

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, Test guidelines.

Dated: August 23, 1995.

#### Stephanie R. Irene,

Acting Director, Health Effects Division,  
Office of Pesticide Programs.

[FR Doc. 95-21413 Filed 8-29-95; 8:45 am]

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[FRL-5288-5]

#### Proposed Settlement Agreement, Clean Air Act Petition for Judicial Review

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

**ACTION:** Notice of proposed settlement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement in the following case: *Geneva Steel Company v. Carol Browner, Administrator United States Environmental Protection Agency*, No. 94-9554 (10th Cir. petition filed Sept. 6, 1994). This petition for judicial review was filed under section 307(b) of the Clean Air Act, 42 U.S.C. 7607(b), contesting various aspects of EPA's final approval of State implementation plan revisions submitted by the State of Utah addressing, among other planning requirements, the control of particulate matter emissions in Utah and Salt Lake Counties. See 59 FR 35036 (July 8, 1994).

For a period of thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the proposed settlement agreement from persons who are not parties or intervenors to the litigation specified above. EPA or the U.S. Department of Justice may withhold or withdraw consent to the proposed settlement agreement if the comments disclose facts or

circumstances that indicate that such agreement is inappropriate, improper, inadequate, or inconsistent with the requirements of the Clean Air Act.

A copy of the proposed settlement agreement is available from: (1) Phyllis Cochran, Air and Radiation Division (Mailcode 2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 260-7606; or (2) Jonah Staller, Office of Regional Counsel (Mailcode 8RC), U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202, (303) 294-7190.

Written comments should be sent to: Vickie Patton, Air and Radiation Division (Mailcode 2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, and must be received by September 29, 1995.

Dated: August 24, 1995.

#### Jonathan Z. Cannon,

Assistant Administrator (General Counsel),

[FR Doc. 95-21526 Filed 8-29-95; 8:45 am]

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[OPP-180979; FRL 4974-5]

#### Bifenthrin; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

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

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Arizona Department of Agriculture (hereafter referred to as the "Applicant") for use of the pesticide, bifenthrin (Capture), to control sweetpotato whitefly (SWF) on up to 5,500 acres of leaf lettuce and 6,100 acres of cauliflower in Arizona. In accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption.

**DATES:** Comments must be received on or before September 14, 1995.

**ADDRESSES:** Three copies of written comments, bearing the identification notation "OPP-180979," should be submitted 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: Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

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-180979]. 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. 1128, 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: Margarita Collantes, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, Crystal Station I, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308-8347; Internet address:

collantes.margarita@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 use of the bifenthrin, available as Capture 2EC from FMC Corporation, to control sweetpotato whitefly on up to 5,500 acres of leaf lettuce and 6,100 acres of cauliflower per season in Arizona. Information in accordance with 40 CFR part 166 was submitted as part of this request.

According to the Applicant, the lack of hard freezes during the past winter