40 CFR Part 52

[OR47–11–7052b; FRL–5504–9]

Approval and Promulgation of State Implementation Plans: Oregon

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of Oregon for the establishment of transportation conformity rules to ensure that Federal actions conform to the appropriate SIP. The SIP revision was submitted by the State to satisfy certain Federal Clean Air Act requirements. In the Final Rules Section of this Federal Register, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action.

DATES: Comments on this proposed rule must be received in writing by June 17, 1996.

ADDRESSES: Written comments should be addressed to Montel Livingston, Environmental Protection Specialist (OAQ–107), Office of Air Quality, at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. The addresses are: EPA, Region 10, Office of Air Quality (OAQ–107), 1200 Sixth Avenue, Seattle, WA 98101; State of Oregon, Department of Environmental Quality, 811 S.W. 6th Avenue, Portland, OR 97204.

FOR FURTHER INFORMATION CONTACT: Wayne Elson, EPA, Region 10, Office of Air Quality (OAQ–107), 1200 Sixth Avenue, Seattle, WA 98101, (206) 553–1463.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action which is located in the Rules Section of this Federal Register.

Dated: May 2, 1996.

Chuck Clarke,

Regional Administrator.

[FR Doc. 96–12354 Filed 5–15–96; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 180

[PP–5E04568/P653; FRL–5365–3]

RIN 2070–AB18

2-Propene-1-Sulfonic Acid, Sodium Salt, Polymer With Ethenol and Ethenyl Acetate; Tolerance Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes to establish an exemption from the requirement of a tolerance for residues of 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate (CAS Reg. No. 107568-10-5) when used as an inert ingredient (binding agent) in pesticide formulations applied to growing crops or to raw agricultural commodities after harvest, under 40 CFR 180.1001(c) and applied to animals under 40 CFR 180.1001(e). This proposed regulation was requested by Japan Technical Information Center on behalf of Nippon Goshei (U.S.A.) Co., Ltd.

DATES: Written comments, identified by the document control number [PP–5E04568/P653], must be received on or before June 17, 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 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 PP-5E04568/P653. 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 in the SUPPLEMENTARY INFORMATION section of this document.

Information submitted as a comment 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 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: Dr. Bipin Gandhi, Registration Support Branch, Registration Division (7505W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 2800 Crystal Drive, North Tower, 6th Floor, Arlington, VA 22202, (703) 308–8380, e-mail: gandhi.bipin@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Japan Technical Information Center, 775 South 23rd Street, Arlington, VA 22202, submitted pesticide petition (PP) 5E04568 to EPA requesting that the Administrator, pursuant to section 408(e) of the Federal Food Drug, and Cosmetic Act (FFDCA) (21 U.S.C. 346 a(e)), propose to amend 40 CFR part 180.1001(c) and (e) by establishing an exemption from the requirement of tolerance for residues of 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate when used as an inert ingredient (binding agent) in pesticide formulations applied to growing crops or to raw agricultural commodities after harvest and applied to animals. Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125, and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents;

and emulsifiers. The term ''inert'' is not to imply nontoxicity; the ingredient may or may not be chemically active. The data submitted in the petition and other relevant material have been evaluated. As part of the EPA policy statement on inert ingredients published in the Federal Register of April 22, 1987 (52 FR 13305), the Agency set forth a list of studies which would generally be used to evaluate the risks posed by the presence of an inert ingredient in a pesticide formulation. However, where it can be determined without that data that the inert ingredient will present minimal or no risk, the Agency generally does not require some or all of the listed studies to rule on the proposed tolerance or exemption from the requirement of a tolerance for an inert ingredient. The Agency has decided that no data, in addition to that described below, for 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate will need to be submitted. The rationale for this decision is described below.

In the case of certain chemical substances that are defined as ''polymers,'' the Agency has established a set of criteria which identify categories of polymers that present low risk. These criteria (described in 40 CFR 723.250) identify polymers that are relatively unreactive and stable compared to other chemical substances as well as polymers that typically are not readily absorbed. These properties generally limit a polymer's ability to cause adverse effects. In addition, these criteria exclude polymers about which little is known. The Agency believes that polymers meeting the criteria noted above will present minimal or no risk. 2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate conforms to the definition of a polymer given in 40 CFR 723.250(b) and meets the following criteria that are used to identify low risk polymers:

1. 2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate is not a cationic polymer, nor is it reasonably anticipated to become a cationic polymer in a natural aquatic environment.

2. 2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate contains as an integral part of its composition the atomic elements carbon, hydrogen, oxygen, sulfur and sodium.

3. 2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate does not contain as an integral part of its composition, except as impurities, any elements other than those listed in 40 CFR 723.250(d)(2)(ii).

4. 2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate is not designed, nor is it reasonably anticipated to substantially degrade, decompose or depolymerize.

5. 2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate is not manufactured or imported from monomers and/or other reactants that are not already included on the TSCA Chemical Substance Inventory or manufactured under an applicable TSCA section 5 exemption.

6. 2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate is not a water absorbing polymer.

7. The minimum number-average molecular weight of 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate is listed as 6,000 to 12,000 daltons. Substances with molecular weights greater than 400 generally are not absorbed through the intact skin, and substances with molecular weights greater than 1,000 generally are not absorbed through the intact gastrointestinal (GI) track. Chemicals not absorbed through the skin or GI tract generally are incapable of eliciting a toxic response.

8. 2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate has a number average molecular weight of 6,000 to 12,000 daltons and contains an oligomer content of less than 2 percent below, molecular weight (MW) 500 and less than 5 percent MW 1000.

Based on the above information and review of its use, EPA has found that, when used in accordance with good agricultural practice, this ingredient is useful and a tolerance is not necessary to protect the public health. Therefore, EPA proposes that the exemption from the requirement of a 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, that contains any of the ingredients listed herein, may request within 30 days after the publication of this document in the Federal Register that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the FFDCA.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the docket number, [PP–5E04568/P653]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch, at the address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

A record has been established for this rulemaking under docket number [PP–5E04568/P653] (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 be placed in the paper copies of the official rulemaking record which also will include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in the ''ADDRESSES'' at the beginning of this document.

The Office of Management and Budget has exempted this rule from the requirements of section 2 of Executive Order 12866.

Pursuant to the requirement 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 an 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 24950).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Food additives, Pesticides and pests, Processed foods, Reporting and recordkeeping requirements.

Dated: May 7, 1996.

Stephen L. Johnson,

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. In § 180.1001 the tables in paragraphs (c) and (e) are amended by adding alphabetically the inert ingredient, to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(c) * * *

Inert Ingredient	Limits	Uses
* * * * * * *		
2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate, number average molecular weight (in amu) 6,000 - 12,000.		Binding Agent
* * * * * * *		

(e) * * *

Inert Ingredient	Limits	Uses
* * * * * * *		
2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate, number average molecular weight (in amu) 6,000 - 12,000.		Binding Agent
* * * * * * *		

[FR Doc. 96–12195 Filed 5–15–96; 8:45 am]

BILLING CODE 6560–50–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

42 CFR Part 84

National Institute for Occupational Safety and Health (NIOSH); Meeting

AGENCY: National Institute for Occupational Safety and Health, CDC, HHS.

ACTION: Public meetings and request for comments.

SUMMARY: This document is to request public comments in preparation of rulemaking to revise current NIOSH procedures for certifying respiratory devices used to protect workers in hazardous environments. NIOSH is seeking public comments on issues of privatization and fees related to possible changes in its administration of respirator certification, and comments on establishing priorities for future rulemaking. NIOSH will hold three public meetings in June 1996 to discuss these issues and will consider all comments provided in response to this notice.

DATES: The meetings are scheduled as follows:

1. June 6, 1996, 9:00 a.m. to 5:00 p.m., Washington, D.C.
2. June 7, 1996, 9:00 a.m. to 5:00 p.m., Washington, D.C.
3. June 8, 1996, 9:00 a.m. to 5:00 p.m., Northglenn, Colorado

ADDRESSES: The meetings will be held at the following locations:

1. Washington—Holiday Inn Capitol (Columbia Room), 550 C Street SW., Washington, DC 20024
2. Washington—Holiday Inn Capitol (Columbia Room), 550 C Street SW., Washington, DC 20024

[Open to the public, limited only by the space available.

The meeting room accomodates approximately 150 people.]

3. Northglenn—Holiday Inn Denver Northglenn (Pikes Peak Room), 10 East 120th Avenue, Northglenn, Colorado 80233

[Open to the public, limited only by the space available.

The meeting room accommodates approximately 200 people.]

Comments should be mailed to the NIOSH Docket Office, Robert A. Taft Laboratories, M/S C34, 4676 Columbia Parkway, Cincinnati, Ohio 45226, telephone 513/533–8450, fax 513/533–8285. Comments may also be submitted by e-mail to: DMM2@NIOSDT1.EM.CDC.GOV. E-mail attachments should be formatted as WordPerfect 4.2, 5.0, 5.1/5.2, 6.0/6.1, or ASCII files. Requests to participate in the public meeting should be mailed to the NIOSH Docket Officer, at the same address.

FOR FURTHER INFORMATION CONTACT: Richard W. Metzler or Roland Berry Ann, NIOSH, 1095 Willowdale Road, Morgantown, West Virginia 26505–2888, telephone 304/285–5907.

SUPPLEMENTARY INFORMATION:

I. Background

Under the Federal Mine Safety and Health Act of 1977 (Pub. L. 91–173, as amended by Pub. L. 95–164), NIOSH and the Mine Safety and Health Administration are mandated to approve respirators used for worker protection. In June 1995, NIOSH published a final rule (42 CFR part 84), beginning a stepwise or ''modular'' approach to updating the respirator certification process and requirements. The 1995 final rule transferred the existing standards for respirator certification from the labor section to the health section of federal regulations to expedite NIOSH rulemaking to improve these standards. Concurrently, the final rule revised existing standards for certifying the most commonly used respirators, air-purifying respirators used to filter out toxic particulates. NIOSH had identified these revisions as