

controls within the Chicago ozone nonattainment area and throughout the LMOs domain will not contribute, but instead will interfere with attainment of the ozone standard.

IV. Proposed Rulemaking Action and Solicitation of Comments

Based on the submittal accompanying the State's SIP revision request, the USEPA proposes to approve Illinois' request for an exemption from the transportation conformity requirement to provide annual reductions in NO_x emissions as necessary to reach attainment, for the Chicago ozone nonattainment area.

Public comments are solicited on the requested SIP revision and on USEPA's proposed rulemaking action. Comments received by September 15, 1995, will be considered in the development of USEPA's final rule.

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866 review.

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any SIP. The USEPA shall consider each request for revision to the SIP in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, USEPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, USEPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

This approval does not create any new requirements. Therefore, I certify that this action does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the Act, preparation of the regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of the State action. The Act forbids USEPA to base its actions concerning SIPs on such grounds.

Union Electric Co. v. USEPA, 427 U.S. 246, 256-66 (1976).

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, the USEPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of \$100 million or more. Under Section 205, the USEPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires the USEPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

The USEPA has determined that this action does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector.

This Federal action will relieve requirements otherwise imposed under the Act, and hence does not impose any federal intergovernmental mandate, as defined in section 101 of the Unfunded Mandates Act. Accordingly, no additional costs to State, local, or tribal governments, or the private sector, result from this action.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Conformity, Intergovernmental relations, Oxides of nitrogen, Ozone, Transportation conformity.

Authority: 42 U.S.C. 7401-7671q.

Dated: August 4, 1995.

Corinne S. Wellish,

Acting Regional Administrator.

[FR Doc. 95-20253 Filed 8-15-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 180

[PP 6F3436/P624; FRL 4968-8]

RIN 2070-AC18

Tralomethrin; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes that time-limited tolerances be established with an expiration date of November 15, 1997, for the combined residues of the

insecticide tralomethrin and its metabolites *cis*-deltamethrin and *trans*-deltamethrin in or on the agricultural commodities (RACs) leaf lettuce, head lettuce, broccoli, and sunflowers. The proposed tolerances would establish the maximum permissible levels for residues of the insecticide in or on the commodities. The AgrEvo USA Co. requested these tolerances pursuant to the Federal Food, Drug and Cosmetic Act (FFDCA).

DATES: Comments identified by the docket number, [PP 6F3436/P624], must be received on or before September 15, 1995.

ADDRESSES Submit written comments by mail 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 Docket, Rm. 1132, Crystal Mall #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 as 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 will be included in the public docket by EPA without prior notice. The public docket is available for public inspection in Rm. 1132 at the above address, 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 in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number, [PP 6F3436/P624]. No Confidential Business Information (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: George T. LaRocca, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection

Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Second Floor, CM #2, 1900 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-6100; e mail: larocca.george@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of October 29, 1986 (51 FR 39576), EPA issued a notice that AgrEvo USA Co. (formerly Roussel Uclaf of Paris, France; U.S. Agent: Hoechst-Roussel Agri-Vet Co.), Little Falls Center One, 2711 Centerville Rd., Wilmington, DE 19808, had submitted pesticide petition (PP 6F3436) to EPA proposing to amend 40 CFR part 180 by establishing a regulation pursuant to the Federal Food, Drug and Cosmetic Act (21 U.S.C. 346a and 371), to establish tolerances for residues of the pyrethroid tralomethrin [(S)-*alpha*-cyano-3-phenoxybenzyl-(1R,3S)-2,2-dimethyl-3-[(RS)-1,2,2,2-tetrabromoethyl]-cyclopropane carboxylate] and its metabolites *cis*-deltamethrin [(S)-*alpha*-cyano-3-phenoxybenzyl(1R,3R)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarboxylate] and *trans*-deltamethrin [(S)-*alpha*-cyano-3-phenoxybenzyl(1S,3R)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarboxylate] in or on the following raw agricultural commodities (RACs): broccoli at 0.50 part per million (ppm); broccoli, Chinese (gai lon), broccoli, and raab (rapini) at 3.50 ppm; Brussels sprouts at 3.50 ppm; cabbage at 0.10 ppm; cabbage, Chinese (bok choy, napa) at 3.50 ppm; cabbage, Chinese mustard (gai choy) at 3.50 ppm; cauliflower at 3.50 ppm; collards at 3.50 ppm; kale at 3.50 ppm; kohlrabi at 3.50 ppm; lettuce, head at 0.50 ppm; lettuce, leaf at 2.50 ppm; mustard greens at 3.50 ppm; sunflower seeds at 0.05 (N); and rape greens at 3.50 ppm.

On May 21, 1990, AgrEvo USA Co. submitted a request to amend the subject petition by deleting the proposed tolerance for the entire brassica (cole) leafy vegetable crop group except broccoli. Tolerances were proposed for broccoli at 0.50 ppm, leaf lettuce at 3.0 ppm, and head lettuce at 0.50 ppm. On July 20, 1993, AgrEvo USA Co. submitted a request to increase the proposed tolerance level of the insecticide and its metabolites in or on the RAC head lettuce to 1.00 ppm.

The scientific data submitted in the petitions and other relevant material have been evaluated. The toxicological and metabolism data and analytical methods for enforcement purposes considered in support of these tolerances are discussed in detail in related documents published in the

Federal Register of September 18, 1985 (50 FR 37581). In addition, mutagenicity studies were submitted and considered in support of these tolerances. Based on the studies submitted (an unscheduled DNA synthesis study in rat primary hepatocytes and a chromosome aberration study in Chinese hamster ovary cells), tralomethrin is not considered mutagenic.

A dietary exposure/risk assessment was performed for tralomethrin using a Reference Dose (RfD) of 0.0075 mg/kg/bwt/day, based on a no-observed-effect level (NOEL) of 0.75 mg/kg bwt/day and an uncertainty factor of 100. The NOEL was determined in a 2-year rat-feeding study. The endpoint effect of concern was decreased body weight. The Theoretical Maximum Residue Contribution (TMRC) from established tolerances utilizes less than 1% of the RfD for the U.S. population and the subpopulation most highly exposed, females (13+ years, nursing). Establishing the new tolerances would utilize 3.7% of the RfD for the U.S. population and 5.1% for females (13+ years, nursing). If the new tolerances are approved, the total percentages of RfD utilized for the U.S. population and females (13+ years, nursing) are 3.8% and 5.2%, respectively. Generally speaking, EPA has no cause for concern if total residue contribution for published tolerances is less than the RfD. EPA concludes that the chronic dietary risk of deltamethrin, as estimated by the dietary risk assessment, does not appear to be of concern.

The nature of the residues in lettuce, broccoli, and sunflowers is adequately understood for the establishment of tolerances. An adequate analytical method, gas-liquid chromatography, is available for enforcement purposes. The enforcement methodology has been submitted to the Food and Drug Administration and published in the Pesticide Analytical Manual, Vol. II (PAM II).

The Agency issued a conditional registration for tralomethrin for use on cotton with an expiration date of December 31, 1989 (see the **Federal Register** of September 18, 1985 (50 FR 37581)). The conditional registration was subsequently amended and extended to November 15, 1996 (see the **Federal Register** of February 22, 1995 (60 FR 9785)). The registration was amended and extended to allow time for submission and evaluation of additional environmental effects data. In order to evaluate the effects of the pyrethroids on fish and aquatic organisms and its fate in the environment, additional data were required to be collected and

submitted during the period of conditional registration. Such requirements included a sediment bioavailability and toxicity study and a small-plot runoff study that must be submitted to the Agency by July 1, 1996. Due to the conditional status of the registration, tolerances have been established for tralomethrin and its metabolites on a time-limited basis (until November 15, 1997) on cotton and soybeans to cover residues expected to be present from use during the period of conditional registration. To be consistent with the conditional registration and extension on cotton and soybeans, the Agency is proposing to issue a conditional registration with an expiration date of November 15, 1996, and establishing a time-limited tolerance on broccoli and lettuce (leaf and head lettuce) and sunflowers with an expiration date of November 15, 1997, to cover residues expected to result from use during the period of conditional registration.

There are currently no actions pending against the continued registration of this chemical and its metabolites. The pesticide is considered useful for the purposes for which it is sought. Based on the information and data considered, the Agency has determined that the tolerances established by amending 40 CFR part 180 would protect the public health. Therefore, it is proposed that the tolerances 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 the ingredient listed herein, may request within 30 days after the 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 Federal Food, Drug, and Cosmetic Act (FFDCA).

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number, [PP 6F3436/P624]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch at the above address from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

A record has been established for this rulemaking under docket number [PP 6F3436/R624] (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 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 document from the requirement of review pursuant to 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 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: July 27, 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 180.422, by revising the table therein, to read as follows:

§ 180.422 Tralomethrin; tolerances for residues.

Commodity	Parts per million
Broccoli	0.50
Cottonseed	0.02
Lettuce, head	1.00
Lettuce, leaf	3.00
Soybeans	0.05
Sunflower seed	0.05

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 95-28; Notice 3]

RIN 2127-AF73

Lamps, Reflective Devices and Associated Equipment; Schedule of Advisory Committee Public Meetings

AGENCY: National Highway Traffic Safety Administration (NHTSA); DOT.
ACTION: Notice; Schedule of Advisory Committee Meetings.

SUMMARY: The National Highway Traffic Safety Administration gives notice, as required by the Federal Advisory Committee Act (Pub. L. 92-463) of the scheduled dates for the meetings of its Advisory Committee on Regulatory Negotiation (concerning the improvement of headlamp aimability performance and visual/optical headlamp aiming) during the remainder of 1995. The Committee has also adopted a tentative schedule for its first three meetings in 1996, as indicated below, subject to confirmation or modification at its November meeting. If there are changes or additions to this schedule, NHTSA will publish a notice informing the public of the changes.

DATES: Wednesday/Thursday, September 6/7, 1995; Wednesday/Thursday, October 18/19, 1995; Tuesday/Wednesday, November 28/29, 1995; Wednesday/Thursday, January 17/18, 1996; Wednesday/Thursday,

March 6/7, 1996; Tuesday/Wednesday, April 23/24, 1996.

ADDRESSES: Meetings of the Advisory Committee are currently scheduled to be held beginning at 9:00 a.m. at the Department of Transportation, Room 2230 Nassif Building, 400 Seventh Street, SW, Washington D.C.

FOR FURTHER INFORMATION CONTACT: Jere Medlin, Office of Vehicle Safety Standards, NHTSA (Phone: 202-366-5276; FAX: 202-366-4329). *Mediator:* Lynn Sylvester, Federal Mediation and Conciliation Service, (phone: 202-606-9140; FAX: 202-606-3679).

SUPPLEMENTARY INFORMATION: The listed meetings of the Advisory Committee are for the purposes of negotiating the contents of the preamble and a proposed amendment to 49 CFR 571.108 Motor Vehicle Safety Standard No. 108 *Lamps, Reflective Devices, and Associated Equipment* that will be issued by the National Highway Traffic Safety Administration to develop recommended specifications for adding a visual/optical aimability requirement for the lower beam headlamp. This would facilitate visual aimability of headlamps and, should this affect the lower beam pattern, it might be the basis for a world-wide lower beam pattern.

At its first meeting on July 25, 1995, the Committee adopted the schedule for its meetings for the remainder of 1995 as set forth above. It also adopted a tentative schedule for its first three meetings in 1996, as shown above, subject to confirmation at its November meeting. If there are any changes or additions, NHTSA will publish a further notice.

The meetings are open to the public.

Issued: August 11, 1995.

Barry Felrice,
Associate Administrator for Safety Performance Standards.
[FR Doc. 95-20311 Filed 8-15-95; 8:45 am]
BILLING CODE 4910-59-P

49 CFR Part 575

[Docket No. 94-30, Notice 5]

RIN 2127-AF17

Consumer Information Regulations: Uniform Tire Quality Grading Standards

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).
ACTION: Extension of comment period.

SUMMARY: This notice grants a request to extend the comment period on an agency proposal to amend the Uniform