

**§§ 700.70, 700.71, 700.72, 700.23, 700.75, 700.80, 700.91 [Amended]**

21. The phrase "the Selective Service Act and related statutes," is added following the phrase "the Defense Production Act," wherever it appears in the following places:

Sec.  
700.70(a)  
700.71(a)  
700.71(c)(1)  
700.71(c)(2)  
700.71(c)(3)  
700.72(a)  
700.73(a)  
700.73(b)  
700.75  
700.80(a)(2)  
700.91(d)

22. Section 700.72(b) is amended by revising the term "Assistant General Counsel for International Trade" to read "Chief Counsel for Export Administration".

23. Section 700.74 is amended:

- a. By revising paragraph (a);
- b. By removing paragraph (b);
- c. By redesignating paragraph (c) as paragraph (b), and paragraph (d) as paragraph (c); as follows:

**§ 700.74 Violations, penalties, and remedies.**

(a) Willful violation of the provisions of Title I or Sections 705 or 707 of the Defense Production Act, the priorities provisions of the Selective Service Act and related statutes, this regulation, or an official action, is a crime and upon conviction, a person may be punished by fine or imprisonment, or both. The maximum penalty provided by the Defense Production Act is a \$10,000 fine, or one year in prison, or both. The maximum penalty provided by the Selective Service Act and related statutes is a \$50,000 fine, or three years in prison, or both.

\* \* \* \* \*

24. The term "Office of Industrial Resource Administration" is revised to read "Office of Strategic Industries and Economic Security" in the following places:

**§§ 700.80, 700.81, 700.93 [Amended]**

Sec.  
700.80(a)  
700.80(c)  
700.80(d)  
700.81(a)  
700.81(b)  
700.93

25. The phrase "Assistant Secretary for Trade Administration" is revised to read "Assistant Secretary for Export Administration" in the following places:

Sec.  
700.80(d)  
700.81(a)

700.81(b)  
700.81(d)  
700.81(e)  
700.81(f)  
700.81(g)  
700.81(h)

26. Section 700.81(b) is amended by revising the term "International Trade Administration" to read "Bureau of Export Administration".

27. Section 700.91(a) is amended by revising the term "(OMB #0625-0107)" to read "(OMB #0694-0053)".

28. Section 700.93 is amended by revising the phrase "telephone: (202) 377-4506" to read "telephone: (202) 482-3634, or FAX: (202) 482-5650".

**Schedule 1 to Part 700—[Amended]**

29. Schedule 1 to Part 700 is amended:

a. By revising the column heading "Authorized Program" to read "Approved Program"; and by revising the title of the Schedule and the first paragraph of the two paragraph explanation of the Schedule;

b. By removing the following program identification symbols and associated authorized program names from the Schedule: "C8—Controlled materials for Defense Industrial Supply Center (DISC)", "H2—Controlled materials producers", "H3—Further converters (controlled materials)", and "H4—Distributors of controlled materials";

c. By removing the term "Federal Aviation Administration" from the list of Associated Agencies of the Department of Defense contained in footnote 1;

d. By adding the following program identification symbols and associated approved program names to the Schedule: "C1—Food resources (combat rations)" under the "Defense Programs" heading; and "H8—Special projects", under the "Other Defense, Energy and Related Programs" heading;

e. By revising the "Other Energy Programs" heading to read: "Domestic Energy Programs"; and revising the "F3" program name "Construction and Maintenance" to read: "Construction, repair, and maintenance"; and

f. By revising the "N1" program name "Approved civil defense programs" to read "Emergency Preparedness Activities"; as follows:

**Defense Priorities and Allocations System****Schedule 1 to Part 700—Approved Programs and Delegate Agencies**

The programs listed in this schedule have been approved for priorities and allocations support under this

regulation. They have equal preferential status.

\* \* \* \* \*

**Schedule II to Part 700—[Amended]**

30. Schedule II to part 700 (Controlled Materials), Schedule III to part 700 (Technical Definitions of Controlled Materials Products), Schedule IV to part 700 (Copper Controlled Materials Producers' Set-aside Base and Percentages), and Schedule V to part 700 (Nickel Alloys Controlled Materials Producers' Set-aside Base and Percentages) are removed.

Issued: September 29, 1997.

**William V. Skidmore,**

*Assistant Secretary (Acting) for Export Administration.*

[FR Doc. 97-26109 Filed 9-30-97; 8:45 am]

BILLING CODE 3510-DT-P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 180**

[OPP-300558; FRL-5746-3]

RIN 2070-AC18

**Various Inert Ingredients; Tolerance Exemptions**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed Rule.

**SUMMARY:** EPA proposes to establish exemptions from the requirement of a tolerance for residues of 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate when used as inert ingredients in pesticide formulations applied to growing crops, crops after harvest, and/or animals. EPA is proposing this regulation on its own initiative.

**DATES:** Comments, identified by the docket control number [OPP-300558], must be received on or before December 1, 1997.

**ADDRESSES:** By mail, submit written comments to: Public Information and Records Integrity Branch, Information Resources and Services Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to: Rm. 1132, CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically to: opp-docket@epamail.epa.gov. Follow the instructions under Unit VII of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

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 will be included in the public docket by EPA without prior notice. The public docket is available for public inspection in Rm. 1132 at the Virginia address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: Bipin Gandhi, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number and e-mail: Fourth Floor, CS #1, 2800 Crystal Drive, Arlington, VA, (703) 308-8380; e-mail:

gandhi.bipin@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Prior to the enactment of the Food Quality Protection Act of 1996 (FQPA), EPA proposed that exemptions from the requirement of a tolerance be established for residues of 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate in response to various pesticide petitions submitted pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e). Each of these proposals is summarized at the end of this section.

Pursuant to section 408(e)(1)(B) of FFDCA, the Agency is repropounding upon its own initiative the following tolerance exemptions in view of the new FQPA amendments to the FFDCA.

1. *2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate.* In the **Federal Register** of May 16, 1996 (61 FR 24738)(FRL-5365-3), EPA proposed that an exemption from the requirement of a tolerance be established 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, raw agricultural commodities after harvest, and animals. This proposed rule was issued in response to pesticide petition (PP) 5E04568 submitted by Japan Technical Information Center on behalf of Nippon Goshei (U.S.A.) Co., Ltd., 775 South 23rd Street, Arlington, VA 22202. No comments were received in response to the proposed rule.

2. *Polyvinyl pyrrolidone butylated polymer.* In the **Federal Register** of July 10, 1996 (61 FR 36331)(5380-5), EPA proposed that an exemption from the requirement of a tolerance be established for residues of polyvinyl pyrrolidone butylated polymer (CAS Reg No. 26160-96-3) when used as an inert ingredient (surfactants, related adjuvant of surfactants and binder) in pesticide formulations applied to growing crops, raw agricultural commodities after harvest, and animals. This proposed rule was issued in response to pesticide petition (PP) 6E4644 submitted by International Specialty Products, 1361 Alps Road, Wayne, NJ 07470. No comments were received in response to the proposed rule.

3. *Vinyl pyrrolidone-acrylic acid copolymer.* In the **Federal Register** of June 14, 1996 (61 FR 30202)(FRL-5374-4), EPA proposed that an exemption from the requirement of a tolerance be established for residues of vinyl pyrrolidone-acrylic acid copolymer when used as an inert ingredient (adhesive, dispersion stabilizer and coating for sustained release granules) in pesticide formulations applied to growing crops, raw agricultural commodities after harvest, and animals. This proposed rule was issued in response to pesticide petition (PP) 6E4659 submitted by International Specialty Products, 1361 Alps Road, Wayne, NJ 07470. No comments were received in response to the proposed rule.

4. *Maleic anhydride-diisobutylene copolymer, sodium salt.* In the **Federal Register** of July 10, 1996 (61 FR 36329)(FRL-5374-3), EPA proposed that an exemption from the requirement of a tolerance be established for residues of maleic anhydride-diisobutylene copolymer, sodium salt (CAS Reg. No. 37199-81-8) when used as an inert ingredient (suspending agent and dispersing agent) in pesticide formulations applied to growing crops, raw agricultural commodities after harvest, and animals. This proposed rule was issued in response to pesticide petition (PP) 6E4665 submitted by

Rhone-Poulenc North America Chemicals Inc., CN 5255, Princeton, NJ 08543-5255. A comment was received in response to the proposal that stated the proposed deletion of the tolerance exemption for growing crops only under 40 CFR 180.1001(d) for maleic anhydride-diisobutylene copolymer, sodium salt needed to be accompanied by an adjustment in the molecular weight range proposed for maleic anhydride-diisobutylene copolymer, sodium salt under 40 CFR 180.1001(c) and (e) to allow for the other permissible molecular weights of maleic anhydride-diisobutylene copolymer, sodium salt polymers. The Agency agrees with the commentor and has revised the proposed molecular weight range of maleic anhydride-diisobutylene copolymer, sodium salt accordingly.

5. *Vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate.* In the **Federal Register** of July 18, 1996 (61 FR 37433)(FRL-5376-4), EPA proposed that an exemption from the requirement of a tolerance be established for residues of vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate when used as an inert ingredient (water soluble resin) in pesticide formulations applied to growing crops, raw agricultural commodities after harvest, and animals. This proposed rule was issued in response to pesticide petition (PP) 6E4718 submitted by Mitsui Plastics, Inc., 11 Martine Ave., White Plains, NY 10606. No comments were received in response to the proposed rule.

## I. Background and Statutory Authority

The Food Quality Protection Act of 1996 (FQPA) (Pub. L. 104-170) was signed into law August 3, 1996. FQPA amends both the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 301 et seq., and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 et seq. The FQPA amendments went into effect immediately. Among other things, FQPA amends FFDCA to bring all EPA pesticide tolerance-setting activities under a new section 408 with a new safety standard and new procedures.

New section 408(c)(2)(A)(i) allows EPA to establish an exemption from the requirement of a tolerance for a pesticide chemical residue on food only if EPA determines that the exemption is "safe." Section 408(c)(2)(A)(ii) defines "safe" to mean that "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is

reliable information." This includes exposure through drinking water, but does not include occupational exposure. Section 408(c)(2)(B) requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing an exemption from the requirement of tolerance and to "ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue" and specifies factors EPA is to consider in establishing an exemption.

## II. Inert Ingredient Definition

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 intended to imply nontoxicity; the ingredient may or may not be chemically active. Generally, EPA has exempted inert ingredients from the requirement of a tolerance based on the low toxicity of the individual inert ingredients.

## III. Risk Assessment and Statutory Findings

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be clearly demonstrated that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no appreciable risks to human health. In order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert ingredient in conjunction with possible exposure to residues of the inert ingredient in food, drinking water, and other non-occupational exposures. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

## IV. Aggregate Risk Assessment and Determination of Safety

Consistent with section 408(c)(2)(B) of FFDCA, EPA has reviewed the available scientific data and other relevant information in support of the proposed actions. EPA has sufficient data to assess the hazards of 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; and vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate and to make a determination on aggregate exposure, consistent with section 408(b)(2), for tolerance exemptions for the residues of 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; and vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate on growing crops, raw agricultural commodities after harvest and animals. EPA's assessment of the dietary exposures and risks associated with establishing these tolerances follows.

The data submitted in the petitions 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.

### A. Toxicological Profile

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 these criteria will present minimal or no risk. 2-Propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; and vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate, all conform to the definition of a polymer given in 40 CFR 723.250(b) and meet the following criteria that are used to identify low risk polymers:

1. They are not cationic polymers, nor is it reasonably anticipated they will become cationic polymers in a natural aquatic environment.

2. They contain as an integral part of their composition the atomic elements carbon, hydrogen, and oxygen.

3. They do not contain as an integral part of their composition, except as impurities, any elements other than those listed in 40 CFR 723.250(d)(2)(ii).

4. They are not designed, nor are they reasonably anticipated to substantially degrade, decompose or depolymerize.

5. They are 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. They are not water absorbing polymers.

7. The minimum number-average molecular weight of each of the above polymers is greater than 1,000 daltons. Substances with molecular weights (MW) greater than 400 generally are not absorbed through the intact skin, and substances with MW greater than 1,000 generally are not absorbed through the intact gastrointestinal (GI) tract. Chemicals not absorbed through the skin or GI tract generally are incapable of eliciting a toxic response.

8. Each of the above-listed polymers has an oligomer content less than 2 percent below MW 500 and less than 5 percent MW 1,000.

Based on these chemicals' conformance to the above criteria, no mammalian toxicity is anticipated from dietary, inhalation or dermal exposure to 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; and vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate.

### B. Exposures and Risks

1. *From food and feed uses, drinking water, and non-dietary exposures.* For the purposes of assessing the potential dietary exposure under these exemptions, EPA considered that under these exemptions 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; and vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate could be present in all raw and processed agricultural commodities and drinking water and that non-occupational, non-dietary exposure was possible. EPA concluded that, based on these chemicals' categorization as polymers conforming to the definition of a polymer under 40 CFR 723.250(b) that also meet the criteria used to identify low risk polymers, there are no concerns for risks associated with any potential exposure scenarios that are reasonably foreseeable.

2. *Cumulative exposure to substances with a common mechanism of toxicity.* Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance or tolerance exemption, the Agency consider "available information" concerning the cumulative effects of a particular chemical's residues and "other substances that have a common mechanism of toxicity."

In the case of 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; and vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate, the lack of expected toxicity of these substances based on their conformance to the definition of polymers as given in 40 CFR 723.250(b) as well as the criteria that identify low risk polymers results in no expected cumulative effects; a cumulative risk assessment is therefore not necessary.

### C. Aggregate Risks and Determination of Safety for U.S. Population

Based on these chemicals' conformance to the definition of a polymer given in 40 CFR 723.250(b) as well as the criteria that are used to identify low risk polymers, EPA concludes that there is a reasonable certainty that no harm to the U.S. population will result from aggregate exposure to 2-propene-1-sulfonic acid,

sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; and vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate. EPA believes these compounds present no dietary risk under reasonably foreseeable circumstances.

### D. Aggregate Risks and Determination of Safety for Infants and Children

FFDCA section 408 provides that EPA shall apply an additional tenfold margin of safety for infants and children in the case of threshold effects to account for pre- and postnatal toxicity and the completeness of the data base unless EPA concludes that a different margin of safety will be safe for infants and children. Margins of safety are incorporated into EPA risk assessments either directly through the use of margin of exposure analysis or through using uncertainty (safety) factors in calculating a dose level that poses no appreciable risk to humans.

Due to the low expected toxicity of these compounds, EPA has not used a safety factor analysis in assessing the risk of these compounds. For the same reasons the additional safety factor is unnecessary.

### V. Other Considerations

The Agency proposes to establish exemptions from the requirement of a tolerance without any numerical limitation; therefore, the Agency has concluded that analytical methods are not required for enforcement purposes for 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; and vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate.

There are no Codex Alimentarius Commission (Codex), Canadian or Mexican residue limits for 2-propene-1-sulfonic acid, sodium salt, polymer with ethenol and ethenyl acetate; polyvinyl pyrrolidone butylated polymer; vinyl pyrrolidone-acrylic acid copolymer; maleic anhydride-diisobutylene copolymer, sodium salt; and vinyl alcohol-vinyl acetate copolymer, benzaldehyde-*o*-sodium sulfonate condensate.

### VI. Conclusion

Based on the information and data considered, EPA proposes that the exemptions from the requirement of a

tolerance be established as set forth in this document.

### VII. Public Record and Electronic Submissions

Under FFDCA 408(e)(2), EPA must provide for a public comment period before issuing a final tolerance or tolerance exemption under 408(e)(1). Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the docket control number, [OPP-300558]. All written comments filed in response to this petition will be available in the Public Information and Records Integrity Branch at the Virginia address given above from 8:30 a.m. to 4 p.m. Monday through Friday, except legal holidays.

The official record for this rulemaking, as well as the public version, has been established for this rulemaking under docket control number [OPP-300558] (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 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The official rulemaking record is located at the Virginia address in "ADDRESSES" at the beginning of this document.

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. Comment 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 control number [OPP-300558]. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries.

### VIII. Regulatory Assessment Requirements

This action proposes an exemption from the tolerance requirement under FFDCA section 408(e). The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled Regulatory Planning and Review (58 FR 51735, October 4, 1993). In addition, this proposed rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq., or impose any enforceable duty or contain any

unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4). Nor does it require any prior consultation as specified by Executive Order 12875, entitled Enhancing the Intergovernmental Partnership (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898, entitled Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994), or require special OMB review in accordance with Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997).

In addition, under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 et seq.), the Agency previously assessed whether establishing tolerances, exemptions from tolerances, raising tolerance levels or expanding exemptions might adversely impact small entities and concluded, as a

generic matter, that there is no adverse economic impact. The factual basis for the Agency's generic certification for tolerance actions published on May 4, 1981 (46 FR 24950), and was provided to the Chief Counsel for Advocacy of the Small Business Administration.

**IX. Submission to Congress and the General Accounting Office**

Under 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, the Agency has submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of this rule in today's **Federal Register**. This is not a "major rule" as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural Commodities, Pesticides

and pests, Reporting and recordkeeping requirements.

Dated: September 24, 1997.

**James Jones,**

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

Therefore, it is proposed that 40 CFR chapter I be amended as follows:

**PART 180—[AMENDED]**

1. The authority citation for part 180 is revised 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 following inert ingredients, and the table in paragraph (d) is amended by removing the entry for "Maleic anhydride diisobutylene copolymer, sodium salt."

**§ 180.1001 Exemptions from the requirements of a tolerance.**

\* \* \* \* \*

(c) \* \* \*

Inert ingredients	Limits	Uses
* Maleic anhydride-diisobutylene copolymer, sodium salt (CAS Reg. No. 37199-81-8), minimum number average molecular weight (in amu) 5,000-18,000.	* * *	* Suspending agent and dispersing agent.
* Polyvinylpyrrolidone butylated polymer (CAS Reg No. 26160-96-3), minimum number average molecular weight (in amu) 9,500.	* * *	* Surfactants, related adjuvant of surfactants and binder.
* 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.
* Vinyl alcohol-vinyl acetate copolymer, benzaldehyde- <i>o</i> -sodium sulfonate condensate, minimum number average molecular weight (in amu) 20,000.	* * *	* Water soluble resin.
* Vinyl pyrrolidone-acrylic acid copolymer (CAS Reg. No. 28062-44-4), minimum number average molecular weight (in amu) 6,000.	* * *	* Adhesive, dispersion stabilizer and coating for sustained release granules.

\* \* \* \* \*

(e) \* \* \*

Inert ingredients	Limits	Uses
* Maleic anhydride-diisobutylene copolymer, sodium salt (CAS Reg. No. 37199-81-8), minimum number average molecular weight (in amu) 5,000-18,000.	* * *	* Suspending agent and dispersing agent.
* Polyvinylpyrrolidone butylated polymer (CAS Reg No. 26160-96-3), minimum number-average molecular weight (in amu) 9,500.	* * *	* Surfactants, related adjuvant of surfactants and binder.
* 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.

Inert ingredients	Limits	Uses
Vinyl alcohol-vinyl acetate copolymer, benzaldehyde-o-sodium sulfonate condensate, minimum number average molecular weight (in amu) 20,000.	* * *	Water soluble resin.
Vinyl pyrrolidone-acrylic, acid copolymer (CAS Reg. No. 28062-44-4), minimum number average molecular weight (in amu) 6,000.	* * *	Adhesive, dispersion stabilizer and coating for sustained release granules.

[FR Doc.97-26015 Filed 9-30-97; 8:45 am]  
 BILLING CODE 6560-50-F

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**43 CFR Part 1820**

[WO-350-1430-00-24 1A]

RIN 1004-AC83

**Application Procedures**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** The Bureau of Land Management (BLM) proposes to revise 43 CFR part 1820, which addresses general application procedures, to streamline, modernize and clarify the existing provisions, and remove obsolete and unnecessary requirements. The proposed rule describes how to file an application or other documents with BLM; provides guidance on how BLM determines priority for applications filed simultaneously; and contains procedures for payments and refunds, and requirements for publication and posting of notices.

**DATES:** *Comments:* Any comments must be received by BLM at the address below by December 1, 1997. BLM will not necessarily consider any comments received after the above date during its decisionmaking on the proposed rule.

**ADDRESSES:** If you wish to comment, you may submit your comments by any one of several methods. You may mail comments to Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street, NW, Washington, D.C. 20240. You may also comment via the internet to WOCComment@wo.blm.gov. Please submit comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include "attn: AC 83" and your name and return address in your message. If you do not receive a confirmation from the system that we have received your

internet message, contact us directly at (202) 452-5030.

Finally, you may hand-deliver comments to BLM at 1620 L Street, NW, Room 401, Washington, D.C. Comments, including names and street addresses of respondents, will be available for public review at this address during regular business hours, 7:45 a.m. to 4:15 p.m., Monday through Friday, except holidays. Individual respondents may request confidentiality, which BLM will consider on a case-by-case basis. If you wish to request that BLM consider withholding your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your comment. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

**FOR FURTHER INFORMATION CONTACT:** Mary Linda Ponticelli, Telephone: (202) 452-0364, or Frances Watson, Telephone: (202) 452-5006 (Commercial or FTS).

**SUPPLEMENTARY INFORMATION:**

- I. Public Comment Procedures
- II. Background
- III. Discussion of Proposed Rule
- IV. Procedural Matters

**I. Public Comment Procedures**

*Written Comments*

Written comments on the proposed rule should be specific, should be confined to issues pertinent to the proposed rule, and should explain the reason for any recommended change. Where possible, comments should reference the specific section or paragraph of the proposal which the commenter is addressing. BLM may not necessarily consider or include in the Administrative Record for the final rule comments which BLM receives after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

**II. Background**

Since public land records contain the basic land title information for over two-thirds of the nation's real property, BLM places great importance on providing standardized methods for processing applications for public lands to ensure that BLM processes all applications received in an equitable and efficient manner. When the public lands were open to settlement under various laws, BLM established specific procedures for filing each type of application pertaining to land use authorizations. Despite the existence of detailed application procedures for specific BLM programs, BLM recognized the need to have general procedures applicable to all BLM land use authorization programs addressed in a centralized location in the Code of Federal Regulations. Although there may be certain variances among application procedures for specific land use authorizations, for example, filing fees, the general procedures covered in these regulations have assisted BLM in determining priority among those applications (sometimes numbering in the thousands) competing for the same claim or parcel.

These general procedural regulations continue to serve important functions, such as informing members of the public of proposed BLM actions or decisions through publication and posting of notices. Thus, there is still a need for general procedural direction to ensure consistency in processing documents and uniformity in treatment of all BLM's customers.

**III. Discussion of Proposed Rule**

This proposed rule, which would revise the application procedures at 43 CFR part 1820, provides general information on how to file documents with BLM, such as applications for various BLM resource programs. The proposed rule will continue to provide addresses and geographical areas of jurisdiction of BLM State Offices, as well as standardized requirements for such things as application procedures, filing times and locations for filing. This proposed rule also contains guidance as