radius of Calaveras Co-Muary Rasmussen Field Airport.

* * * * *

Issued in Los Angeles, California, on March 1, 1996.

Harvey R. Riebel,

Acting Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 96–6021 Filed 3–12–96; 8:45 am]

BILLING CODE 4910–13–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 5E4521/P644; FRL–5353–7]

RIN 2070–AB18

Clomazone; Proposed Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed Rule.

SUMMARY: EPA proposes to establish a tolerance for residues of the herbicide 2-(2-chlorophenyl)methyl-4,4-dimethyl-3-isoxazolidinone (also referred to in this document as clomazone) in or on the raw agricultural commodity snap bean. The proposed regulation to establish maximum permissible levels for residues of the herbicide was requested in a petition submitted by the Interregional Research Project No. 4 (IR–4).

DATES: Comments, identified by the document control number [PP 5E4521/P644], must be received on or before April 12, 1996.

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 Highway, Arlington, VA 22202.

Comments and data may also be submitted to OPP 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 [PP 5E4521/P644]. Electronic conunents 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.

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). CBI should not be submitted through e-mail. Inforrnation marked as CBI 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 in Rm. 1132 at the address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Hoyt L. Jamerson, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, DC 2046O. office location and telephone number: Sixth Floor, Crystal Station #1, 28OO Jefferson Davis Highway, Arlington, VA 22202, (703) 308–8783; e-mail: Jamerson.Hoyt@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR–4), New Jersey Agricultural Experiment Station, P.o. Box 231, Rutgers University, New Brunswick, NJ O8903, has submitted pesticide petition (PP) 5E4521 to EPA on behalf of the Agricultural Experiment Stations of Arkansas, Kentucky, North Carolina, Tennessee, Texas, and Virginia. This petition requests that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), amend 40 CFR 180.425 by establishing a tolerance for residues of the herbicide clomazone in or on the raw agricultural commodity snap bean at 0.05 part per million (ppm).

The scientific data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerance include:

1. A l–year feeding study in dogs, which were fed diets containing 100, 500, 2,500, and 5,000 ppm, with a no-observed-effect level (NOEL) of 500 ppm (equivalent to 12.5 milligrams (mg)/kilogram (kg)/day). An increase in the absolute and relative liver weights in male and female dogs was observed at the 2,500 ppln dose level (equivalent to 62.5 mg/kg/day).

2. A developmental toxicity study in rats with NOEL's for maternal and developmental toxicity of 100 mg/kg/day. Maternal toxicity (decreased locomotion, genital stain, and runny eyes) and developmental toxicity (increased incidence of delayed ossification) were observed in rats at the 300 mg/kg/day dose level.

3. A developmental toxicity study in rabbits, which were given the test chemical by gavage at doses of 30, 240, and 700 ppm, with NOEL's for maternal and developmental toxicity of 240 mg/kg/day. Maternal toxicity (decrease in body weight) and developmental toxicity (increase in number of fetal resorptions) were observed in rabbits at the 700 mg/kg/day dose level.

4. A 2–year feeding/carcinogenicity study in rats, which were fed diets containing 20, 100, 500, 1,000, and 2,000 ppm, with a systemic NOEL of 100 ppm (equivalent to 4.3 mg/kg/day) based on elevated cholesterol, absolute and relative liver weights, and the incidence of liver cytomegaly. There were no carcinogenic effects observed under the conditions of the study at any dosage level tested.

5. A 2–year feeding/carcinogenicity study in mice, which were fed diets containing 20, 100, 500, l,000 and 2,000 ppm, with a NOEL of 100 ppm (equivalent to 15 mg/kg/day) for systemic effects based on an increase in white blood cell count. The study was negative for carcinogenic effects at all dosage levels tested.

6. Mutagenic studies, including unscheduled DNA synthesis, negative; reverse mutation (two studies in *Salmonella*), both negative with/without activation; point mutation (CHO/HGPT), weakly positive without activation; and *in vivo* cytogenetic (chromosomal aberration), negative for mutagenicity.

The reference dose (RfD), based on the 2–year feeding study in rats (NOEL of 4.3 mg/kg/day) and using an uncertainty factor of 100, is calculated to be 0.043 mg/kg of body weight (bw)/day. The theoretical maximum residue contribution (TMRC) from existing tolerances and the proposed tolerance for snap bean is calculated to be 0.000065 mg/kg/day, which utilizes less than 1 percent of the RfD for the U.S. population. The TMRC for non-nursing infants (the population subgroup most highly exposed) also utilizes less than 1 percent of the RfD. EPA generally has no cause for concern for exposures below 100 percent of the RfD.

The nature of the residue in plants is adequately understood. An adequate analytical method is available for enforcement purposes. The analytical method for enforcing this tolerance has been published in the *Pesticide Analytical Manual,* Vol. II (PAM II).

There is no reasonable expectation that secondary residues will occur in milk, eggs, or meat of livestock and poultry: there are no livestock feed items associated with snap beans.

There are presently no actions pending against the continued registration of this chemical.

Based on the information and data considered, the Agency has determined that the tolerance established by amending 40 CFR part 180 would protect the public health. Therefore, it is proposed that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 3O days after publication of this notice in the Federal Register that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the FFDCA.

A record has been established for this rulemaking under docket number [PP 5E4521/P644] (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.

Under Executive order 12866 (58 FR 51735, Oct. 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to all the requirements of the Executive order (i.e. Regulatory Impact Analysis, review by the Office of Management and Budget (OMB)) Under section 3(f), the order defines ''significant'' as those actions likely to lead to a rule (l) having an annual effect on the economy of $100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also known as ''economically significant''); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive order.

Pursuant to the terms of this Executive order, EPA has determined that this rule is not ''significant'' and is therefore not subject to OMB review.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96–354, 94 Stat. 1164, 5 U.S.C. 601–612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 2495O).

List of Subjects in 40 CFR Part 180

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

Dated: February 29, 1996.

Peter Caulkins,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—[AMENDED]

1. The authority citation for Part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. Section 180.425 is amended by revising the section heading and in the table by adding alphabetically the entry for bean, snap to read as follows:

§ 180.425 Clomazone; tolerances for residues.

* * * * *

Commodities	Parts per million
Bean, snap	0.05
* * * *	*

[FR Doc. 96–5889 Filed 3–12–96; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Part 300

[FRL–5434–6]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of Intent to Delete the East Bethel Landfill Site from the National Priorities List; Request for Comments.

SUMMARY: The United States Environmental Protection Agency (U.S. EPA) Region V announces its intent to delete the East Bethel Landfill Site from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which U.S. EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended. This action is being taken by U.S. EPA, because it has been determined that all Fund-financed responses under CERCLA have been implemented and U.S. EPA, in consultation with the State of Minnesota, has determined that no further response is appropriate. Moreover, U.S. EPA and the State have determined that remedial activities conducted at the Site to date have been protective of public health, welfare, and the environment.

DATES: Comments concerning the proposed deletion of the Site from the NPL may be submitted on or before April 12, 1996.

ADDRESSES: Comments may be mailed to Rita Garner-Davis (SR–6J) Associate Remedial Project Manager, Office of Superfund, U.S. EPA, Region V, 77 W.