ACTION: Notice of oxygenate use in gasoline panel meeting.

SUMMARY: On November 30, 1998, U.S. Environmental Protection Agency Administrator Carol M. Browner announced the creation of a blue-ribbon panel of leading experts from the public health and scientific communities, automotive fuels industry, water utilities, and local and State government to review the important issues posed by the use of MTBE and other oxygenates in gasoline. EPA created the panel to gain a better understanding of the public health concerns raised by the discovery of MTBE in some water supplies. The panel will be chaired by Mr. Daniel Greenbaum, President of the Health Effects Institute (HEI) of Cambridge, Massachusetts, and Mr. Robert Perciasepe, Assistant Administrator for Air and Radiation, US EPA.

This notice announces the time and place for the second meeting of the panel.

DATES: The blue-ribbon panel reviewing the use of oxygenates in gasoline will conduct its second meeting on Monday and Tuesday, March 1 and 2, 1999, in Boston, MA beginning at 1:00 p.m.

ADDRESSES: The meeting will be held from 1:00–6:00 p.m. on Monday, March 1st and from 8:30 a.m.–3:30 p.m. on Tuesday, March 2nd at the Hyatt Regency Harborside, Boston Logan International Airport, 101 Harborside Dr., Boston, MA.

FOR FURTHER INFORMATION CONTACT: Karen Smith at U.S. Environmental Protection Agency Office of Air and Radiation, 401 M Street, SW (6406J), Washington, D.C. 20460, (202) 564–9674, or John Brophy at (202) 564–9068. Information can also be found at www.epa.gov/oms/consumer/fuels/oxypanel/blueribb.htm

SUPPLEMENTARY INFORMATION: This is the second in a series of meetings at locations around the country to hear from regional and national experts on the facts concerning oxygenate use in fuel. In addition to invited presentations, the panel has set aside time for public comment on Tuesday, March 2nd. A sign-up sheet will be available at the registration table the morning of the meeting and any person desiring to make a brief statement should sign-up by 10:00 a.m. or call Karen Smith at (202) 564–9674. These statements will be scheduled on a first come, first serve basis and may be limited in length to allow for participation by all parties. The panel will also be accepting written submissions. Written submissions can be mailed to US EPA, 401 M Street, SW, Mail Code 6406J (Attn: Blue-Ribbon Panel), Washington, DC 20460.

Dated: February 11, 1999.

Margo T. Oge,

Director, Office of Mobile Sources.

[FR Doc. 99–4156 Filed 2–18–99; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[PF–858; FRL–6057–3]

Notice of Filing of Pesticide Petitions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the amendment of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

DATES: Comments, identified by the docket control number PF–858, must be received on or before March 22, 1999.

ADDRESSES: By mail submit written comments to: Public Information and Records Integrity Branch, Information Resources and Services Division (7506C), Office of Pesticides Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person bring comments to: Rm. 119, CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically by following the instructions under ''SUPPLEMENTARY INFORMATION.'' No confidential business information 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). CBI should not be submitted through e-mail. Information 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. 119 at the address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Shanaz Bacchus, c/o PM 90, Biopesticides and Pollution Prevention Division (7501W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: 5th floor CS1 2800 Crystal Drive, Arlington, VA. (703–308–8097, e-mail: bacchus.shanaz@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA has received an amendment to a pesticide petition as follows proposing the establishment and/or amendment of regulations for residues of a certain pesticide chemical in or on various food commodities under section 408 of the Federal Food, Drug, and Comestic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that this petition contains data or information regarding the elements set forth in section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the petition. Additional data may be needed before EPA rules on the petition.

The official record for this notice, as well as the public version, has been established for this notice under docket control number [PF–858] (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 record is located at the 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 5.1/6.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket control number [PF–858]. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries.

Dated: February 9, 1999.

Janet L. Andersen,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

Summaries of Petition

Petitioner summaries of the pesticide petitions are printed below as required by section 408(d)(3) of the FFDCA. The summaries of the petitions were prepared by the petitioners and

represent the views of the petitioners. EPA is publishing the petition summaries verbatim without editing them in any way. The petition summary announces the availability of a description of the analytical methods available to EPA for the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed.

Amended Petition

EPA has received a request from the Interregional Research Project Number 4 (IR–4), New Jersey Agricultural Experiment Station, Technology Center of New Jersey, Rutgers University, 681 U.S. Highway #1 South, North Brunswick, NJ 08902–3390 proposing pursuant to section 408(d) of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 346a, to amend 40 CFR part 180 by extending the exemption from the requirement of a temporary tolerance for residues of the microbial pesticide *Aspergillus flavus* (*A. Flavus*) AF36 in or on the raw agricultural commodity cotton until December 30, 2001. The request for an extension of the exemption from temporary tolerance was submitted on behalf of the Southern Regional Research Center, United States Department of Agriculture, Agricultural Research Service, 1100 Robert E. Lee Blvd., New Orleans, LA 70179–0687. These extensions are requested to comply with the Food Quality Protection Act of 1996 and to extend the use of the biopesticide to a larger area. Concomitant with this notice of filing, EPA is issuing a notice of receipt of application for extension (amendment) of the Experimental use Permit 69224–EUP–1. According to the proposed amended application for an Experimental Use Permit 69224–EUP–1, 200,000 pounds (90,719 kg) of the microbial pesticide are to be applied to a total of 20,000 acres of commercial cotton fields in 5 of the 15 counties in Arizona. The proposed applications are to be made in Yuma, LaPaz, Maricopa, Mohave and Pinal Counties.

EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the petition. Additional data may be needed before EPA rules on the petition.

As required by section 408(d) of the FFDCA, as recently amended by the Food Quality Protection Act, the Southern Regional Research Center, United States Department of Agriculture, Agricultural Research Service prepared a summary of the petition and authorization for the summary to be published in the **Federal Register** in a notice of the receipt of the petition. The summary represents the views of the Southern Regional Research Center, United States Department of Agriculture, Agricultural Research Service; EPA, as mentioned above, is in the process of evaluating the petition. As required by section 408(d)(3) EPA is including the summary as part of this notice of filing. EPA may have made minor edits to the summary for the purpose of clarity.

A. Proposed Use Practices

Aspergillus flavus isolate AF36 is for application to cotton to reduce the incidence of aflatoxin producing strains of *A. flavus* and thereby reduce aflatoxin contamination of cottonseed. When applied just prior to flowering, *A. flavus* isolate AF36, which does not produce aflatoxin, competitively excludes aflatoxin producing *A. flavus* strains without increasing *A. flavus* in the environment in the long term. Sterile wheat seed colonized with *A. flavus* strain AF36 is applied at 10 pounds per acre.

B. Product Identity/Chemistry

1. The pesticide and corresponding residues are identified as *A. flavus* isolate AF36.

2. *Aspergillus flavus* isolate AF36 is a naturally occurring fungus isolated from cottonseed produced in the Yuma Valley of Arizona. AF36 has been shown to be naturally and consistently associated with commercial cotton grown in Arizona. The overall quantity of *A. flavus* at time of harvest on cottonseed grown in fields where AF36 has been applied (i.e. colony forming units per gram of seed) has been shown to be similar to levels on cottonseed grown in fields where no application was made. *A. flavus* is a widespread fungus. It is particularly well adapted to the hot desert regions of Arizona where it is widespread in the environment. The communities of *A. flavus* in the desert and in agricultural fields are naturally composed of both aflatoxin producing (toxigenic) and aflatoxin non-producing (atoxigenic) strains. Both atoxigenic and toxigenic strains have been found on essentially all plant material and soils in the desert valleys of Arizona. The goal of applications is to increase the percent of *A. flavus* that is the AF36 strain and to decrease the percent of *A. flavus* that produces aflatoxins.

3. An extension of the exemption from the requirement of a tolerance for residues of the microbial pesticide *A. flavus* AF36 in/on cotton is being proposed. *A. flavus* isolate AF36, when applied to the soil just prior to bloom has been shown to significantly reduce the levels of aflatoxin in cottonseed at harvest. Aflatoxin levels in cottonseed products are regulated by the Food and Drug Administration (FDA). FDA does not allow cottonseed products containing aflatoxin at 20 parts per billion (ppb) or higher to be used in dairy rations. FDA regulations also do not allow cottonseed products containing aflatoxin above 300 ppb to be used for feeding beef cattle. All lots of the active ingredient (*A. flavus* isolate AF36) and the formulated product are monitored as part of a rigorous quality control program.Starter cultures of *A. flavus* isolate AF36 used in the production of the end-use product are always screened for aflatoxin production using TLC and appropriate standards. Quality control standards are zero tolerance for aflatoxin production in starter cultures. *A. flavus* AF36 has never been found to produce aflatoxin. Starter cultures of *A. flavus* AF36 as well as end-use products containing this active ingredient are also identified to isolate by vegetative compatibility analysis. Quality control standards are zero tolerance for *A. flavus* not identified as *A. flavus* isolate AF36 in the starter cultures and in the formulated product.

C. Mammalian Toxicological Profile

An acute oral toxicity test was performed whereby a single oral dose of 5,000 milligrams/kilogram (mg/kg) per animal of *A. flavus* isolate AF36 colonized wheat seed was administered by gavage to five male and five female Sprague Dawley rats. The oral LD_{50} of *A. flavus* AF36 was determined to be greater than 5,000 mg/kg rat body weight. No clinical signs were observed during the 14 day study and no abnormalities or adverse effects were observed in any of the rats upon necropsy.

Genotoxicity, reproductive and developmental toxicity, subchronic toxicity and chronic toxicity testing were not performed on this microbial pest control agent. This testing is not warranted, since: (1) *A. flavus* AF36 has been worked with at the Southern Regional Research Center for over 10 years and in commercial fields (1996 to 1998) and in hand picked field plots (1989 to 1994) without report of any adverse health effects; (2) *A. flavus* AF36 is widely distributed in the environment and its occurrence is natural; and (3) the label will require applicators and other handlers to wear waterproof gloves, a dust/mist filtering respirator with the appropriate NIOSH

approval prefix N–95, P–95, or R–95, coveralls, long sleeved shirt and long pants, and shoes plus socks so exposure should not be a problem.

D. Aggregate Exposure

1. *Dietary Exposure. Aspergillus flavus* isolate AF36 is a naturally occurring organism, which does not produce aflatoxin and is thus safer than the *A. flavus* isolates that produce aflatoxin. Proposed uses and application rates will not result in increases in the total population of *A. flavus* on the mature crop beyond naturally occurring background levels.

2. *Food.* FDA does not allow cottonseed products containing aflatoxin at 20 ppb or higher to be used in dairy rations. FDA regulations also do not allow cottonseed products above 300 ppb to be used for feeding beef cattle. *A. flavus* isolate AF36, when applied to the soil just prior to bloom, has been shown to significantly reduce the levels of aflatoxin in cottonseed at harvest. Furthermore, the proposed use and application rate will not increase exposure of humans to *A. flavus* by dietary means. There is minimal dietary exposure to *A. flavus* from cottonseed. There is no mechanism for *A. flavus* to be transferred from the seed to cow products and there is no evidence that the fungus readily contaminates meats or milk. Seed is typically extracted for oil with hexane and that process kills the fungus. Furthermore, applications of *A. flavus* AF36 do not increase the indigenous populations of *A. flavus* associated with the harvested crop. The applications merely alter the composition of the fungal community associated with the mature crop so that aflatoxin producing strains are far less frequent. The result is a much lower incidence of aflatoxins in the crop and in the environment associated with the developing and mature crop.

3. *Drinking Water. Aspergillus flavus* isolate AF36 is a naturally occurring organism that is already widespread in the environment and is not considered to be a risk to drinking water. Both percolation through soil and municipal treatment of drinking water would reduce the possibility of exposure of *A. flavus* through the drinking water. Applications of *A. flavus* AF36 do not increase the long-term populations of *A. flavus* in the environment, and thus are not expected to influence the relationship of *A. flavus* to water sources. Applications merely change the composition of the *A. flavus* community so that aflatoxins are less common in the environment.

4. *Non-dietary exposure.* The potential for non-occupational, non-dietary exposure to the general population is not expected to be significant and is not expected to present any risk of adverse health effects.

E. Cumulative Exposure

There are no other registered products containing *A. flavus* isolate AF36 or any other isolates (strains) of the microbial active ingredient. Data submitted show that the fungal metabolite of concern which is aflatoxin is not produced by *A. flavus* isolate AF36 in the crop or in artificial media in the lab. When applied prior to flowering, *A. flavus* isolate AF36 has been shown to exclude aflatoxin producing fungi competitively from the developing crop and to reduce aflatoxin contamination of cottonseed. Data show that the proposed use will not result in appreciable increases in the long-term population of *A. flavus* on the crop beyond naturally occurring levels. Furthermore, there is no expectation of cumulative effects with other pesticides.

F. Safety Considerations

Aspergillus flavus isolate AF36 is a naturally occurring organism. This isolate has low toxicity as demonstrated by the acute oral toxicity study in rats. *A. flavus* is ubiquitous throughout the hot desert valleys in Arizona. Studies have shown that treatment of cotton fields just prior to flowering with sterile wheat seed colonized by *A. flavus* isolate AF36 at 10 lbs. per acre does not increase the long-term populations of *A. flavus* either on the crop at maturity or in the soil 1 year after application. Based on this information, IR–4 is of the opinion that the aggregate exposure to *A. flavus* over a lifetime should not change with application of AF36, and exposure to both aflatoxin producing *A. flavus* strains and aflatoxin should decrease. This should be beneficial to human health. Thus, there is a reasonable certainty that no harm will result from aggregate exposure to *A. flavus* isolate AF36. Extending the exemption of *A. flavus* isolate AF36 from the requirement of a temporary tolerance should be considered safe and pose insignificant risk.

G. Existing Tolerances

A temporary tolerance exemption on cotton in conjunction with an Experimental Use Permit for *A. flavus* isolate AF36 is currently in effect (61 FR 30235–30236, June 14, 1996).

[FR Doc. 99–4158 Filed 2–18–99; 8:45 am]

BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6234–4]

Proposed CERCLA Prospective Purchaser Agreement for the Schafer Manufacturing/Hawkens Furniture Site

AGENCY: U.S. Environmental Protection Agency (''U.S. EPA'').

ACTION: Proposal of CERCLA prospective purchaser agreement for the Schafer Manufacturing/Hawkens Furniture site.

SUMMARY: In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (''CERCLA''), 42 U.S.C. 9601 *et seq.*, as amended by the Superfund Amendments and Reauthorization Act of 1986 (''SARA''), Public Law 99–499, notice is hereby given that a proposed prospective purchaser agreement (''PPA'') for the Schafer Manufacturing/Hawkens Furniture Site (''the Site'') located in Union City, Michigan, has been executed by the Village of Union City. The proposed PPA has been submitted to the Attorney General for approval. The proposed PPA would resolve certain potential claims of the United States under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, against the Village of Union City. The proposed PPA would require the Village of Union City to pay the United States $2,000 to be applied toward outstanding response costs incurred by the United States in conducting federally funded removal activities at the Site. The Site is not on the NPL, and no further response activities at the Site are anticipated at this time.

DATES: Comments on the proposed PPA must be received by March 22, 1999.

ADDRESSES: A copy of the proposed PPA is available for review at U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. Please contact Terry Branigan at (312) 353–4737, prior to visiting the Region 5 office. Comments on the proposed PPA should be addressed to Terry Branigan, Office of Regional Counsel, U.S. EPA, Region 5, 77 West Jackson Boulevard (Mail Code C–14J), Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Terry Branigan at (312) 353–4737, of the U.S. EPA Region 5 Office of Regional Counsel.

A 30-day period, commencing on the date of publication of this document, is open for comments on the proposed