

Under the proposed exemption, a maximum of four applications for lettuce and five applications for broccoli, cauliflower, cabbage and rapini would be made at 0.08 to 0.1 lb active ingredient (a.i./A) [(5.2 to 6.4 fl. ozs. of product per acre)] by ground or air equipment. Not to apply within 20 days of harvest. Do not apply by ground equipment within 25 feet or by air within 150 feet of lakes, reservoirs, rivers, permanent streams or natural ponds estuaries and commercial fish farms. A 200-yard buffer for aerial application and 40 yards for ground application shall be observed around aquatic habitats containing endangered species (desert pupfish, and Delhi Sands flower Loving Fly).

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require that the Agency publish notice of receipt in the Federal Register and solicit public comment on an application for a specific exemption if an emergency exemption has been requested or granted for that use in any 3 previous years, and a complete application for registration of that use has not been submitted to the Agency [40 CFR 166.24(a)(6)]. Exemptions for the use of bifenthrin on lettuce have been requested and granted for the past 5 years, and an application for registration of this use has not been submitted to the Agency.

A record has been established for this notice under docket number [OPP-180987] (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 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.

Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above. The Agency will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the California Department of Pesticide Regulation.

List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: January 26, 1996.

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

[FR Doc. 96-2235 Filed 2-6-96; 8:45 am]

BILLING CODE 6560-50-F

[OPP-50813; FRL-4778-4]

Issuance of Experimental Use Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted experimental use permits to the following applicants. These permits are in accordance with, and subject to, the provisions of 40 CFR part 172, which defines EPA procedures with respect to the use of pesticides for experimental use purposes.

FOR FURTHER INFORMATION CONTACT: By mail: Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

In person or by telephone: Contact the product manager at the following address at the office location, telephone number, or e-mail address cited in each experimental use permit: 1921 Jefferson Davis Highway, Arlington, VA.

SUPPLEMENTARY INFORMATION: EPA has issued the following experimental use permits:

100-EUP-99. Renewal. Ciba Plant Protection, P.O. Box 18300, Greensboro, NC 27419-8300. This experimental use permit allows the use of 32.8 pounds of the herbicide 2-[[[4,6-dimethyl-2-pyrimidinyl]-amino]carbonyl]amino]sulfonyl]benzoic acid, 3-oxetanyl ester on 400 acres of soybeans to evaluate the control of weeds. The program is authorized only

in the States of Arkansas, Delaware, Illinois, Iowa, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Mississippi, Nebraska, North Carolina, North Dakota, Ohio, South Dakota, Tennessee, Virginia, and Wisconsin. The experimental use permit is effective from March 23, 1996 to December 31, 1996. This permit is issued with the limitation that all treated crops will be destroyed or used for research purposes only. (Robert Taylor, PM 25, Rm. 241, CM #2, 703-305-6800, e-mail: taylor.robert@epamail.epa.gov)

50534-EUP-4. Issuance. ISK Biosciences Corporation, 5966 Heisley Rd., P.O. Box 8000, Mentor, Ohio 44061-8000. This experimental use permit allows the use of 660 pounds of the nematocide O-ethyl S-(1-methylpropyl)(2-oxo-3-thiazolidinyl)-phosphonothioate for an applicator exposure study. The purpose of the study is to determine the exposure to mixers, loaders, and applicators to the nematocide under normal working conditions. A total of 110 acres is involved; no crops are involved. The program is authorized only in the State of California. The experimental use permit is effective from August 25, 1995 to August 25, 1996. (Dennis Edwards, PM 19, Rm. 207, CM #2, 703-305-6386, e-mail: edwards.dennis@epamail.epa.gov)

279-EUP-132. Extension. FMC Corporation, Agricultural Chemical Group, 1735 Market St., Philadelphia, PA 19103. This experimental use permit allows the use of 260 pounds of the herbicide ethyl 2-chloro-3-[2-chloro-4-fluoro-5-[4-(difluoromethyl)-4, 5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]phenyl]propanoate on 4,000 acres of corn, sorghum, soybeans, and wheat to evaluate the control of broadleaf weeds, grasses, and sedges. The program is authorized in the States of Alabama, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin, West Virginia, and Wyoming. The experimental use permit is effective from February 9, 1996 to February 9, 1997. This permit is issued with the limitation that all treated crops will be destroyed or used for research purposes only. (Joanne I. Miller, PM 23, Rm. 237, CM #2, 703-305-7830, e-mail: miller.joanne@epamail.epa.gov)

707-EUP-132. Extension. Rohm and Haas Company, 100 Independence Mall West, Philadelphia, PA 19106-2399. This experimental use permit allows the use of 845.0 pounds of the herbicide 3-pyridinecarboxylic acid, 2-(difluoromethyl)-5-(4,5-dihydro-2-thiazolyl)-4-(2-methylpropyl)-6-(trifluoromethyl)-, methyl ester on 2,380 acres of citrus and cotton to evaluate the control of weeds (annual grasses and broadleaf weeds). The program is authorized only in the States of Alabama, Arizona, Arkansas, California, Florida, Georgia, Louisiana, Mississippi, North Carolina, and Texas. This experimental use permit is effective from August 7, 1995 to July 28, 1997. Temporary tolerances for residues of the active ingredient in or on citrus, cotton seed, and cotton forage have been established. (Joanne I. Miller, PM 23, Rm. 237, CM #2, 703-305-7830, e-mail: miller.joanne@epamail.epa.gov)

Persons wishing to review these experimental use permits are referred to the designated product managers. Inquires concerning these permits should be directed to the persons cited above. It is suggested that interested persons call before visiting the EPA office, so that the appropriate file may be made available for inspection purposes from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

Authority: 7 U.S.C. 136.

List of Subjects

Environmental protection,
Experimental use permits.

Dated: January 17, 1996.

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

[FR Doc. 96-2621 Filed 2-6-96; 8:45 am]

BILLING CODE 6560-50-F

[OPP-180986; FRL 4994-5]

Cymoxanil, Propamocarb Hydrochloride and Dimethomorph; Receipt of Applications for Emergency Exemptions, Solicitation of Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received specific exemption requests from the New York State Department of Environmental Conservation (hereafter referred to as the "Applicant") to use the pesticides cymoxanil (CAS 57966-95-7), propamocarb hydrochloride (CAS

25606-41-1) and dimethomorph (CAS 110488-70-5) to treat potentially up to 30,000 acres of potatoes to control immigrant strains of late blight which are resistant to historically used control materials. The Applicant proposes the use of either new (unregistered) chemicals or the first food use of an active ingredient therefore, in accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemptions.

DATES: Comments must be received on or before February 22, 1996.

ADDRESSES: Three copies of written comments, bearing the identification notation "OPP-180986," should be submitted by mail to: Public Response and Program Resource 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, 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-180986]. 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. 1132, Crystal Mall No. 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: Libby Pemberton, Registration

Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Floor 6, Crystal Station #1, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308-8326; e-mail: pemberton.libby@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 specific exemptions for the use of cymoxanil, propamocarb hydrochloride, and/or dimethomorph on potatoes to control late blight. Information in accordance with 40 CFR part 166 was submitted as part of this request.

Recent failures to control late blight in potatoes as well as tomatoes with the registered fungicides, have been caused almost exclusively by immigrant strains of late blight *Phytophthora infestans*, which are resistant to the control of choice, metalaxyl. Before the immigrant strains of late blight arrived, all of the strains in the U.S. were previously controlled by treatment with metalaxyl. The Applicant states that presently, there are no fungicides registered in the U.S. that will provide adequate control of the immigrant strains of late blight. The Applicant states that each of these requested chemicals has been shown to be effective against these strains of late blight. Each active ingredient holds current registrations throughout many European countries for control of this disease. The Applicant indicates that at least a 40 percent yield reduction is expected based on the current infestation. Net revenues are expected to be reduced by over \$27 million for the affected acreage without the use of these requested chemicals.

Specific exemptions for use of one or more of these chemicals on potatoes were issued to 22 states in 1995. An additional request is currently pending, bringing the total potential potato acreage treated under these requests to 885,010. Specific exemption requests for use of one or more of these chemicals on tomatoes have either been authorized or are pending for three states involving 66,500 acres. It is presumed that a similar number of states will be requesting each of these uses for the 1996 season.

The Applicant proposes to apply propamocarb hydrochloride, manufactured by AgrEvo USA