2. In § 180.368, paragraph (a) is amended by adding and alphabetically inserting the entry for celery, and paragraph (c) is amended by adding and alphabetically inserting the entry for onion (dry bulb), to read as follows:

§ 180.368 Metolachlor; tolerances for residues.

(a) * * *

Commodity	Parts per million
* * * * *	
Celery	0.1
* * * * *	

* * * * * *

(c) * * *

Commodity	Parts per million
Onion (dry bulb)	1.0
* * * * *	

[FR Doc. 95–3386 Filed 2–14–95; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Part 180

[PP 6E3460/P597; FRL–4932–2]

RIN 2070–AB78

Pesticide Tolerance for Prometryn

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to establish a tolerance for residues of the herbicide prometryn in or on the raw agricultural commodity parsley. The proposed regulation to establish a maximum permissible level for residues of the herbicide was requested in a petition submitted by the Interregional Research Project No. 4 (IR-4).

DATES: Comments, identified by the document control number [PP 6E3460/P597], must be received on or before March 17, 1995.

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 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Hoyt L. Jamerson, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. Office location and telephone number: Sixth Floor, Crystal Station #1, 2800 Jefferson Davis Hwy., Arlington, VA 22202, (703) 308-8783.

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition (PP) 6E3460 to EPA on behalf of the Agricultural Experiment Station of California. This petition requests that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), amend 40 CFR 180.222 by establishing a tolerance for residues of the herbicide prometryn (2,4-bis(isopropylamino)-6-methylthio-s-triazine) in or on the raw agricultural commodity parsley at 0.1 part per million (ppm). The petitioner proposed that use of prometryn on parsley be limited to California only based on the geographical representation of the residue data submitted. Additional residue data will be required to expand the area of usage. Persons seeking geographically broader registration should contact the Agency's Registration Division at the address provided above.

The scientific data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerance include:

1. A 2-year feeding study with dogs fed diets containing 0, 15, 150, or 1,500 ppm (equivalent to 0, 0.375, 3.75, or 37.5 milligrams (mg)/kilogram (kg)/day) with a no-observed-effect level (NOEL) of 150 ppm (3.75 mg/kg/day) based on degenerative hepatic changes, renal tubule degeneration, and bone marrow atrophy at the 1,500-ppm dose level.

2. A 104-week chronic feeding/carcinogenicity study with rats fed diets containing 0, 10, 100, 750, or 1,500 ppm (equivalent to 0, 0.38, 3.90, 29.45, or 60.88 mg/kg/day for males and 0, 0.49, 4.91, 37.25, or 80.62 mg/kg/day for females) with a systemic NOEL of 750 ppm (29.45 mg/kg/day in males and 37.25 mg/kg/day in females) based on decreased body weight gain in both sexes, and renal lesions (mineralized concretions) in males at the 1,500-ppm dose level. There were no carcinogenic effects observed under the conditions of the study.

3. A carcinogenicity study with mice fed diets containing 0, 10, 1,000, or 3,000 ppm (equivalent to 0, 1, 100, or 300 mg/kg/day) for 102 weeks with a systemic NOEL of 1,000 ppm (100 mg/kg/day) based on decreased body weight gain in female mice at the 3,000-ppm dose level. There were no carcinogenic effects observed under the conditions of the study.

4. A two-generation reproduction study in rats fed diets containing 0, 10, 750, or 1,500 ppm (equivalent to 0, 0.6, 47.8, 96.7 mg/kg/day in males and 0, 0.7, 53.6, or 105.6 mg/kg day in females) with a NOEL for reproductive effects of 10 ppm (0.6 mg/kg/day in males and 0.7 mg/kg/day in females) based on decreased pup weight at the 750-ppm dose level. The NOEL for parental systemic toxicity was also established at 10 ppm based on decreased food consumption, body weight, and body weight gain at the 750-ppm dose level.

5. A developmental toxicity study in rabbits given gavage doses of 0, 2, 12, or 72 mg/kg/day with a NOEL of 12 mg/kg/day for maternal toxicity based on decreased food consumption at the highest dose tested (72 mg/kg/day). The NOEL for developmental effects was established at 12 mg/kg/day based on increased fetal resorption at the highest dose tested.

6. A developmental toxicity study in rats given gavage doses of 0, 10, 50, or 250 mg/kg/day during gestational days 6 to 15 with a NOEL of 50 mg/kg/day for maternal toxicity based on salivation and decreases in body weight and food consumption at the highest dose tested (250 mg/kg/day). A NOEL for developmental toxicity was established at 50 mg/kg/day based on decreased fetal body weight and increased incomplete ossification of sternebrae and metacarpals at the 250-mg/kg/day dose level.

7. Mutagenicity studies as follows: a gene mutation test (Ames assay), negative up to cytotoxic solubility limits; structural chromosome aberration tests, negative for anomalies in micronuclei in bone marrow cells of

Chinese hamsters dosed orally at 5,000 mg/kg; and tests for other genotoxic effects, negative for unscheduled DNA synthesis in rat hepatocytes up to cytotoxic levels.

8. In a general metabolism study using rats fed diets containing radio-labelled prometryn, prometryn was extensively metabolized with less than 2 percent of the recovered 14C radioactivity representing the parent compound. Prometryn is excreted predominately in the urine and feces.

The Reference Dose (RfD) for prometryn is established at 0.04 mg/kg of body weight (bwt)/day, based on a NOEL of 3.75 mg/kg/day from the 2-year feeding study in dogs and an uncertainty factor of 100. The Theoretical Maximum Residue Contribution (TMRC) from established tolerances and the current action is estimated at 0.000181 mg/kg of body weight/day and utilizes less than 1 percent of the RfD for the U.S. population. The most highly exposed subgroup (children of ages 1 through 6 years) will be exposed to less than 1 percent of the RfD from existing uses and the proposed use on parsley.

An acute dietary exposure analysis was conducted for prometryn based on a NOEL of 12 mg/kg/day from the rabbit developmental toxicity study. In the analysis, tolerance level residues were used to calculate the high-end exposure for females older than 13 years, which approximates women of child-bearing age. High-end dietary exposure was compared to the NOEL of 12 mg/kg/day to obtain a high-end Margin of Exposure (MOE) of 10,000. The Agency concludes there is no acute dietary concern for prometryn at this time.

The nature of residue in plants is adequately understood for the purposes of the proposed tolerance. An adequate analytical method, gas chromatography, is available for enforcement purposes. The analytical method for enforcing this tolerance has been published in the Pesticide Analytical Manual, Vol. II (PAM II).

There is no reasonable expectation that secondary residues will occur in milk, eggs, or meat of livestock and poultry, since there are no livestock feed items associated with this action.

There are currently no actions pending against the continued registration of this chemical.

Based on the information and data considered, the Agency has determined that the tolerance established by amending 40 CFR part 180 would protect the public health. Therefore, it is proposed that the tolerance be established 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 document 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 6E3460/P597]. All written comments filed in response to this petition 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.

Under Executive Order 12866 (58 FR 51735, Oct. 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to all the requirements of the Executive Order (i.e., Regulatory Impact Analysis, review by the Office of Management and Budget (OMB)). Under section 3(f), the order defines ''significant'' as those actions likely to lead to a rule (1) having an annual effect on the economy of $100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also known as ''economically significant''); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of this Executive Order, EPA has determined that this rule is not ''significant'' and is therefore not subject to OMB review.

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).

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 30, 1995.

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. In § 180.222, paragraph (b) is amended in the table therein by adding and alphabetically inserting a new entry, to read as follows:

§ 180.222 Prometryn; tolerances for residues.

* * * * *

(b) * * *

Commodity	Parts per million
* * * * *	
Parsley	0.1

[FR Doc. 95–3385 Filed 2–14–95; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Part 300

[FRL–5154–4]

National Oil and Hazardous Substances Contingency Plan; The National Priorities List Update

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of intent to delete the Cemetery Dump site, Rose Township, Michigan from the National Priorities List; request for comments.

SUMMARY: The Environmental Protection Agency (EPA) Region V announces its intent to delete the Cemetery Dump site, Rose Township, Michigan from the National Priorities List (NPL) and requests public comment. The NPL is Appendix B to the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended. This action is being taken by EPA, because it has been determined that all Fund-