

ppm; alfalfa, forage at 3.0 ppm; and alfalfa, hay at 4.0 ppm. (PM 13)

3. *PP 5F4591*. Ciba Crop Protection, Ciba-Geigy Corp., P.O. Box 18300, Greensboro, NC 27419-8300, has submitted the petition that proposes that 40 CFR 180.434 be amended to establish tolerances for the fungicide propiconazole (1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1H-1,2,4-triazole) and its metabolites determined as 2,4-dichlorobenzoic acid and expressed as parent compound equivalent in or on the raw agricultural commodities berry crop grouping at 1.0 ppm, carrots at 0.2 ppm, green onions at 8.0 ppm, and dry bulb onions at 0.3 ppm. (PM 21)

#### Amended Filing

4. *PP 4F4309*. EPA gave notice in the Federal Register of July 13, 1994 (59 FR 35719), that Miles, Inc., 8400 Hawthorn Rd., P.O. Box 4913, Kansas City, MO 64120-0013, had submitted the petition proposing that 40 CFR 180.436 be amended by establishing a tolerance to permit residues of the insecticide cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2-dimethyl cyclopropane carboxylate, in or on sweet corn, forage at 54.0 ppm; alfalfa, hay at 10.0 ppm; soybean, forage at 10.0 ppm; alfalfa, forage at 5.0 ppm; soybean, hay at 1.5 ppm; sunflower, forage at 1.0 ppm; sweet corn at 0.05 ppm; soybeans at 0.03 ppm; and sunflower, seed at 0.02 ppm. The company has submitted an amended petition that proposes decreasing the proposed tolerances on sweet corn forage from 54.0 ppm to 30.0 ppm; increasing tolerances for cattle fat, goat fat, hog fat, horse fat, and sheep fat from 0.05 ppm to 5.0 ppm; establishing a tolerance of 15.0 ppm for milkfat (representing 0.5 ppm in whole milk); and withdrawing proposed tolerances for soybean, forage, soybean, hay, and soybeans. (PM 13)

#### Withdrawn Filing

5. *FAP 4H5686*. EPA gave notice in the Federal Register of July 13, 1994 (59 FR 35719), that Miles, Inc., 8400 Hawthorn Rd., P.O. Box 4913, Kansas City, MO 64120-0013, had submitted the petition proposing that 40 CFR 186.1250 be amended by establishing a food/feed additive regulation to permit the residues of the insecticide cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2-dimethyl cyclopropane carboxylate, in or on sunflower hulls at 2.5 ppm and soybean, hulls at 0.1 ppm. The company has withdrawn the petition without prejudice to a future filing. (PM 13)

A record has been established for this rulemaking under docket number [PF-636] (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 Rm. 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.

#### List of Subjects

Environmental protection, Agricultural commodities, Pesticides and pests, Feed additives, Food additives, Reporting and recordkeeping requirements.

Authority: 7 U.S.C. 136a.

Dated: November 13, 1995.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 95-30373; Filed 12-12-95; 8:45 am]

BILLING CODE 6560-50-F

#### [OPP-180982; FRL-4985-1]

#### Emergency Exemptions

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

**ACTION:** Notice.

**SUMMARY:** EPA has granted specific exemptions for the control of various pests to the 28 States as listed below. Crisis exemptions were initiated by the

Mississippi and Montana Departments of Agriculture. These exemptions, issued during the months of May, June, and July 1995, are subject to application and timing restrictions and reporting requirements designed to protect the environment to the maximum extent possible. EPA has denied 11 specific exemption requests. Information on these restrictions is available from the contact persons in EPA listed below.

**DATES:** See each specific and crisis exemption for its effective date.

**FOR FURTHER INFORMATION CONTACT:** See each emergency exemption for the name of the contact person. The following information applies to all contact persons: By mail: Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, CS #1, 2800 Jefferson Davis Highway, Arlington, VA, (703)-308-8417; e-mail:

group.ermus@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA has granted specific exemptions to the:

1. Alabama Department of Agriculture and Industries for the use of tebufenozide on cotton to control beet armyworms; July 18, 1995, to September 30, 1995. Alabama had initiated a crisis exemption for this use. (Margarita Collantes)

2. Arizona Department of Agriculture for the use of imidacloprid and bifenthrin on melons to control the sweet potato whitefly; June 9, 1995, to June 9, 1996. (David Deegan)

3. Arkansas State Plant Board for the use of tebufenozide on cotton to control beet armyworms; July 18, 1995, to September 30, 1995. (Margarita Collantes)

4. California Environmental Protection Agency for the use of myclobutanil on strawberries to control powdery mildew; July 28, 1995, to July 27, 1996. (David Deegan)

5. Florida Department of Agriculture and Consumer Services for the use of malathion on atemoya and sugar apples to control Annona seed borers; July 12, 1995, to July 12, 1996. (Margarita Collantes)

6. Georgia Department of Agriculture for the use of tebufenozide on cotton to control beet armyworms; July 18, 1995, to September 30, 1995. (Margarita Collantes)

7. Idaho Department of Agriculture for the use of propamocarb hydrochloride, dimethomorph, and cymoxanil on potatoes to control late blight; July 14, 1995 to September 30, 1995. (Libby Pemberton)

8. Louisiana Department of Agriculture and Forestry for the use of

tebufenozide on cotton to control beet armyworms; July 18, 1995, to September 30, 1995. (Margarita Collantes)

9. Michigan Department of Agriculture for the use of triadimefon on asparagus to control asparagus rust; June 21, 1995, to November 1, 1995. (David Deegan)

10. Michigan Department of Agriculture for the use of chlorothalonil on asparagus to control purple spot; June 21, 1995, to November 1, 1995. (David Deegan)

11. Minnesota Department of Agriculture for the use of triclopyr on aquatic sites to control purple loose strife; July 26, 1995, to September 15, 1995. (Libby Pemberton)

12. Mississippi Department of Agriculture and Commerce for the use of tebufenozide on cotton to control beet armyworms; July 18, 1995, to September 30, 1995. Mississippi had initiated a crisis exemption for this use. (Margarita Collantes)

13. Montana Department of Agriculture for the use of cyhalothrin on small grains to control cutworms; May 17, 1995, to July 1, 1995. (Margarita Collantes)

14. New Jersey Environmental Protection Agency for the use of cymoxanil on tomatoes to control late blight; July 27, 1995, to April 1, 1996. A notice of receipt published in Federal Register of August 2, 1995 (60 FR 39387). The situation appears to be urgent; nonroutine; use can be toxicologically supported and hazard to nontarget organisms is not expected; use is not expected to pose a threat to surface and/or ground water. (Libby Pemberton)

15. New Jersey Environmental Protection Agency for the use of propamocarb hydrochloride on tomatoes to control late blight; July 27, 1995, to April 1, 1996. (Libby Pemberton)

16. New York Department of Environmental Conservation for the use of vinclozolin on snap beans to control white and gray mold; June 1, 1995, to September 15, 1995. (Kerry Leifer)

17. North Dakota Department of Agriculture for the use of sethoxydim on buckwheat to control volunteer cereal grains; July 18, 1995, to July 30, 1995. (David Deegan)

18. Tennessee Department of Agriculture for the use of tebufenozide on cotton to control beet armyworms; July 18, 1995, to September 30, 1995. (Margarita Collantes)

19. Texas Department of Agriculture for the use of carbofuran on cotton to control aphids; June 9, 1995, to September 15, 1995. (David Deegan)

20. Washington Department of Agriculture for the use of propamocarb hydrochloride, cymoxanil, and dimethomorph on potatoes to control late blight; July 7, 1995, to September 30, 1995. (Libby Pemberton)

21. Wisconsin Department of Agriculture, Trade, and Consumer Protection for the use of mancozeb on ginseng to control leaf and stem blight; May 23, 1995, to August 31, 1995. (Margarita Collantes)

22. Wyoming Department of Agriculture for the use of pirimicarb on alfalfa grown for seed to control alfalfa aphids, pea aphids, and lygus bugs; June 16, 1995, to August 31, 1995. (Larry Fried)

The following States listed below were granted an emergency exemption for the use of propamocarb hydrochloride on potatoes to control late blight; June 23, 1995, to September 30, 1995, except for Florida and Oregon, whose expiration date is June 22, 1996, and October 31, 1995, respectively. A notice of receipt published in the Federal Register of June 21, 1995 (60 FR 32319). The exemption was granted on the basis that the situation appears to be urgent and nonroutine. Limited supplies of recently authorized products indicate need for a third chemical. The use can be toxicologically supported and is not expected to result in hazard to nontarget organisms and should not pose a threat to surface and/or ground water.

1. Delaware Department of Agriculture.

2. Florida Department of Agriculture and Consumer Services.

3. Georgia Department of Agriculture.

4. Maine Department of Agriculture.

5. Maryland Department of Agriculture.

6. Michigan Department of Agriculture.

7. Minnesota Department of Agriculture.

8. New Jersey Department of Environmental Protection.

9. New York Department of Environmental Conservation.

10. North Dakota Department of Agriculture.

11. Ohio Department of Agriculture.

12. Oregon Department of Agriculture.

13. Pennsylvania Department of Agriculture.

14. South Dakota Department of Agriculture.

15. Virginia Department of Agriculture and Consumer Services.

16. Wisconsin Department of Agriculture, Trade, and Consumer Protection. (Libby Pemberton)

Crisis exemptions were initiated by the:

1. Mississippi Department of Agriculture and Commerce on July 7, 1995, for the use of tebufenozide on cotton to control beet armyworms. This program has ended. (Margarita Collantes)

2. Montana Department of Agriculture on July 15, 1995, for the use of bifenthrin on canola to control diamondback moth larvae. This program has ended. (Andrea Beard)

EPA has denied a specific exemption request from the:

1. California Department of Pesticide Regulations for the use of fenpropathrin on tomatoes to control silverleaf and greenhouse whiteflies. (Margarita Collantes)

2. Montana Department of Agriculture for the use of tralkoxydim on wheat to control weeds. The Agency denied the exemption because the situation is routine and not urgent, and significant economic loss is not expected. (Margarita Collantes)

3. Minnesota, North Dakota, and South Dakota Departments of Agriculture for the use of propiconazole on wheat and barley to control fusarium head blight. The request was denied because residue chemistry indicated that the crops would contain carcinogenic residue in processed commodities. This triggered the "Delaney Clause" of the Federal Food, Drug and Cosmetic Act (FFDCA). (Margarita Collantes)

EPA denied the following specific exemption requests for use of Pirate on cotton to control beet armyworms. Pirate is an unregistered chemical which was denied due to risk of unreasonable adverse effects to nontarget birds, aquatic organisms, and the environment. In addition, a registered alternative, tebufenozide, was granted to control this pest on the southeastern cotton belt region.

1. Alabama Department of Agriculture and Industries.

2. Arkansas State Plant Board.

3. Georgia Department of Agriculture.

4. Louisiana Department of Agriculture and Forestry.

5. Mississippi Department of Agriculture and Commerce.

6. Tennessee Department of Agriculture. (Margarita Collantes)

Authority: 7 U.S.C. 136.

#### List of Subjects

Environmental protection, Pesticides and pest, Crisis exemptions.

Dated: November 6, 1995.

Stephen L. Johnson,  
Director, Registration Division, Office of  
Pesticide Programs.

[FR Doc. 95-30112 Filed 12-12-95; 8:45 am]

BILLING CODE 6560-50-F

[FRL-5343-9]

**Proposed Administrative Cost Recovery Agreement Under Section 122(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act, Regarding the Hooker Chemical/Rucco Polymer Site, Hicksville, NY**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed administrative agreement and opportunity for public comment.

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(i), the U.S. Environmental Protection Agency ("EPA") Region II announces a proposed administrative settlement pursuant to Section 122(h)(1) of CERCLA, 42 U.S.C. 9622(h)(1), relating to the Hooker Chemical/Ruco Polymer Site (the "Site"), Hicksville, Nassau County, New York. This Site is on the National Priorities List established pursuant to Section 105(a) of CERCLA. This notice is being published to inform the public of the proposed settlement and of the opportunity to comment.

The settlement, memorialized in an Administrative Cost Recovery Agreement ("Agreement"), is being entered into by EPA and Occidental Chemical Corporation and Ruco Polymer Corporation (the "Respondents"). Under the Agreement, the Respondents shall pay EPA the sum of \$124,665.00 in further reimbursement of EPA's response costs incurred and paid with respect to the Site on or prior to August 16, 1994. In response to EPA's cost recovery demands, Occidental Chemical Corp. had previously reimbursed EPA for \$883,813.00 of the Agency's response costs at the Site.

**DATES:** EPA will accept written comments relating to the proposed settlement on or before January 12, 1996.

**ADDRESSES AND FURTHER INFORMATION:** Comments should reference the Hooker Chemical/Ruco Polymer Site and EPA Index No. II-CERCLA-95-0216. Comments and any requests for further

information, including requests for a copy of the Agreement, should be sent to: Marla E. Wieder, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 290 Broadway, 17th Floor, New York, New York, 10007-1866, Telephone: (212) 637-3185.

Dated: November 14, 1995.

Jeanne M. Fox,  
Regional Administrator.

[FR Doc. 95-30104 Filed 12-12-95; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5344-1]

**Proposed Administrative Settlement Under Section 122(g)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act, Regarding the Hudson Coal Tar Site, Hudson, NY**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed administrative settlement and opportunity for public comment.

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. §9622(i), the U.S. Environmental Protection Agency ("EPA") Region II announces a proposed administrative *de minimis* settlement pursuant to Section 122(g)(4) of CERCLA, relating to the Hudson Coal Tar Site ("Site") in Hudson, New York. This Site is not on the National Priorities List established pursuant to Section 105(a) of CERCLA. This notice is being published to inform the public of the proposed settlement and of the opportunity to comment. The settlement, memorialized in an Administrative Order on Consent (the "Order"), is being entered into by EPA and Lockwood Properties, Inc. ("Lockwood"). EPA has determined that Lockwood, the owner of a portion of the Site, is eligible for a *de minimis* settlement pursuant to Section 122(g)(1)(B) of CERCLA, 42 U.S.C. 9622(g)(1)(B).

Under the Order, Lockwood will provide EPA and Niagara Mohawk Power Corp., a potentially responsible party currently undertaking a removal action at the Site, with access to its property in order to permit the performance of response actions there. Lockwood has also agreed, among other things, to cooperate with EPA and Niagara Mohawk in their implementation of response actions at

the Site; exercise due care with respect to hazardous substances at Lockwood's property; and provide perimeter fencing to secure the portion of the Site owned by Lockwood. Under the Order, EPA, in turn, covenants not to sue Lockwood for any civil liability for injunctive relief or reimbursement of response costs with regard to the Site, pursuant to Sections 106 or 107(a) of CERCLA, 42 U.S.C. §§9606, 9607(a), subject to certain reservations of rights.

**DATES:** EPA will accept written comments relating to the proposed settlement on or before January 12, 1996.

**ADDRESSES AND FURTHER INFORMATION:** Comments should reference the Hudson Coal Tar Site and EPA Index No. II-CERCLA-95-0212. Comments and requests for further information, including requests for a copy of the Order, should be sent to: Brian E. Carr, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 290 Broadway, 17th Floor, New York, NY 10007-1866, telephone: (212) 637-3170.

Dated November 14, 1995.

Jeanne M. Fox,  
Regional Administrator.

[FR Doc. 95-30103 Filed 12-12-95; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5343-8]

**De Minimis Settlements Under Section 122(g) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as Amended, 42 U.S.C. §9622(g), Peerless Industrial Paint Coatings Site, City of St. Louis, St. Louis County, Missouri**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of the *de minimis* settlements under Section 122(g) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. 9622(g), Peerless Industrial Paint Coatings Site, City of St. Louis, St. Louis County, Missouri.

**SUMMARY:** The United States Environmental Protection Agency (EPA) has entered into four separate *de minimis* administrative settlements to resolve claims under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. 9622(g). These settlements are intended to resolve the liability of Canam Steel Company, St. Louis Steel