

[OPP-180973; FRL 4957-7]

Propamocarb Hydrochloride; Receipt of Applications for Emergency Exemptions, Solicitation of Public Comment**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

SUMMARY: EPA has received specific exemption requests from state lead agricultural agencies of Delaware, Florida, Georgia, Maine, Maryland, Michigan, Minnesota, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Virginia, and Wisconsin (hereafter referred to as the "Applicants"), for the use of the pesticide propamocarb hydrochloride (CAS 25606-41-1) to potentially treat the following acreages of potatoes to control immigrant strains of late blight which are resistant to historically used control materials: DE, 5,000; FL, 40,000; GA, 610; ME, 80,000; MD, 3,000; MI, 58,000; MN, 60,000; NJ, 3,400; NY, 30,000; ND, 109,000; OH, 6,000; OR, 50,000; PA, 24,000; SD, 6,000; VA, 7,500; and WI, 30,000 (potential total acreage of 543,110 acres). The Applicants propose the first food use of an active ingredient; therefore, in accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemptions.

DATES: Comments must be received on or before July 6, 1995.

ADDRESSES: Three copies of written comments, bearing the identification notation "OPP-180973," should be submitted by mail to: Public Response and Program Resource 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, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: oppdocket@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 in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-180973]. No Confidential Business Information (CBI) should be submitted through e-mail. 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 in any comment concerning this notice may be claimed confidential by marking any part or all of that information as 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 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 4:30 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Libby Pemberton, 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 I, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308-8326; e-mail: pemberton.libby@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 Applicants have requested the Administrator to issue specific exemptions for the use of propamocarb hydrochloride on potatoes to control late blight. Information in accordance with 40 CFR part 166 was submitted as part of these requests.

Recent failures to control late blight in potatoes with the registered fungicides, have been caused almost exclusively by immigrant strains of late blight *Phytophthora infestans*, which are resistant to the historically used pesticides. Before the immigrant strains of late blight arrived, all of the strains in the U.S. were previously controlled by treatment with registered materials. The Applicants state that presently, there are no fungicides registered in the U.S. that will provide adequate control of the immigrant strains of late blight. The Applicants state that propamocarb hydrochloride has been shown to be effective against these strains of late blight. This material holds current registrations throughout many European countries for control of this disease. The Applicants state that losses in some

states have been greater than \$10 million per year for the past 3 years, due to these new strains of late blight, and some growers have completely lost their crops and will go out of business. These costs do not include the increased amount of money spent on fungicides in attempts to control this disease. Under appropriate conditions, it is possible that this disease could develop to epidemic proportions, causing major changes and losses to the U.S. potato industry.

The Applicants have all previously submitted requests for exemptions for two other unregistered materials, dimethomorph and cymoxanil, to address this disease problem. These requests were issued on May 18, 1995. A notice of receipt for these two chemicals was published in the **Federal Register** on May 3, 1995.

The Applicants propose to apply propamocarb hydrochloride at a maximum rate of 0.898 lb. a.i. (2.3 pts. of product) per acre, by ground or air, with a maximum of 5 applications per season, to a maximum of the following acreages of potatoes: DE, 5,000; FL, 40,000; GA, 610; ME, 80,000; MD, 3,000; MI, 58,000; MN, 60,000; NJ, 3,400; NY, 30,000; ND, 109,000; OH, 6,000; OR, 50,000; PA, 24,000; SD, 6,000; VA, 7,500; and WI, 30,000. Therefore, use under this exemption could potentially amount to the following maximum amounts of propamocarb hydrochloride: DE, 22,463 lbs. a.i., 7,188 gal. product; FL, 179,688 lbs. a.i., 57,500 gal. product; GA, 2,741 lbs. a.i., 877 gal. product; ME, 359,375 lbs. a.i., 115,000 product; MD, 13,478 lbs. a.i., 4,313 gal. product; MI, 260,547 lbs. a.i., 83,375 gal. product; MN, 269,531 lbs. a.i., 86,250 gal. product; NJ, 152,734 lbs. a.i., 48,875 gal. product; NY, 134,764 lbs. a.i., 43,125 gal. product; ND, 489,650 lbs. a.i., 156,688 gal. product; OH, 26,953 lbs. a.i., 8,625 gal. product; OR, 224,609 lbs. a.i., 71,875 gal. product; PA, 107,813 lbs. a.i., 34,500 gal. product; SD, 26,953 lbs. a.i., 8,625 gal. product; VA, 33,691 lbs. a.i., 10,781 gal. product; and WI, 134,764 lbs. a.i., 43,125 gal. product.

This notice does not constitute a decision by EPA on the applications. The regulations governing section 18 require publication of a notice of receipt of an application for a specific exemption proposing the first food use of an active ingredient. 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 exemptions requested by the above-named state lead agricultural agencies.

A record has been established for this notice under docket number "OPP-180973" (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 notice, 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 record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: June 2, 1995.

Stephen L. Johnson,

Director, Registration Division Office of Pesticide Programs.

[FR Doc. 95-15166 Filed 6-20-95; 8:45 am]

BILLING CODE 6560-50-F

[OPPTS-44618; FRL-4961-3]

TSCA Chemical Testing; Receipt of Test Data

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the receipt of test data on 1,3,5-trimethylbenzene (CAS No. 108-67-8),

submitted pursuant to a final test rule under the Toxic Substances Control Act (TSCA). Publication of this notice is in compliance with section 4(d) of TSCA.

FOR FURTHER INFORMATION CONTACT:

Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-543B, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Section 4(d) of TSCA requires EPA to publish a notice in the **Federal Register** reporting the receipt of test data submitted pursuant to test rules promulgated under section 4(a) within 15 days after it is received.

I. Test Data Submissions

Test data for 1,3,5-trimethylbenzene were submitted by Koch Industries, Inc. pursuant to a test rule at 40 CFR 799.5075. They were received by EPA on May, 11, 1995. The submission includes a final report for a 90-Day Oral Gavage Toxicity Study of 1,3,5-trimethylbenzene in Rats with a Recovery Group. This chemical is used as an intermediate in the production of an antioxidant for plastics.

EPA has initiated its review and evaluation process for this data submission. At this time, the Agency is unable to provide any determination as to the completeness of the submission.

II. Public Record

EPA has established a public record for this TSCA section 4(d) receipt of data notice (docket number OPPTS-44618). This record includes copies of all studies reported in this notice. The record is available for inspection from 12 noon to 4 p.m., Monday through Friday, except legal holidays, in the TSCA Public Docket Office, Rm. B-607 Northeast Mall, 401 M St., SW., Washington, DC 20460.

Authority: 15 U.S.C. 2603.

List of Subjects

Environmental protection, Test data.

Dated: June 8, 1995.

Charles M. Auer,

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

[FR Doc. 95-15167 Filed 6-20-95; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-1054-DR]

Missouri; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Missouri, (FEMA-1054-DR), dated June 2, 1995, and related determinations.

EFFECTIVE DATE: June 12, 1995.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Missouri dated June 2, 1995, is hereby amended to include Individual Assistance in the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of June 2, 1995:

The counties of Benton, Boone, Cole, Gasconade, Franklin, Jefferson, Johnson, Miller, St. Charles, St. Clair, Ste. Genevieve, and St. Louis for Individual Assistance. (already designated for Public Assistance.)

The counties of Callaway, Cape Girardeau, Carroll, Clark, Lincoln, Mississippi, Montgomery, Osage, Ray, Scotland, Scott, Vernon, and the City of St. Louis for Individual Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Craig Wingo,

Division Director, Infrastructure Support Division Response and Recovery Directorate.

[FR Doc. 95-15183 Filed 6-20-95; 8:45 am]

BILLING CODE 6718-02-P

[FEMA-1057-DR]

Tennessee; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Tennessee (FEMA-1057-DR), dated June 14, 1995, and related determinations.

EFFECTIVE DATE: June 14, 1995.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.