

TABLE 2. — REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

EPA Company No.	Company Name and Address
004758	Pet Chemicals, 4242 BF Goodrich Blvd, Box 18993, Memphis, TN 38181.
004816	Agrevo Environmental Health, 95 Chestnut Ridge Rd., Montvale, NJ 07645.
007056	IQ Products Co., Attn: Marty York, 16212 State Hwy 249, Houston, TX 77086.
009779	Riverside/Terra Corp., 600 Fourth St, Sioux City, IA 51101.
010807	AMREP, Inc., 990 Industrial Dr., Marietta, GA 30062.
028293	Unicorn Laboratories, 13535 Feather Sound Dr., Suite 400, Clearwater, FL 34622.
033657	Registration & Regulatory Support Services, Agent For: MTC America Inc., 208-B Hyde Park Ct., Cary, NC 27513.
033688	Richard Otten, Agent For: CFPI Agro, S.A., 5116 Wood Valley Dr., Raleigh, NC 27613.
046515	Celex, Division of United Industries Corp., Box 15842, St Louis, MO 63114.
056159	Beaphar Inc., c/o PCI, 5100 Vista Del Oro, Fair Oaks, CA 95628.
059639	Valent U.S.A. Corp., 1333 N. California Blvd, Ste 600, Walnut Creek, CA 94596.
065020	Biosentry, Inc., 1481 Rock Mountain Blvd, Stone Mountain, GA 30083.
066676	Nortech Forest Products Inc., 7600 W. 27th St., Suite B11, St Louis Park, MN 55426.
068891	Entek Corp., Box 458, Brea, CA 92622.
067200	Chase A-Way Inc., 319 Willis Ave., Mineola, NY 10475.

III. Loss of Active Ingredients

Unless the requests for cancellation are withdrawn, two pesticide active ingredients will no longer appear in any registered products. Those who are concerned about the potential loss of these active ingredients for pesticidal use are encouraged to work directly with the registrants to explore the possibility of withdrawing their request for cancellation. The active ingredients are listed in the following Table 3, with the EPA Company and CAS Number.

TABLE 3. — ACTIVE INGREDIENTS WHICH WOULD DISAPPEAR AS A RESULT OF REGISTRANTS' REQUESTS TO CANCEL

CAS No.	Chemical Name	EPA Company No.
28801-69-6	Tributyltin neodecanoate	065020
41096-46-2	Hydroprene	002724

IV. Procedures for Withdrawal of Requests

Registrants who choose to withdraw a request for cancellation must submit such withdrawal in writing to James A. Hollins, at the address given above, postmarked before December 31, 1996 days after publication.] This written withdrawal of the request for cancellation will apply only to the applicable 6(f)(1) request listed in this

notice. If the product(s) have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling. The withdrawal request must also include a commitment to pay any reregistration fees due, and to fulfill any applicable unsatisfied data requirements.

V. Provisions for Disposition of Existing Stocks

The effective date of cancellation will be the date of the cancellation order. The orders effecting these requested cancellations will generally permit a registrant to sell or distribute existing stocks for 1 year after the date the cancellation request was received. This policy is in accordance with the Agency's statement of policy as prescribed in Federal Register (56 FR 29362) June 26, 1991; [FRL 3846-4]. Exceptions to this general rule will be made if a product poses a risk concern, or is in noncompliance with reregistration requirements, or is subject to a data call-in. In all cases, product-specific disposition dates will be given in the cancellation orders.

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation action. Unless the provisions of an earlier order apply, existing stocks already in the hands of dealers or users can be distributed, sold or used legally until they are exhausted, provided that such

further sale and use comply with the EPA-approved label and labeling of the affected product(s). Exceptions to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in Special Review actions, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

List of Subjects

Environmental protection, Pesticides and pests, Product registrations.

Dated: September 12, 1996.

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

[FR Doc. 96-25226 Filed 10-1-96; 8:45 am]

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[OPP-181024; FRL 5393-2]

**Metolachlor; Receipt of Application for Emergency Exemption, Solicitation of Public Comment**

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

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Arkansas State Plant Board (hereafter referred to as the "Applicant") to use the pesticide metolachlor to treat up to 1,000 acres of spinach to control weeds. The Applicant proposes the use of an

emergency exemption that has been requested for the previous 3 years, and a complete application for registration of this use and a tolerance petition has not been submitted to the Agency.

Therefore, in accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption. **DATES:** Comments must be received on or before October 17, 1996.

**ADDRESSES:** Three copies of written comments, bearing the identification notation "OPP-181024," 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 must be identified by the docket number [OPP-181024]. 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 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: Margarita Collantes, 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) 308-8347; e-mail: collantes.margarita@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 a specific exemption for the use of metolachlor on spinach to control weeds. Information in accordance with 40 CFR part 166 was submitted as part of this request.

According to the Applicant, due to the loss of Antor *diethatyl ethyl* there is no longer an effective herbicide which will effectively control weeds in spinach. NOR-AM Chemical Company no longer manufactures Antor for use on spinach in the U.S. as of 1992. Stocks of Antor were exhausted in 1993. Ro-Neet is the only remaining preemergent herbicide registered for use on spinach. Antor was the primary preemergence herbicide and was the herbicide of choice in fields where problem weeds such as silara, pigweeds, chickweed, wild mustard, mayweed, and henbit were known to be present.

Alternative control practices consisting of field selection and hand hoeing will not solve the weed control problems that exist in spinach due to the loss of Antor. Without the use of metolachlor, growers can expect a loss of \$185 per acre which is a 243 percent reduction in net revenue. The loss is due to lower average yields and price with Ro-Neet since an estimated 25 to 45 percent of the planted acreage will not be marketable due to weeds.

Under the proposed exemption 1 pound active ingredient (1 pint of product) per acre will be used on 1,000 acres of spinach. A maximum of 1 application will be made by ground and or aerial equipment.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require publication of a notice of receipt of an application for a specific exemption proposing use which has been requested in any 3 previous years, and a complete application for registration of the use and/or a tolerance petition has not been submitted to the Agency. Such notice provides for opportunity for public comment on the application.

A record has been established for this notice under docket number [OPP-181024] (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 Resource 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, accordingly, will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the Arkansas State Plant Board.

#### List of Subjects

Environmental protection, Pesticides and pests, Emergency exemptions.

Dated: September 26, 1996.

Susan Lewis,

Acting Director, Registration Division, Office of Pesticide Programs.

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#### [OPP-181022; FRL 5390-5]

#### Pirate; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

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

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the California