641] (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 Hwy., 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.

The Office of Management and Budget has exempted this rule 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 food additive regulations or establishing exemptions from tolerance requirements do not have a significant 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).

List of Subjects in 40 CFR Part 180

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

Dated: January 29, 1996.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—[AMENDED]

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

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

2. By revising § 180.142 (k), to read as follows,

§ 180.142 2,4-D; tolerances for residues.

* * * * *

(k) A tolerance that expires on December 31, 1998, is established for residues of the herbicide 2,4-D (2,4-dichlorophenoxyacetic acid) resulting from the preplant use of 2,4-D ester or amine in or on the raw agricultural commodity as follows:

| Commodity | Parts per million |
|----------------|-------------------|
| Soybeans | 0.1 |

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 96-004; Notice 1]

Mirror Safety Public Meeting

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of public meeting.

SUMMARY: This document announces a public meeting at which the National Highway Traffic Safety Administration (NHTSA) will seek information from interested parties on the safety of mirror systems and suggestions for actions to enhance safety with respect to NHTSA's regulatory and non-regulatory mirror-

related actions. This document also invites written comments on the same subject.

DATES: *Public meeting.* The meeting will be held on March 13, 1996 at 1:30 pm. Those wishing to make an oral presentation at the meeting should contact Gary R. Woodford, at the address, telephone number, or fax number listed below, by February 29, 1996.

Written comments. Written comments are due by March 22, 1996.

ADDRESSES: *Public meeting.* The public meeting will be held at the following location: Royce Hotel, 31500 Wick Road, Romulus, MI 48174, near the Detroit Metro Airport.

Written comments. All written comments should be mailed to the Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 7th Street, SW, Washington, DC 20590. Please refer to the docket number at the top of this notice when submitting written comments.

FOR FURTHER INFORMATION CONTACT: Gary R. Woodford, Office of Safety Performance Standards, NHTSA, 400 7th Street, SW, Washington, DC 20590. Telephone 202-366-4931; Fax 202-366-4329.

SUPPLEMENTARY INFORMATION:

Regulatory Reform

Calling for a new approach to the way Government interacts with the private sector, President Clinton asked the Executive Branch agencies to both improve the regulatory process and seek non-regulatory means of working with our customers and partners. Specifically, the President requested that agencies: (1) Cut obsolete regulations; (2) reward results; (3) create grassroots partnerships by meeting with affected and interested parties; and (4) use consensual rulemaking more frequently. This public meeting responds to the third item by reaching out to the agency's grassroots partners with regard to the safety performance of mirrors for cars, light trucks and vans, sport utility vehicles, and heavy trucks. A separate meeting will be held to address motorcycles, including mirror issues unique to motorcycles.

Federal Motor Vehicle Safety Standard No. 111 sets minimum requirements for the performance and location of original equipment mirrors to assure that they provide drivers with a clear and reasonably unobstructed rearward field-of-view. To help NHTSA assess the need for possible enhancements to the standard and to keep abreast of new mirror developments, NHTSA has conducted

much research to identify how mirror system design influences driver performance during lane changing and merging. Specifically, the research goal has been to develop a safety relevant procedure to assess the effect of mirror image quality (e.g., distortion and minification) and field-of-view on the ability of drivers to process mirror information quickly and accurately.

Before proceeding with future research, regulatory, or other activities for improving safety through enhanced rearward vision, NHTSA is holding this outreach meeting to obtain information from its customers and partners, including drivers, inventors, mirror manufacturers, motor vehicle manufacturers, vehicle and traffic safety organizations, consumer groups, and others concerned about vehicle mirror use and design. The information is needed to help NHTSA better understand mirror safety problems that can be addressed through regulatory and non-regulatory actions by the agency working with other interested parties. The types of issues of particular interest to NHTSA include the following:

Non-Regulatory

1. What are the types of safety problems drivers are experiencing with current mirror systems?

2. Are drivers making proper use of current mirror systems? If not, what information could NHTSA provide to drivers and how can the agency and other groups best help to disseminate the information?

3. Are there unique needs or different patterns of use of mirrors of special driving populations, such as older persons, novice drivers, drivers with disabilities, drunk or drugged drivers, fatigued drivers, and drivers with vision problems, which original equipment or aftermarket mirrors could address? Should we inform drivers about these options to encourage their use, and if so, how? What training would be advised or required to effect a safe transition from conventional mirror systems?

4. What aftermarket mirrors exist that could reduce "blind spots," such as aspheric mirrors? Should the agency play a role in informing the public about the benefits or problems with these mirrors?

5. Are there steps the agency could take to increase consumer receptivity to using certain aftermarket mirrors?

6. Should consumers be made aware that there are market choices available in mirrors provided as original equipment?

7. Do drivers have a difficult time getting used to new mirror systems or operating multiple vehicles with