Washington, DC 20460. In person, bring comments to: Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as ''Confidential Business Information.'' 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 Confidential Business Information must be provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Andrea Beard, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460. Office location and telephone number: Floor 6, Crystal Station #1, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308–8417; e-mail: beard.andrea@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a state agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemption for the use of propazine on sorghum to control pigweed. Information in accordance with 40 CFR part 166 was submitted as part of this request.

Sorghum is grown as a rotational crop with cotton and wheat, in order to comply with the soil conservation requirements. Propazine, which was formerly registered for use on sorghum, was voluntarily canceled by the former Registrant, who did not wish to support its re-registration. The Applicant claims that this has left many sorghum growers with no pre-emergent herbicides that will adequately control certain broadleaf weeds, especially pigweed. The Applicant states that other available herbicides have serious limitations on their use, making them unsuitable for control of pigweed in sorghum. The Applicant claims that significant economic losses will occur without the availability of propazine.

Although the original Registrant of propazine has decided not to support this chemical through re-registration, another company has committed to support the data requirements for this use. Propazine was once registered for this use, but has now been voluntarily canceled and is therefore considered to be a new chemical.

The Applicant proposes to apply propazine at a maximum rate of 1.2 lbs. active ingredient (a.i.), (2.4 pt. of product) per acre, by ground or air, to a maximum of 300,000 acres of sorghum, with one application allowed per crop growing season. Therefore, use under this exemption could potentially amount to a maximum total of 360,000 lbs. of active ingredient (90,000 gal. of product).

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require publication of a notice of receipt of an application for a specific exemption proposing use of a new chemical (i.e., an active ingredient not contained in any currently registered pesticide). Such notice provides for opportunity for public comment on the application. Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above.

The Agency, accordingly, will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the Kansas Department of Agriculture.

List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: March 14, 1995.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 95–7062 Filed 3–21–95; 8:45 am]

BILLING CODE 6560–50–F

[OPPTS–42182; FRL–4943–6]

Certain Paint Stripping Chemicals; Solicitation of Testing Proposals for Negotiation of TSCA Section 4 Enforceable Consent Agreements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice invites manufacturers and processors of certain chemical substances used in commercial paint strippers and other interested parties to develop and submit to EPA specific toxicity testing proposals for these chemicals. Testing is needed for three dibasic esters (DBEs), specifically, dimethyl adipate, dimethyl glutarate and dimethyl succinate. The EPA, the Consumer Product Safety Commission and the National Toxicology Program have consulted on the need for and nature of toxicity testing of DBEs, and the means for implementing such testing.

DATES: Written testing proposals must be received by May 22, 1995. EPA may extend the deadline for receipt of testing proposals upon a showing of good faith efforts to develop testing proposals by the initial deadline.

ADDRESSES: Submit three copies of written testing proposals to TSCA Docket Receipts (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. G–99, East Tower, 401 M St., SW., Washington, DC 20460. Submissions should bear the document control number (OPPTS–42182; FRL–4943–6). The public docket supporting this action, including comments, is available for public inspection in the Nonconfidential Information Center, Rm NE-B607, at the above address from 12 noon to 4 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: James Willis, Acting Director, Environmental Assistance Division (7408), Rm. E543B, 401 M St., SW., Washington, DC 20460, (202) 554–1404, TDD (202) 554–0551. For specific information regarding this action or related activities, contact George Semeniuk, Project Manager, Chemical Testing and Information Branch (7405), Rm E221B, 401 M St., SW., Washington, DC 20460, (202) 260–2134.

SUPPLEMENTARY INFORMATION:

I. Background

A. Rationale for Action

Known as dibasic esters (DBEs), dimethyl adipate (DMA, CAS No. 627–93–0), dimethyl glutarate (DMG, CAS No. 1119–40–0) and dimethyl succinate (DMS, CAS No. 106–65–0) are component chemicals of solvent mixtures used in paint stripping formulations that are sold to the general public. Consumers can be significantly exposed to DBEs during use of these formulations. This potential for significant exposure, a reported adverse human effect—blurred vision—resulting from the use of DBE-based paint strippers, and the results of limited toxicity testing (rats), form the

foundation for the Agency's concern for the potential health risk that may be posed to consumers by DBE-based paint strippers. Upon further review of the other chemicals being used in commercial paint strippers, the Agency may determine that other commercial paint stripper chemicals in addition to the DBEs may pose significant exposures and possible risks to consumers or to other users. It may then seek additional testing, if necessary, to evaluate more fully that risk, in conjunction with, or apart from, the testing of the DBEs.

EPA's Office of Pollution Prevention and Toxics (OPPT) administers the Toxic Substances Control Act (TSCA) and the TSCA section 4 testing program. Under TSCA section 4, 15 U.S.C. 2603, EPA may require that chemical manufacturers and processors provide to EPA test data that can be used to assess the impact on human health and the environment from exposure to such chemicals. In addition to imposing section 4 testing requirements by rulemaking, OPPT has developed an Enforceable Consent Agreement (ECA) process for obtaining needed testing often with less time and resources and more flexibility than under a test rule. See 40 CFR part 790. On numerous occasions, chemical companies have approached EPA to negotiate ECAs for chemicals which are likely to become the subject of proposed test rules.

Testing proposals for the DBEs should cover all identified data needs of the substances in order to be considered for ECA negotiation. If, after receiving testing proposals, EPA pursues negotiations for one or more ECAs applicable to these chemicals, EPA will, through a notice in the **Federal Register**, solicit requests by individuals to be designated an interested party to the negotiation(s). EPA has authority to require testing for these chemical substances under section 4 of the Toxic Substances Control Act (TSCA)(15 U.S.C. 2601–2692) and, if an ECA-based approach does not prove viable, EPA would proceed with proposed rulemaking to require the needed testing.

B. Chemical Data Needs

In 1986, the Consumer Product Safety Commission (CPSC) established a labeling and enforcement policy for methylene chloride, a chemical solvent used in many paint strippers and household products and considered hazardous due to its potential carcinogenicity. Use of such products often resulted in widespread and significant consumer exposure. Since then, paint strippers that do not contain methylene chloride have been developed and marketed to consumers as ''safe alternatives'' to the methylene chloride-based formulations. Mixtures, or blends, of dibasic esters (DBEs) are becoming an important substitute solvent in alternative paint stripper formulations.

There is limited toxicity information available on the individual DBEs and the alternative paint stripper formulations that use DBEs. An adverse human health effect—blurred vision—has been reported for a user who used DBE-based paint strippers in a poorly ventilated setting. This response was associated with DBE-based paint strippers that contained high percentages of the more volatile DMG and DMS and less than 20 percent DMA.

A well-designed and executed battery of tests was carried out by the E.I. Du Pont de Nemours Company to evaluate the effects of a mixture of DBEs on experimental animals. These tests included a single-dose acute study, a 2–week subacute study, two separate subchronic studies, a reproductive toxicity study (one-generation), and a developmental toxicity study. The studies utilized male and female rats that were exposed via inhalation of vapor or vapor aerosols of a DBE blend that contained 66 percent DMG, 17 percent DMA and 17 percent DMS. Among other findings, these studies established the lethal concentration from a 4–hour exposure to be approximately 4,000 mg/m^{-3}. Subchronic inhalation studies demonstrated that DBE could produce, depending upon the exposure concentration, progressive degeneration of the nasal olfactory epithelium, a dose-dependent decrease in liver weight, a depression in serum sodium levels and, at high exposure concentrations, a reduction in body weight. In addition, studies of the effects of DBE exposure on reproduction showed decreases in parental and pup weight gain and an increased incidence of delayed renal papilla development. One test animal developed a tumor (meningeal sarcoma) on the olfactory bulb of the brain. Results from the developmental toxicity study revealed significant reductions in body weight gain and food consumption for female rats exposed at higher concentrations and significant increases in percent of litters having one or more malformed fetuses. The deposition and metabolism of DBE vapors in the upper respiratory tract of rats has also been studied by DuPont researchers and yielded insight into understanding DBE-induced degeneration of the olfactory epithelium in test animals and the potential for similar effects in humans.

An EPA-led interagency workgroup composed of representatives from EPA and CPSC was formed in 1993 to: (1) assess the human health risks posed by the myriad chemical substances (or ''cluster of chemicals'') used in paint stripper formulations sold to consumers and (2) identify potential options for reducing risk. CPSC identified a need to develop test data on DMA that would provide a more complete toxicity profile that would be used in comparing DMA's hazards to that of methylene chloride and other paint stripping chemicals. In 1994, CPSC formally nominated DMA as its 1994 priority chemical for federally-funded testing under the National Toxicology Program (NTP) and described an array of tests that would meet its needs. The testing that CPSC requested for DMA concerned the following effects: oncogenicity and genotoxicity, sensory irritation, toxicity following subchronic dermal administration, reproductive and developmental toxicity in a mammalian species other than the rat, neurotoxicity (screening), and *in vitro* metabolism/toxicity using human upper respiratory tissue.

In December, 1994, the Executive Committee of the NTP convened and decided to refer the bulk of the testing requested by CPSC to EPA for implementation using TSCA testing authorities. This decision was taken because of the commercial significance of DMA, TSCA's stated policy that testing is the responsibility of industry (15 U.S.C. 2601), and EPA's interest in collecting needed data on the broader class of DBEs currently used in paint strippers. However, testing will be conducted by NTP for each of the three DBEs with regard to genotoxicity (the *Salmonella typhimurium* reverse mutation assay and the *in vivo* mammalian bone marrow cytogenetic test: micronucleus assay).

The testing regime identified by CPSC for DMA is comparable to that recently undertaken for *N*-methylpyrrolidone under an ECA published in the **Federal Register** of November 23, 1993 (58 FR 61814). EPA believes, however, that testing that is similar, or complementary, to that specified for DMA is also needed for DMG and DMS in order to compare and contrast the toxicities of all three chemical substances. When used in paint stripper formulations, all three DBEs are usually present, although their relative proportions may vary among commercial formulations.

After consultation, EPA and CPSC have agreed that the 2–tier testing

regime identified in Table 1 below is both appropriate and needed for the individual DBEs. As a matter of policy, EPA believes testing of the individual components is preferable to testing mixtures of the DBEs, although EPA would consider favorably a testing regime for the DBEs that included mixture testing, provided the individual components were also tested. EPA also invites the submission of additional testing proposals (beyond the testing described in the following Table 1) that address inter-species differences in metabolism, dosimetry or mode of toxic action for use in improving the extrapolation of DBE-induced toxicity in animal experiments to adverse effects that may occur in humans at relevant exposure levels.

TABLE 1.—PROPOSED TESTING AND TEST STANDARDS FOR INDIVIDUAL DBES

	Species	Exposure route	Test duration	Guidelines/notes
Tier 1 Testing				
1.1 *In vitro* Gene mutation in mammalian cells (DMA, DMG & DMS).	NA	NA	NA	40 CFR 798.5300.
1.2 SIDS Reproductive toxicity Screening (DMA, DMG & DMS).	Mouse	Inhalation for most volatile DBE; dermal for other two..	45 days	OECD[1] Guideline for SIDS Testing No. 422 ''Combined Repeated Dose Toxicity Study with the Reproduction/Developmental Toxicity Screening Test 1994.''
1.3 Sensory irritation (DMA, DMG & DMS).	Mouse	Inhalation	NA	ASTM E981-84 standard test method.
Tier 2 Testing[2]				
2.1 Two generation reproductive study (DMA, DMG *or* DMS).	Mouse or rat	To be selected based on Tier 1 results..	2 generation	40 CFR 798.4700, as proposed for revision (59 FR 42272, August 17, 1994).
2.2 Subchronic neurotoxicity (DMA, DMG *or* DMS).	Rat	To be selected based on Tier 1 results..	90 days	1991 Neurotoxicity Testing Guidelines. Unless 2-generation reproductive study is run using the rat, this testing will require a second 90–day study.
2.3 Developmental toxicity study (DMA, DMG *or* DMS).	2 species: mouse or rat, and rabbit.	To be selected based on Tier 1 results..	NA	40 CFR 798.4900, as proposed for revision (59 FR 42272, August 17, 1994).
2.4 Oncogenicity studies (DMA, DMG *or* DMS).	Mouse and rat ...	To be selected based on Tier 1 results..	2 years + ...	40 CFR 798.3300

[1] Organization of Economic Cooperation and Development, Paris, France.
[2] Tier 2 testing will be done on one of the three DBEs selected on the basis of available toxicity data and exposure potential, as appropriate.

II. Public Docket

EPA has established a docket for this action (docket control number OPPTS–42182; FRL–4943–6). The docket contains basic information considered by EPA in developing this action and includes:

1. Letter from Marilyn L. Wind, Ph.D., Director of Poison Prevention and Scientific Coordination, Consumer Product Safety Commission to Dr. Errol Zeiger, National Toxicology Program, National Institute for Environmental Health Sciences, January 31, 1994. (Copies of unpublished material cited in the letter are included in the docket. Within 15 days of publication of this notice, the Agency expects to add the published material cited in the letter to the docket.)

2. 1991 Neurotoxicology Testing Guidelines.

3. OPPTS Health Effects Test Guidelines for reproductive and fertility effects (OPPTS 870.3800).

4. OPPTS Health Effects Test Guidelines for developmental toxicity (OPPTS 870.3700).

EPA will supplement the docket with additional information as it is received.

A public version of this docket is available in the TSCA Non-confidential Information Center (NCIC) from 12 noon to 4 p.m., Monday through Friday, except legal holidays. The NCIC is located in Rm NE-B607, Mail Code 7407, 401 M St., SW., Washington, DC 20460. Written requests for copies of documents contained in this docket may be sent to the above address or faxed to (202) 260–9555.

Authority: 15 U.S.C. 2603.

Dated: March 16, 1995.

Charles M. Auer,

Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

[FR Doc. 95–7060 Filed 3–21–95; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL COMMUNICATIONS COMMISSION

Petitions For Reconsideration Of Action In Rulemaking Proceeding; Correction

A Public Notice dated March 7, 1995, DA 95–439, in the proceeding below inadvertently failed to list both petitioners and is, therefore, superseded by this Public Notice. These petitions for reconsideration have been filed in the Commission rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of these documents are available for viewing and copying in the Reference Room, 1250 23rd Street, N.W., Plaza Level, Washington, D.C. or may be purchased from the Commission's copy contractor ITS, Inc. (202) 857–3800. Opposition to both of the petitions listed below must be filed on or before April 6, 1995, of the date of public notice of these petitions in the **Federal Register**. See § 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed