

schedule, which relates the royalty rate established thereby to the adjusted amount or indexed value of the oil and gas produced during designated production periods. The description of the formula or schedule shall include the relationship between adjusted or actual amount, indexed value, or indexed price of production, and the royalty rate, with a stipulation of the lowest royalty rate and highest royalty rate. The royalty rate formula or schedule and the suspension or deferral magnitudes or formulas shall be included in the lease document as executed.

(B) The royalty rate formula or schedule and the suspension or deferral magnitudes or formulas shall be specified in the notice of an OCS lease sale published in the **Federal Register**.

(C) Royalty payment calculation.

(1) The royalty rate utilized in the calculation of royalty payments is based on an adjusted or indexed value, amount, or indexed price of production and is established through application of a formula or schedule during one or more designated production periods.

(2) The adjusted indexed value or indexed price of production shall be determined by applying an inflation factor to the actual indexed value or indexed price of production.

(3) The established royalty rate is applied to the actual value of production which results in the determination of amount in dollars to be paid to the United States by the person awarded the lease, or the amount of royalty oil and gas to be taken in kind by the United States.

(4) The production period, inflation factor for purposes of determining value or amount of production, and procedures for making the inflation adjustment shall be stated in the notice of an OCS lease sale that is published in the **Federal Register**.

(ii) Amount and payment of cash bonus under procedure shall be as specified in paragraph (a)(1)(ii) of this section.

(iii) Payment amounts shall be as specified in paragraph (a)(1)(iii) of this section.

\* \* \* \* \*

[FR Doc. 95-20873 Filed 8-22-95; 8:45 am]

BILLING CODE 4310-MR-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[WA39-1-7028b; FRL-5268-4]

#### Approval and Promulgation of State Implementation Plans: Washington

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of Washington for the purpose of forecasting and tracking vehicle miles traveled (VMT) for the Puget Sound Carbon Monoxide (CO) Nonattainment Area. The SIP revision was submitted by the State to satisfy certain Federal Clean Air Act requirements for Section 187(a)(2)(A) and Section 187(a)(3) of the Clean Air Act Amendments of 1990 (CAAA). In the Final Rules Section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document.

**DATES:** Comments on this proposed rule must be received in writing by September 22, 1995.

**ADDRESSES:** Written comments should be addressed to Montel Livingston, Environmental Protection Specialist (AT-082), Air Programs Section, at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. U.S. Environmental Protection Agency, Region 10, Air Programs Section, 1200 6th Avenue, Seattle, WA 98101.

Washington State Department of Ecology, P.O. Box 47600, PV-11, Olympia, WA 98504-7600.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Cooper, Air Programs Branch

(AT-082), EPA, 1200 6th Avenue, Seattle, WA 98101, (206) 553-6917.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

Dated: July 20, 1995.

**Chuck Clarke,**

*Regional Administrator.*

[FR Doc. 95-20802 Filed 8-22-95; 8:45 am]

BILLING CODE 6560-50-P

### 40 CFR Part 52

[VA12-1-6863b, VA28-1-5997b; FRL-5262-9]

#### Approval and Promulgation of Air Quality Implementation Plans; Virginia (Proposed Approval of Miscellaneous Revisions)

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve State Implementation Plan (SIP) revisions submitted by the Commonwealth of Virginia. These revisions incorporate changes adopted by Virginia in 1989 and 1993 into the federally enforceable Virginia SIP. The intended effect of this action is to revise the federally-approved SIP to reflect the current State requirements. This action is being taken under section 110 of the Clean Air Act.

In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received in writing by September 22, 1995.

**ADDRESSES:** Written comments on this action should be addressed to Marcia L. Spink, Associate Director, Air Programs, Mailcode 3AT00, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are

available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia, 23219.

**FOR FURTHER INFORMATION CONTACT:** Harold A. Frankford, (215) 597-1325.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations Section of this **Federal Register**.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

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

Dated: July 6, 1995.

**W. T. Wisniewski,**

*Acting Regional Administrator, Region III.*  
[FR Doc. 95-20798 Filed 8-22-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 180

[OPP-300395; FRL-4970-2]

RIN 2070-AC18

#### Cellulose Acetate; Tolerance Exemption

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to establish an exemption from the requirement of a tolerance for residues of cellulose acetate (CAS Reg. No. 9004-35-7) when used as an inert ingredient (pesticide rate-release regulating agent) in pesticide formulations applied to growing crops only. Consep, Inc., requested this proposed regulation pursuant to the Federal Food, Drug and Cosmetic Act (FFDCA).

**DATES:** Written comments, identified by the document control number [OPP-300395], must be received on or before September 22, 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, deliver 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 will be included in the public docket 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 4:30 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 [OPP-300395]. 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: Mary Waller, Registration Support Branch, Registration Division (7505W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 2800 Crystal Drive, North Tower, 6th Floor, Arlington, VA 22202, (703)-308-8811; e-mail: waller.mary@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Consep, Inc., 213 Southwest Columbia St., Bend, OR 97702-1013, submitted pesticide petition (PP) 4E04401 to EPA requesting that the Administrator, pursuant to section 408(e) of the Federal Food Drug, and Cosmetic Act (FFDCA) (21 U.S.C. 346 a(e)), propose to amend 40 CFR part 180.1001(d) by exempting cellulose acetate from the requirement of a tolerance. Cellulose acetate, when used as an inert ingredient (pesticide rate-release regulating agent) in pesticide formulations applied to growing crops only, under 40 CFR 180.1001(d), meets the definition of a polymer under 40 CFR 723.250(b) and the criteria listed in 40 CFR 723.250(e) that define a

chemical substance that poses no unreasonable risk under section 5 of the Toxic Substance Control Act (TSCA).

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125, and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term "inert" is not to imply nontoxicity; the ingredient may or may not be chemically active.

The data submitted in the petition and other relevant material have been evaluated. As part of the EPA policy statement on inert ingredients published in the **Federal Register** of April 22, 1987 (52 FR 13305), the Agency set forth a list of studies which would generally be used to evaluate the risks posed by the presence of an inert ingredient in a pesticide formulation. However, where it can be determined without that data that the inert ingredient will present minimal or no risk, the Agency generally does not require some or all of the listed studies to rule on the proposed tolerance or exemption from the requirement of a tolerance for an inert ingredient. The Agency has decided that no data, in addition to that described below, for cellulose acetate will need to be submitted. The rationale for this decision is described below.

In the case of certain chemical substances that are defined as "polymers," the Agency has established a set of criteria which identify categories of polymers that present low risk. These criteria (described in 40 CFR 723.250) identify polymers that are relatively unreactive and stable compared to other chemical substances as well as polymers that typically are not readily absorbed. These properties generally limit a polymer's ability to cause adverse effects. In addition, these criteria exclude polymers about which little is known. The Agency believes that polymers meeting the criteria noted above will present minimal or no risk. Cellulose Acetate conforms to the definition of a polymer given in 40 CFR 723.250(b) and meets the following criteria that are used to identify low-risk polymers.

1. The minimum number average molecular weight of cellulose acetate is 28,000. Substances with molecular weights greater than 400 generally are