

### III. Existing Stocks Provisions

The Agency has authorized registrants to sell or distribute product under the previously approved labeling for a period of 18 months after approval of the revision, unless other restrictions have been imposed, as in special review actions.

#### List of Subjects

Environmental protection, Pesticides and pests, Product registrations

Dated: December 7, 1995.

Frank Sanders,

*Director, Program Management and Support Division, Office of Pesticide Programs.*

[FR Doc. 96-1538 Filed 1-30-96; 8:45 am]

BILLING CODE 6560-50-F

[PF-642; FRL-4992-9]

### Zeneca AG Products; Notice of Filings of Petitions for Food Additive Regulations

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

**ACTION:** Notice.

**SUMMARY:** EPA has received from Zeneca AG Products two petitions to establish food additive regulations for a pesticide on certain commodities.

**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, bring comments to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA. Information submitted and any comment(s) concerning this notice 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(s) that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice to the submitter. Information on the proposed test and any written comments will be available for public inspection in Rm. 1132 at the Virginia 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 [PF-642]. 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: Robert Taylor, Product Manager (PM-25), Registration Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 241, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, 703-305-6800; e-mail: taylor.robert@epamail.epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### Initial Filings:

1. *FAP 6H5740.* Zeneca AG Products, 1800 Concord Pike, P.O. Box 15458, Wilmington, DE 19850-5458, proposes to amend 40 CFR part 185 by establishing a regulation to permit residues of Touchdown Herbicide, containing glyphosate-trimesium (formerly sulfosate), (trimethyl sulfonium carboxymethylamino methylphosphonate) in or on the soybean hulls (of which no more than 2 ppm is trimethylsulfonium) at 7.0 parts per million (ppm).

2. *FAP 6H5742.* Zeneca AG Products proposes to amend 40 CFR part 185 by establishing a regulation to permit residues of Touchdown Herbicide, containing glyphosate-trimesium (formerly sulfosate), (trimethyl sulfonium carboxymethylamino methylphosphonate) in or on prunes (of which no more than 0.05 ppm is trimethylsulfonium) at 0.2 ppm.

A record has been established for this rulemaking under docket number [PF-642] (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.

#### List of Subjects

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

Authority: 21 U.S.C. 346a and 348.

Dated: January 19, 1996.

Stephen L. Johnson,

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 96-1720 Filed 1-30-96; 8:45 am]

BILLING CODE 6560-50-F

[PF-645; FRL-4996-8]

### Captan; Request for Comment on Petition to Revoke Food Additive Regulations for Raisins

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

**ACTION:** Notice of receipt and availability of petition.

**SUMMARY:** This document announces the receipt of and solicits comments on a petition proposing the revocation of the section 409 food additive regulation established under the Federal Food, Drug and Cosmetic Act (FFDCA), for captan in or on washed raisins. This notice sets forth the basis for the petitioner's proposal and provides opportunity for comment by the public.

**DATES:** Written comments, identified by the docket number [PF-645] must be received on or before March 1, 1996.

**ADDRESSES:** By mail, requests for copies of the petition and comments should be forwarded to Public Response and Program Resources Branch, Field Operations Division (7506C), Office of

Pesticide Programs, 401 M St., SW., Washington, DC 20460. Copies of the petition will be available for public inspection in the public docket from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays, in Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA. The telephone number of the docket is 703-305-5805.

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 may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection at the address and hours given above.

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 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [PF-645]. No CBI should be submitted through e-mail. Electronic comments on this document may be filed online at any Federal Depository Library. Additional information on electronic submissions can be found below in this document.

**FOR FURTHER INFORMATION CONTACT:**

By mail: Niloufar Nazmi, Special Review and Reregistration Division (7508W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. WF32C5, Crystal Station #1, 2800 Crystal Drive, Arlington, VA, Telephone: 703-308-8028, e-mail: nazmi.niloufar@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

The Federal Food, Drug and Cosmetic Act (FFDCA) [21 U.S.C. 136 et seq.], authorizes the establishment of tolerances and exemptions from tolerances for the residues of pesticides in or on raw agricultural commodities (RACs), and section 409 of the act authorizes promulgation of food

additive regulations for pesticide residues in processed foods.

Under section 408, EPA establishes tolerances, or exemptions from tolerances when appropriate, for pesticide residues in RACs. Food additive regulations setting maximum permissible levels of pesticide residues in processed foods are established under section 409. Section 409 food additive regulations are required, however, only for certain pesticide residues in processed food. Under section 402(a)(2) of the FFDCA, no section 409 food additive regulation is required if any pesticide residue in a processed food resulting from use on a RAC has been removed to the extent possible by good manufacturing practices and is below the tolerance for that pesticide in or on that RAC. This exemption in section 402(a)(2) is commonly referred to as the "flow-through" provision because it allows the section 408 raw food tolerance to flow through to processed food. Thus, a section 409 food additive regulation is only necessary to prevent foods from being deemed adulterated when despite the use of good manufacturing practices the concentration of the pesticide residue in a processed food is greater than the tolerance prescribed for the RAC, or if the processed food itself is treated or comes in contact with a pesticide. Monitoring and enforcement are carried out by the Federal Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA).

The establishment of a food additive regulation under section 409 requires a finding that use of the pesticide will be "safe" [21 U.S.C. 348(C)(3)]. Section 409 also contains the Delaney clause, which specifically provides that, with limited exceptions, no additive may be approved if it has been found to induce cancer in man or animals [21 U.S.C. 348(C)(5)].

In setting both section 408 tolerances and section 409 food additive regulations, EPA reviews residue chemistry and toxicology data. To be acceptable, tolerances must be able both to cover residues likely to be left when the pesticide is used in accordance with its labeling, and to protect the public health. With respect to section 408 tolerances, EPA determines the highest levels of residues that might be present in a RAC based on controlled field trials conducted under the conditions allowed by the product's labeling that are expected to yield maximum residues. Generally, EPA's policy concerning whether a section 409 food additive regulation is needed depends on whether there is a possibility that the processing of a RAC containing

pesticide residues would result in residues in the processed food at a level greater than the raw food tolerance.

Food additive regulations are currently established in 40 CFR 185.500 for captan on raisins resulting both from its preharvest application to grapes and from post-harvest application to raisins during the drying process.

**II. Petition**

The Captan Task Force and its members, Makhteshim Chemical Works, Ltd., and ZENECA, Inc., have submitted a petition requesting the revocation of the food additive regulation established under section 409 of the FFDCA for captan in or on washed raisins. The petition claims that: good manufacturing practice for producing raisins requires that the raisins be washed before they are "ready-to-eat"; washing raisins substantially eliminates remaining captan residues because captan is highly susceptible to hydrolytic degradation; and therefore, captan residues do not concentrate in washed raisins above residue levels on treated grapes, and do not require a food additive regulation. The petition also claims that there is no registration for post-harvest use of captan directly on raisins, and therefore the food additive regulation covering that application method is unnecessary.

To support these claims, the petition cited the following: A processing study which was submitted in March, 1987 (MRID No. 40189812); a pamphlet from the California Raisin Advisory Board describing raisin production practices, which was submitted with this petition; hydrolysis data which was submitted in May, 1989 (MRID No. 41176301); and labels for Captan 50-WP products.

In regard to washed raisins, the petition claims that the processing study shows that captan residues do not concentrate in raisins above the level of the 408 tolerance for captan on grapes, currently established at 50 ppm (40 CFR 180.103). Therefore, the petition asserts that the section 409 food additive regulation is not needed for washed raisins.

In regard to post-harvest application to raisins, the petition claims that the section 409 food additive regulation is not needed because there are no registered products containing captan which include label directions for post-harvest use on raisins. For this reason, the Petitioner believes that the section 409 food additive regulation for captan on raisin due to post-harvest application is not needed.

It should be noted that on July 1, 1994 EPA published a proposed rule in the Federal Register to revoke the section

409 food additive regulation for captan in or on raisins (59 FR 33941). That proposal was based on a determination that captan induces cancer in animals, and thus, the regulation violates the Delaney clause in section 409 of the FFDCFA. However, the Agency could finalize revocation of the captan raisin regulation on the grounds requested in the petition announced in this notice.

Pursuant to 40 CFR 177.125 and 177.130, EPA may issue an order ruling on the petition or may issue a proposal in response to the petition and seek further comment. If EPA issues an order in response to the petition, any person adversely affected by the order may file written objections and a request for a hearing on those objections with EPA on or before the 30th day after date of the publication of the order, (40 CFR 178.20).

A record has been established for this document under docket number [PF-643] (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 document, 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.

Dated: January 25, 1996.

Penelope A. Fenner-Crisp,

*Acting Director, Office of Pesticide Programs.*

[FR Doc. 96-1904 Filed 1-26-96; 2:55 pm]

BILLING CODE 6560-50-M

[OPPTS-44620; FRL-4993-7]

### TSCA Chemical Testing; Receipt of Test Data

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the receipt of test data on N-methylpyrrolidone (NMP) (CAS No. 872-50-4), and glycidyl methacrylate (GMA) (CAS No. 106-91-2), submitted pursuant to testing consent orders 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.

**SUPPLEMENTARY INFORMATION:** Under 40 CFR 790.60, all TSCA section 4 consent orders must contain a statement that the results of testing conducted pursuant to these testing consent orders will be announced to the public in accordance with section 4(d).

#### I. Test Data Submissions

Test data for N-methylpyrrolidone (NMP) were submitted by the NMP Producers Group pursuant to a testing consent order at 40 CFR 799.5000. They were received by EPA on November 22, 1995. The submission includes three final reports entitled "N-Methylpyrrolidone - Subchronic Oral Toxicity Study in B6C3F1 Mice, Administration in the Diet for 3 Months"; "Subchronic Oral Toxicity: 90-Day Feeding and Neurotoxicity Study in Rats with N-Methylpyrrolidone (NMP)"; and "Oral, Dermal, and Inhalation Pharmacokinetics and Disposition of [2-14C] NMP in the Rat". This chemical is an inert, stable, polar solvent that is used in a wide variety of processes. Its commercial uses result from its strong and frequently selective solvent power. One of the major uses of NMP is the extraction of aromatics from lubricating oils. It is also used as a medium for polymerization and as a solvent for finished polymers. It is the preferred solvent in a variety of chemical reactions and the manufacture of numerous chemical intermediates and in products such as plastics, surface coatings, and pesticides. An important new use of this chemical is as a substitute for methylene chloride in paint strippers. NMP is also used in the recovery and purification of acetylenes, olefins, and diolefins, in the removal of

sulfur compounds from natural and refinery gases, and in the dehydration of natural gas.

Test data for glycidyl methacrylate were submitted by the GMA Industry Group pursuant to a testing consent order at 40 CFR 799.5000. They were received by EPA on December 4, 1995. The submission includes two final reports entitled "Evaluation of Glycidyl Methacrylate (GMA) in the Chinese Hamster Ovary Cell/Hypoxanthine-Guanine-Phosphoribosyl Transferase (CHO/HGPRT) Forward Mutation Assay"; and "Evaluation of Glycidyl Methacrylate (GMA) in the Mouse Bone Marrow Micronucleus Test". GMA, a glycidol derivative, is an epoxy resin additive used in paint coating formulations and adhesive applications.

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

#### II. Public Record

EPA has established a public record for this TSCA section 4(d) receipt of data notice (docket number OPPTS-44620). 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: January 26, 1996.

Charles M. Auer,

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

[FR Doc. 96-1963 Filed 1-30-96; 8:45 am]

BILLING CODE 6560-50-F

[FRL-5404-6]

### Proposed General NPDES Permit for Placer Mining in Alaska

**AGENCY:** Environmental Protection Agency, Region 10.

**ACTION:** Notice of a proposed general permit.

**SUMMARY:** This is a proposal to modify general permit regulating placer mining activities in the State of Alaska. On May 31, 1994, EPA Region 10 published a general permit for discharges of wastewater from placer mines in Alaska. 59 FR 28079, May 31, 1994. If issued, the proposed modified permit would modify effluent limitations, standards,