them in the Public Response and Program Resources Branch as described above.)

Because the electronic comment process is still experimental, EPA cannot guarantee that all electronic comments will be accurately converted to printed, paper form. If EPA becomes aware, in transferring an electronic comment to printed, paper form, of a problem or error that results in an obviously garbled comment, EPA will attempt to contact the comment submitter and advise the submitter to resubmit the comment either in electronic or written form. Some commenters may choose to submit identical comments in both electronic and written form to ensure accuracy. In that case, EPA requests that commenters clearly note in both the electronic and written submissions that the comments are duplicated in the other medium. This will assist EPA in processing and filing the comments in the rulemaking record.

As with ordinary written comments, at the time of receipt, EPA will not attempt to verify the identities of electronic commenters nor to review the accuracy of electronic comments. Electronic and written comments will be placed in the rulemaking record without any editing or change by EPA except to the extent changes occur in the process of converting electronic comments to printed, paper form.

If it chooses to respond officially to electronic comments on this Proposed Rule, EPA will do so either in a notice in the **Federal Register** or in a response to comments document placed in the rulemaking record for this Proposed Rule. EPA will not respond to commenters electronically other than to seek clarification of electronic comments that may be garbled in transmission or conversion to printed, paper form as discussed above. Any communications from EPA employees to electronic commenters, other than those described in this paragraph, either through Internet or otherwise are not official responses from EPA.

VII. EPA Decision on Proposed Exception

EPA will publish in the **Federal Register** its final decision on whether to grant the request for a national exception. EPA will base its decision on whether the benefits of the exceptions outweigh the costs. An exception may be withdrawn by EPA at any time if EPA receives poisoning information or other data that indicate that the health risks imposed by the early entry exception are unacceptable or if EPA receives other information that indicates that the exception is no longer necessary or prudent.

Dated: January 3, 1995.

Lynn R. Goldman,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 95–586 Filed 1–6–95; 12:15 pm]
BILLING CODE 6560–50–F

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40 CFR Part 156

[OPP–00399; FRL–4927–6]

Worker Protection Standard; Reduced Restricted Entry Intervals for Certain Pesticides, Request for Comments on Draft Policy

AGENCY: Environmental Protection Agency (EPA).
ACTION: Notice, Request for Comment.

SUMMARY: EPA is soliciting comments on a proposed policy, which would be issued in a Pesticide Regulation Notice (PRN) entitled: ''Worker Protection Standard: Reduced Restricted Entry Intervals for Certain Pesticides. EPA proposes to allow registrants to reduce the interim Worker Protection Standard (WPS) restricted entry intervals (REIs) from 12 to 4 hours for certain low risk pesticides. A proposed list of active ingredients that are candidates for reduced interim WPS REIs would be included in the PRN. End-use products containing active ingredients that appear on the list would be evaluated using the criteria described within the PRN to determine if the current REI may be reduced to 4 hours. To facilitate the availability of the proposed policy to anyone who may be interested in commenting, this notice presents the proposed policy as it would appear in a PRN.

DATES: Written comments, identified by the docket number [OPP– 00399], must be received on or before February 27, 1995.

ADDRESSES: By mail, submit 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: Public Response and Program Resources Branch, Field Operations Division, RM 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. Telephone number for the OPP Docket is (703) 305– 5805. Information submitted and any comment(s) concerning this notice 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(s) 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 to the submitter. Information on the proposed notice and any written comments will be available for public inspection in Room 1128 at the Virginia address given above, from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

Comments and data may also be submitted electronically by any of three different mechanisms: by sending electronic mail (e-mail) to: Docket-OPPTS@epamail.epa.gov; by sending a ''Subscribe'' message to listserver@unixmail.rtpnc.epa.gov and once subscribed, send your comments to RIN-2070-AC69; or through the EPA Electronic Bulletin Board by dialing 202-488-3671, enter selection ''DMAIL,'' user name ''BB—USER'' or 919-541-4642, enter selection ''MAIL,'' user name ''BB—USER.'' Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number OPP-00399 since all five documents in this separate part provide the same electronic address. No CBI should be submitted through e-mail. Electronic comments on this proposed rule, but not the record, may be viewed or new comments filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in unit XV. of this document.

FOR FURTHER INFORMATION CONTACT: By mail, Judy Smith or Ameesha Mehta, Certification, Training, and Occupational Safety Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 11th floor, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, 22202, (703)–305–7666.

SUPPLEMENTARY INFORMATION: The Agency is proposing to issue a Pesticide Regulation Notice (PRN) to allow registrants to reduce the current interim WPS REIs from 12 to 4 hours for certain low risk pesticides. In order to provide ample opportunity for review and

comment by all interested parties, this notice presents the proposed policy as it would appear in the PRN. Comments are invited on all aspects of the proposed PRN, but particularly on whether active ingredients should be added to or deleted from the list of candidate active ingredients, whether the criteria for allowing the REI reduce are appropriate, and whether there should be a time limit within which registrants may change their registrations by notification, as opposed to the submission of a formal registration amendment.

This proposed policy is one of a series of Agency actions in response to concerns raised since the publication of the final WPS in August 1992 by those interested in and affected by the rule. In addition to this draft PRN, EPA is also proposing and seeking public comment on actions regarding: (1) the worker training requirements; (2) the early entry restrictions for irrigation activities; (3) restricted intervals (REIs) for limited contact activities; and, (4) requirements for crop advisors.

I. Summary of the Proposed PRN

The PRN would permit registrants to reduce the current interim WPS REIs from 12 to 4 hours for certain low risk pesticides. Using the criteria outlined below, the Agency screened 480 WPS ''in-scope'' pesticides and determined that the end-use products for 75 active ingredients would be eligible for REI reduction. Attachment A lists the potential candidate active ingredients that the Agency believes would be eligible for REI reduction under the PRN.

Registrants of end-use products containing these active ingredients may apply the criteria discussed below to determine whether their product would be eligible for the reduced REI. A registrant who wishes the Agency to consider an end-use product for a reduced REI that does not meet all criteria, would need to submit an application for amendment of the registration.

The Agency is proposing to allow registrants to revise labeling to reflect the reduced REI through a notification process that could be used until August 31, 1995. After that date, registrants would need to submit applications for amendment of a registration and await Agency approval. Such applications would be evaluated as routine amendments and approved on the basis of the criteria in the PRN.

If a registrant believes that an active ingredient, not listed as a candidate for reduced REI in Attachment A, meets the criteria discussed below, and that products containing that active ingredient should be eligible for a reduced REI through the notification process, the registrant should immediately contact Judy Smith at the address provided in the FOR FURTHER INFORMATION CONTACT section.

If the Agency determines at any time that the reduced REI is not appropriate, EPA will direct the registrant to revise the REI on the label as appropriate.

II. Applicability

The PRN would only apply as follows:

1. To products subject to the WPS labeling requirements in 40 CFR part 156, subpart K.

2. To products containing one or more of the active ingredients listed in Attachment A. A product which contains an active ingredient not listed in Attachment A would not eligible for the notification procedures in the PRN.

3. To currently registered end-use products with interim WPS REIs. New registrations would not be within the scope of the PRN. Pending applications for registration will be considered against the criteria of this notice, and, if acceptable, would be permitted the reduced REI when registered.

III. Background

The 1992 WPS established an interim minimum REI of 12 hours for all end-use pesticide products for agricultural uses. (Longer interim REIs were established for more toxic products.) The 12–hour minimum REI was established for two reasons: (1) to substitute for the ''sprays have dried and dusts have settled'' REI previously used; and (2) to incorporate a margin of safety for unknown adverse effects.

The Agency has been requested by numerous registrants and pesticide users to consider reducing the minimum 12 hour REI for lower toxicity products that they believe do not need a 12 hour REI to protect workers.

The REIs established through the WPS are interim measures until the reregistration process or other comprehensive EPA review process results in a definitive REI determination. In an effort to avoid diversion of Agency resources from the risk evaluation conducted in the reregistration process, regulatory relief in the form of a four hour REI is proposed for those active ingredients that clearly pose very low, post-application risks to workers.

IV. Policy and Rationale

EPA has considered whether there may be some end-use products for which a 12–hour REI is not necessary, and has identified a limited set of lower toxicity active ingredients for which it is prepared to allow reduction of the REI for EPs that meet certain criteria. The active ingredient list is limited because a reduction of the WPS REI from 12 to 4 hours could result in dermal and eye exposures that would equal exposures experienced by entry immediately following application, and because any risk mitigation benefits gained by not allowing workers to reenter treated areas before 12 hours is lost. For these reasons, the Agency is proposing to permit only those end-use products that contain active ingredients meeting the criteria in Unit IV to be eligible for a reduced REI.

The Agency believes that reducing the REIs for pesticides which meet the criteria below would not substantially increase risks to workers. Reducing the REI would provide agricultural producers with greater flexibility and may promote the use of these inherently less toxic products over those with greater risks and longer REIs.

After August 31, 1995, registrants must use the existing label amendment process to request a reduction in a REI.

V. Criteria for Active Ingredient Selection

EPA considered for inclusion in Attachment A active ingredients in three categories: microbial pesticides (living organisms, including protozoans, fungi, bacteria, and viruses); biochemical pesticides (materials that occur in nature and possess a non-toxic mode of action to the target pest(s); and certain conventional chemical pesticides. The following criteria were used to select the active ingredients in Attachment A:

1. The active ingredient is in Toxicity category III or IV based upon data on acute dermal toxicity, primary skin irritation, and primary eye irritation. Acute oral toxicity data were used in place of acute dermal toxicity if no acute dermal data were available.

2. The active ingredient is not a sensitizer (or in the case of biochemical and microbial active ingredients, no known reports of hypersensitivity exist).

3. No known adverse health effects are associated with the active ingredient, i.e. carcinogenicity, mutagenicity, developmental effects, reproductive effects.

4. EPA does not possess incident information (illness or injury reports) that are ''definitely'' or ''probably'' related to post- application exposures to the active ingredient.

5. The active ingredient also may not be a cholinesterase inhibitor.

The Agency determined that a total of 397 potential active ingredients were in Toxicity Category 3 or 4 for at least one of the following guideline studies: oral, inhalation, dermal, skin irritation, and eye irritation. After this initial screening, 109 of the 397 active ingredients whose end-use products would have REIs greater than 12 hours were excluded, resulting in 287 potential candidates. The REI's of these 109 active ingredients were set utilizing chemical specific data via the registration, reregistration, or special review process. The remaining 287 active ingredients were then screened to determine if both the dermal toxicity and eye irritation tests resulted in Toxicity Category 3 or 4, and the results of the sensitization/hypersensitization test were negative. Candidates failing to meet this criteria were excluded from consideration. This screen reduced the number to 88 active ingredients. From this group of 88 active ingredients, an additional 13 were excluded for subchronic, developmental, reproductive, mutagenicity, or carcinogenicity concerns, or if the registration was not supported currently. This resulted in 75 active ingredients as potential candidates for REI reduction to 4 hours.

Some active ingredients are not included on the list in Attachment A because they have been the subject of a reregistration eligibility document (RED), in which the Agency concluded that a 12 hour REI was necessary to protect workers. These active ingredients would not be eligible for reduced REIs through the notification process outlined in the PRN. It should be noted that WPS does not apply to pheromones utilized in insect traps and will not be included in the PRN.

VI. Agency Determination for Adding Active Ingredients To Candidate List

If a registrant believes an active ingredient meets the criteria set forth in Part IV of the PR Notice, and that products containing that active ingredient should be eligible for a reduced REI through the notification process, the registrant should contact Judy Smith in Certification, Training and Occupational Safety Branch, Field Operations Division (7506C), 401 M St., SW., Washington DC 20460, before August 31, 1995. If a registrant or other party has information or data indicating that an active ingredient should not be on the candidate list, the registrant must notify the Agency before August 31, 1995. To be considered for a reduced REI, the active ingredient must meet the criteria outlined in the PRN, based upon studies determined by the Agency to be acceptable. The registrant would be required to submit the studies [or cite their MRID numbers and provide copies of Agency reviews that confirm that the criteria are met]. For additional information on this issue, registrants should contact Judy Smith (703–305–7666) as early in the comment period as possible.

VII. Procedures for Determining Eligibility of End-Use Products

If the active ingredient(s) is included on Attachment A, the registrant must evaluate the product to determine if the EP is eligible for REI reduction. To be acceptable, the following criteria must be met. The registrant must certify to the Agency that the EP meets all of the criteria outlined below:

1. The registrant has submitted or cited studies for the EP on acute dermal toxicity, primary skin irritation, primary eye irritation and skin sensitization (or hypersensitivity if the product contains a microbial or biochemical active ingredient). The Agency need not have completed these study reviews.

a. The registrant must cite the MRID numbers for all studies submitted.

b. If EPA has permitted the use of studies performed on a substantially similar EP to fulfill the acute toxicity data requirements, the registrant must submit proof that EPA has approved the use of these studies.

c. If EPA has waived a data requirement for one or more of the required studies, the registrant must submit proof that the data were waived.

d. If all studies on the EP have not been submitted, cited, or waived, the REI may not be reduced for the end-use product at this time.

2. Based on the acute toxicity studies, the product is in Toxicity category III or IV.

3. Based on the sensitization or hypersensitivity studies, the product is not a sensitizer or there have been no reports of hypersensitivity.

4. The registrant has no data indicating, and is not aware of, adverse health effects associated with the EP, i.e., carcinogenicity, mutagenicity, developmental effects, reproductive effects.

5. The registrant is not aware and has not been informed of incident information (illness or injury reports) that are ''definitely'' or ''probably'' (as defined by the California Incident Reporting System) related to post-application exposures to the product.

VIII. Procedure for Notification/ Certification

A. Notification Statement

For each product that qualifies for the notification procedures, the registrant would be required to submit:

1. An Application for Registration (EPA Form 8570–1), identified as a notification under this PRN.

2. Three copies of a revised label, clearly marked to highlight the revised REI.

3. The information required to demonstrate that the product is eligible for the reduced REI.

4. The following certification statement:

I certify that this notification is consistent with the provisions of PR Notice 95–x and that no other changes have been made to the labeling or the confidential statement of formula of this product.

I further understand that if this notification is not consistent with the terms of PR Notice 95–x, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA. I understand that the Agency may direct a change in the REI of a product subject to this notice if the Agency determines that a change is appropriate, and that products may be subject to regulatory and enforcement action if the appropriate changes are not made.

B.Final Printed Labeling

For each product, final printed labeling must be submitted either as part of the notification or separately in accordance with PR Notice 82–2, before the product may be distributed or sold.

IX. Sale and Distribution

After the PRN is issued and once the registrant has submitted the information and certification specified in Unit VIII, the registrant would be able to sell or distribute products bearing the registrant-certified revised labeling that was submitted to the Agency.

X. Permitted Relabeling of Product in Channels of Trade

After the PRN is issued, registrants revising their labeling to reduce an interim REI from 12 hours to 4 hours may revise labeling of products through stickering or full relabeling. Stickering, or full relabeling, may occur at sites where product is not under direct registrant control (such as distribution or retail sites), by any person the registrant designates, and without registration of the site as a pesticide producing establishment. The registrant, however, retains full responsibility for ensuring that such labeling modifications are carried out correctly.

XI. Agency Determination to Revise the REI

Registrants should note that FIFRA sec. 6(a)(2) requires that they submit to the Agency any information or data concerning any adverse effect, illness or injury associated with a product or its use, including those resulting from post-application exposures.

If, on the basis of information received from a registrant or other sources, the Agency determines that the 4–hour REI should be increased, the Agency will inform the registrant of that determination and of the new REI that must replace the 4–hour REI. The Agency will also inform the registrant at that time of actions, if any, that must be taken with respect to existing stocks of product labeled with a 4–hour REI.

The Agency intends to bring misbranding actions and issue stop sale, use, and removal orders if the appropriate changes and actions are not taken immediately upon notification to the registrant.

XII. Compliance

Registrants are responsible for the content and accuracy of labeling and for compliance with labeling requirements. Registrants that submit notifications which do not comply with the PRN or EPA's requirements may be subject to enforcement action under FIFRA sections 12 and 14.

Registrants electing to sell or distribute products bearing registrant-verified revised labeling run the risk that the proposed label is incorrect and must be revised. In most cases, incorrectly reducing the REI from 12 hours to 4 hours would be considered a serious error possibly requiring stop-sale orders, recalls, or civil penalties. A serious error is one which may create a potential for harm to workers, handlers, or other persons, or the environment, or when the errors prevent achievement of basic goals of the WPS or FIFRA.

XIII. Consultations

EPA consulted with USDA and their comments were considered in the preparation of this document. In addition, although this action is not a ''significant regulatory action'' under Executive Order 12866 (58 FR 51735, October 4, 1993), it was submitted to the Office of Management and Budget for a 10–day informal review. Any changes made have been documented in the public record.

Pursuant to Executive Order 12866 (58 FR 51735, October 4, 1993), it has been determined that this is not a ''significant regulatory action.'' This action does not raise potential novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order. Nevertheless, this action was submitted to OMB for review, and any comments or changes made have been documented in the public record.

XIV. Attachment A

Attachment A—Candidate List of Active Ingredients Eligible for Reduced Entry Intervals (REIs).

Acetylchitin
Agrobacterium radiobacter
Ampelomyces quisqualis isolate M–10
Azadirachtin
B. t. subsp. aizawai
B. t. subsp. aizawai strain GC–91
B. t. subsp. israelensis
B. t. subsp. kurstaki
B. t. subsp. kurstaki HD–263
B. t. subsp. kurstaki strain EG2348
B. t. subsp. kurstaki strain EG2371
B. t. subsp. kurstaki strain EG2424
B. t. subsp. san diego
B. t. subsp. tenebrionis
Bacillus popilliae and B. lentimorbus
Bacillus sphaericus
Bacillus subtilis GB03
Bacillus subtilis MBI 600
Boron sodium oxide, tetrahydrate
Calcium oxytetracycline
Chlorsulfuron
Colletotrichum gleosporioides spores
Cytokinin
D-Phenothrin
Disparlure: cis-7,8-epoxy-2-methyloctadecane
Ethoxyquin
Fenridazon
Gibberellic acid
Gibberellin A4 mixt. with Gibberellin A7
Gliocladium virens G-21
Gossyplure: Hexadecadien-1-ol, acetate
Indole-3-butyric acid
Kinoprene
Lagendidium giganteum, mycelium or oospores
Metsulfuron-methyl
Mineral oil
Muscalure, component of (E)-9-Tricosene
Muscalure, component of (Z)-9-Tricosene
Nicosulfuron
Nosema locustae
Oxytetracycline hydrochloride
Periplanone B
Phytophthora palmivora, chlamydospores
Polyhedral inclusion bodies of Douglas fir tussock moth NPV
Polyhedral inclusion bodies of Heliothis NPV
Polyhedral inclusion bodies of Neodiprion sertifer NPV
Polyhedral inclusion bodies of Gypsy moth NPV
Polyhedral occlusion bodies of Autographa californica NPV
Polyhedral occlusion bodies of beet armyworm NPV
Pseudomonas cepacia type Wisconsin
Pseudomonas fluorescens 1629RS
Pseudomonas fluorescens A506
Pseudomonas fluorescens EG-1053
Pseudomonas fluorescens Strain NCIB 12089
Pseudomonas syringae 742RS
Puccinia canaliculate (Schweinitz) Langerheim (ATCC ???)
Sesame plant, ground
Siduron
Silica gel
Silicon dioxide
Sodium carboxymethyl cellulose
Sodium metaborate (NaBO2)
Soybean oil
Streptomyces griseoviridis
Streptomycin
Streptomycin sesquisulfate
Sulfometuron methyl
Thifensulfuron methyl
Tomato pinworm pheromone: (E)-4-tridecen-1-yl acetate
Tomato pinworm pheromone: (Z)-4-tridecen-1-yl acetate
Triacontanol
Triasulfuron
Trichoderma harzianum (ATCC 20476)
Trichoderma harzianum Rifai strain KRL-AG2
Trichoderma polysporum (ATCC 20475)

XV. Public Docket and Electronic Comments

A record has been established for this rulemaking under docket number ''OPP-00399'' (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 confidential business information (CBI), is available for inspection from 8 a.m. to 4 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, CM #2, 1921 Jefferson Davis Highway, Arlington, VA. Written comments should be mailed 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.

As part of an interagency ''streamlining'' initiative, EPA is experimenting with submission of public comments on selected **Federal Register** actions electronically through the Internet in addition to accepting comments in traditional written form. This proposed exception is one of the actions selected by EPA for this experiment. From the experiment, EPA will learn how electronic commenting works, and any problems that arise can be addressed before EPA adopts electronic commenting more broadly in its rulemaking activities. Electronic commenting through posting to the EPA Bulletin Board or through the Internet using the ListServe function raise some

novel issues that are discussed below in this Unit.

To submit electronic comments, persons can either ''subscribe'' to the Internet ListServe application or ''post'' comments to the EPA Bulletin Board. To ''Subscribe'' to the Internet ListServe application for this proposed exception, send an e-mail message to: listserver@unixmail.rtpnc.epa.gov that says ''Subscribe RIN–2070–AC69 <first name> <last name>.'' Once you are subscribed to the ListServe, comments should be sent to: RIN–2070–AC69@unixmail.rtpnc.epa.gov. All comments and data in electronic form should be identified by the docket number OPP-00399 since all five documents in this separate part provide the same electronic address.

For online viewing of submissions and posting of comments, the public access EPA Bulletin Board is also available by dialing 202–488–3671, enter selection ''DMAIL,'' user name ''BB—USER'' or 919–541–4642, enter selection ''MAIL,'' user name ''BB—USER.'' When dialing the EPA Bulletin Board type <Return> at the opening message. When the ''Notes'' prompt appears, type ''open RIN– 2070–AC69'' to access the posted messages for this document. To get a listing of all files, type ''dir/all'' at the prompt line. Electronic comments can also be sent directly to EPA at:

Docket-OPPTS@epamail.epa.gov.

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. To obtain further information on the electronic comment process, or on submitting comments on this proposed exception electronically through the EPA Bulletin Board or the Internet ListServe, please contact John A. Richards (Telephone: 202–260–2253; FAX: 202–260–3884; Internet: richards.john@epamail.epa.gov).

Persons who comment on this proposed rule, and those who view comments electronically, should be aware that this experimental electronic commenting is administered on a completely public system. Therefore, any personal information included in comments and the electronic mail addresses of those who make comments electronically are automatically available to anyone else who views the comments. Similarly, since all electronic comments are available to all users, commenters should not submit electronically any information which they believe to be CBI. Such information should be submitted only directly to EPA in writing as described earlier in this Unit.

Commenters and others outside EPA may choose to comment on the comments submitted by others using the RIN–2070–AC69 ListServe or the EPA Bulletin Board. If they do so, those comments as well will become part of EPA's record for this rulemaking. Persons outside EPA wishing to discuss comments with commenters or otherwise communicate with commenters but not have those discussions or communications sent to EPA and included in the EPA rulemaking record should conduct those discussions and communications outside the RIN–2070–AC69 ListServe or the EPA Bulletin Board.

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 in the RIN–2070–AC69 ListServe or the EPA Bulletin Board, in accordance with the instructions for electronic submission, 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. All the electronic comments will be available to everyone who obtains access to the RIN–2070–AC69 ListServe or the EPA Bulletin Board; however, the official rulemaking record is the paper record maintained at the address in ''ADDRESSES'' at the beginning of this document. (Comments submitted only in written form will not be transferred into electronic form and thus may be accessed only by reviewing them in the Public Response and Program Resources Branch as described above.)

Because the electronic comment process is still experimental, EPA cannot guarantee that all electronic comments will be accurately converted to printed, paper form. If EPA becomes aware, in transferring an electronic comment to printed, paper form, of a problem or error that results in an obviously garbled comment, EPA will attempt to contact the comment submitter and advise the submitter to resubmit the comment either in electronic or written form. Some commenters may choose to submit identical comments in both electronic and written form to ensure accuracy. In that case, EPA requests that commenters clearly note in both the electronic and written submissions that the comments are duplicated in the other medium. This will assist EPA in processing and filing the comments in the rulemaking record.

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List of Subjects in 40 CFR Part 156

Labeling, Occupational Safety and health, Pesticides and pest, Reporting and recordkeeping requirements.

Dated: January 3, 1995.

Daniel M. Barolo,

Director, Office of Pesticide Programs.

[FR Doc. 95–587 Filed 1–6–95; 12:15 pm]

BILLING CODE 6560–50–F