

today's action is provided in the Final Rule Section of this **Federal Register**.

In the Final Rules Section of this **Federal Register**, the EPA is approving these General Conformity SIP revisions as a direct final rulemaking without prior proposal because the EPA views this action as noncontroversial 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 that direct final rule, no further activity is contemplated in relation to this proposed 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 If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule.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. Any parties interested in providing comments on this action should do so at this time.

DATES: Comments must be received in writing and postmarked by May 24, 1999.

ADDRESSES: Written comments must be submitted to: Doris Lo, Planning Office [AIR2], Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule revisions and EPA's evaluation report are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rule revisions are also available for inspection at the following locations:

Arizona Department of Environmental Quality, 3033 North Central Avenue, Phoenix, Arizona 85012
 California Air Resources Board, 2020 L Street, P.O. Box 2815, Sacramento, California 95812
 El Dorado County APCD, 2850 Fairlane Court, Placerville, California 95667
 Great Basin Unified APCD, 157 Short Street, Suite #6, Bishop, California 93514
 Monterey Bay Unified APCD, 24580 Silver Cloud Court, Monterey, California 93940
 San Joaquin Valley Unified APCD, 1999 Tuolumne Street, Suite 200, Fresno, California 93721
 Santa Barbara County APCD, 26 Castillian Drive, B-23, Goleta, California 93117
 South Coast AQMD, 21865 E. Copley Drive, Diamond Bar, California 91765-4182
 Feather River AQMD, 463 Palora Avenue, Yuba City, California 95991-4711
 Placer County APCD, 11464 B Avenue, Auburn, California 95603
 Sacramento Metro AQMD, 8411 Jackson Road, Sacramento, California 95826
 Bay Area AQMD, 939 Ellis Street, San Francisco, California 94109
 Imperial County APCD, 150 South Ninth Street, El Centro, California 92243-2850
 San Diego County APCD, 9150 Chesapeake Drive, San Diego, California 92123-1096

Butte County AQMD, 9287 Midway, Suite 1A, Durham, California 95938
 Ventura County APCD, 669 County Square Drive, Ventura, California 93003
 Mojave Desert AQMD, 15428 Civic Drive, Suite 200, Victorville, California 92392-2383
 Yolo-Solano AQMD, 1947 Galileo Court, Suite 103, Davis, California 95616

FOR FURTHER INFORMATION CONTACT: Doris Lo, Planning Office (AIR2), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, (415) 744-1287.

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

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon Monoxide, General conformity, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Volatile organic compound.

Authority: 42 U.S.C. 7401-7671q.

Dated: January 29, 1999.

Laura Yoshii,

Acting Regional Administrator, Region 9.

[FR Doc. 99-9997 Filed 4-22-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[MD056-3022b; FRL-6330-6]

Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, Maryland; Control of Emissions From Large Municipal Waste Combustors

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the municipal waste combustor (MWC) 111(d)/129 plan submitted by the Air and Radiation Management Administration, Maryland Department of the Environment, on December 4, 1997, and as amended on October 7, 1998. In the final rules section of the **Federal Register**, EPA is approving the plan. 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 EPA receives relevant 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. EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

DATES: Comments on this proposed rule must be received in writing by May 24, 1999.

ADDRESSES: Comments may be mailed to Makeba A. Morris, Chief, Technical Assessment Branch, Mailcode 3AP22, Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

FOR FURTHER INFORMATION CONTACT: James B. Topsale at (215) 814-2190, or by e-mail at topsale.jim@epamail.gov. While questions may be forwarded to EPA via e-mail, comments on this proposed rule must be submitted in writing in accordance with procedures outlined above.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final rule, of the same title, which is located in the rules section of the **Federal Register**.

Dated: April 15, 1999.

Thomas C. Voltaggio,

Acting Regional Administrator, Region III.

[FR Doc. 99-10230 Filed 4-22-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 152, 174, and 180

[OPP-300369A; FRL-6077-6]

RIN 2070-AC02

Plant-Pesticides, Supplemental Notice of Availability of Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; supplemental notice.

SUMMARY: EPA is soliciting comment on a request to substitute an alternative name for the term "plant-pesticide." This document also solicits suggestions for appropriate alternative names.

DATES: Comments and data must be received on or before May 24, 1999.

ADDRESSES: Comments and data may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Units I.C. and D. of this document. To ensure proper receipt by EPA, your comments and data must identify the docket control number

OPP-300369A in the subject line on the first page of your response.
FOR FURTHER INFORMATION CONTACT: By mail: Philip Hutton, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1921 Jefferson Davis Hwy., Arlington, VA

22202; telephone: (703) 308-8260; e-mail address: hutton.phil@epa.gov.
SUPPLEMENTARY INFORMATION:

I. General Information

A. Does This Document Apply To Me?

You may be potentially affected by this document, if you conduct large

scale field tests during the process of developing plant-pesticides, or if you sell or distribute plant-pesticides. Potentially affected entities may include, but are not limited to:

Category	Examples of potentially affected entities
Field testing	Universities; domestic, foreign, or multinational biotechnology companies; chemical companies; or seed companies
Selling and distributing	Domestic, foreign, or multinational biotechnology companies; chemical companies; or seed companies

This table is not intended to be exhaustive, but rather provides a guide for readers regarding the types of entities potentially affected by this document. If you have any questions regarding the applicability of this document to a particular entity, consult the technical person listed in the "FOR FURTHER INFORMATION CONTACT" at the beginning of this document.

B. How Can I Get Additional Information or Copies of This Document or Other Documents?

1. *Electronically.* You may obtain electronic copies of this document and other documents from the EPA Internet Home Page at <http://www.epa.gov/>. On the Home Page, select "Laws and Regulations" and then look up the entry for this document under the "**Federal Register**— Environmental Documents." You can also go directly to the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

2. *In person or by phone.* If you have any questions or need additional information about this document, you may contact the technical person identified in the "FOR FURTHER INFORMATION CONTACT" section of this document. In addition, the official record for this document, including the public version, has been established under docket control number OPP-300369A, (including comments and data submitted electronically as described in Unit I.C. of this document). This record not only includes the documents that are physically located in the docket, but also includes all the documents that are referenced in those documents. A public version of this record, including printed, paper versions of any electronic comments and data, which does not include any information claimed as Confidential Business Information (CBI) is available for inspection in Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to

4 p.m., Monday through Friday, excluding legal holidays. The Public Information and Records Integrity Branch telephone number is (703) 305-5805.

C. How and To Whom Do I Submit Comments?

You may submit comments and data through the mail, in person, or electronically. To ensure proper receipt by EPA, your comments and data must identify the docket control number OPP-300369A in the subject line on the first page of your response.

1. *By mail.* Submit written comments and data to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW. Washington, DC 20460.

2. *In person or by courier.* Deliver written comments and data to: Public Information and Records Integrity Branch, Information Resources and Services Division, Office of Pesticide Programs, Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA.

3. *Electronically.* Submit your comments and data electronically by e-mail to: opp-docket@epa.gov. Do not submit any information electronically that you consider to be CBI. Submit comments and data as an ASCII file, avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on standard disks in WordPerfect 5.1/6.1 or ASCII file format. All copies of electronic comments and data must be identified by the docket control number OPP-300369A. Electronic comments on this document may be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI Information That I Want To Submit To the Agency?

You may claim information that you submit in response to the document as CBI 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 and data 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. If you have any questions about CBI or the procedures for claiming CBI, please consult with the technical person identified in the "FOR FURTHER INFORMATION CONTACT" section.

II. History

Section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136(u)) defines *pesticide* as: "(1) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, (2) any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant, and (3) any nitrogen stabilizer" The substances plants produce for protection against pests are pesticides under the FIFRA definition of pesticide, if humans intend to use these substances for "preventing, destroying, repelling, or mitigating any pest."

EPA recognizes the unique use pattern of these pesticides, which are produced and used in the living plant. Thus, in a November 23, 1994, **Federal Register** document (59 FR 60496), EPA suggested giving these types of pesticides a unique name, "plant-pesticides," in order to distinguish them from chemical, microbial, or biochemical pesticides. Since 1994, EPA has been using the term, "plant-

pesticide," to refer to these unique pesticides. EPA believes a unique name for this category of pesticides benefits the public by providing the means to readily identify regulations specific to this type of pesticide in the Code of Federal Regulations (CFR). A "plant-pesticide" was described in the November 23, 1994, **Federal Register** document (59 FR 60496) as "a pesticidal substance that is produced in a living plant and the genetic material necessary for production of the substance, where the substance is intended for use in the living plant."

EPA received several letters during the official comment period for the November 23, 1994, **Federal Register** document (59 FR 60496) that expressed concern about the name, "plant-pesticide." These comments expressed the opinion that the term "pesticide" has a negative connotation, and requested that EPA consider another name.

III. Request for Comment

EPA is requesting comment on the advisability of substituting another name for the term, "plant-pesticide." EPA also requests suggestions for appropriate alternative names, as no alternative names were suggested during the official comment period. Alternative names may be names in common scientific use, e.g., "plant defense compounds," or names created specifically to describe this type of pesticide, e.g., "caedeflors" or "floragens." EPA, specifically, requests comment on whether the alternative name, "plant-expressed protectants," would be an acceptable name for this category of pesticides. EPA is only seeking comments on the advisability of substituting another name for the term "plant-pesticides" and on appropriate alternative names. The Agency is not reopening the comment period on previously published **Federal Register** documents dealing with plant-pesticides as described in Unit IV. of this document.

If EPA changes the name describing the pesticides currently termed, "plant-pesticides," the change will only affect the name. It will not affect the status of the pesticidal substance or the genetic material necessary to produce it. These will still be pesticides under FIFRA section 2(u). Similarly, a change of name will not affect any regulatory requirements.

IV. Sources of Additional Information

Commenters, who wish to obtain further information on plant-pesticides and on EPA's approach to them, should consult the documents listed in this

unit, as well as the dockets for these documents. In the November 23, 1994, **Federal Register**, EPA published a package of five separate documents (59 FR 60496, 60519, 60535, 60542, and 60545) (FRL-4755-2, FRL-4755-3, FRL-4758-8, FRL-4755-5, and FRL-4755-4) which described EPA's policy and proposals for plant-pesticides. On July 22, 1996, EPA published a supplemental document in the **Federal Register** (61 FR 37891) (FRL-5387-4) on one aspect of its November 23, 1994, **Federal Register** documents; i.e., how the concept of inert ingredient related to plant-pesticides. On May 16, 1997, EPA published in the **Federal Register** three supplemental documents (62 FR 27132, 27142, and 27149) (FRL-5717-2, FRL-5716-7, and FRL-5715-6) to provide the public an opportunity to comment on EPA's analysis of how certain amendments to the Federal Food, Drug, and Cosmetic Act (FFDCA) and FIFRA by the Food Quality Protection Act (FQPA) apply to EPA's proposed exemptions under FFDCA section 408 for certain categories of residues of plant-pesticides and proposed exemptions under FIFRA for certain categories of plant-pesticides.

Included in the dockets cited in this unit are:

1. Relevant **Federal Register** documents, such as the June 26, 1986, policy statement issued by the Office of Science and Technology Policy, the "Coordinated Framework for Regulation of Biotechnology" (51 FR 23302).
2. All public comments received in response to all of the documents cited in this unit, including comments received after the close of the official public comment periods for the documents, such as the report from 11 professional scientific societies entitled "Appropriate Oversight for Plants with Inherited Traits for Resistance to Pests."
3. Reports of the scientific advisory committees on plant-pesticides, such as the January 21, 1994, joint meeting of a Subpanel of the FIFRA Scientific Advisory Panel and a Subcommittee of the EPA Biotechnology Science Advisory Committee.
4. All support documents and reports.
5. Published literature cited in the documents.

V. Regulatory Assessment Requirements

A. Certains and Executive Orders

This supplemental document only seeks comment on an alternative name for the term "plant-pesticide." As such, this document does not require review by the Office of Management and Budget (OMB) under Executive Order

12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993), the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), or Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). For the same reason, it does not require any action under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub.L. 104-4), or Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994). In addition, no action is needed under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*).

B. Executive Order 12875

Under Executive Order 12875, entitled *Enhancing the Intergovernmental Partnership* (58 FR 58093, October 28, 1993), EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local, or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments. If the mandate is unfunded, EPA must provide to OMB a description of the extent of EPA's prior consultation with representatives of affected State, local, and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulations. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local, and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates."

Today's supplemental document does not create an unfunded Federal mandate on State, local, or tribal governments. This action does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this supplemental document.

C. Executive Order 13084

Under Executive Order 13084, entitled *Consultation and Coordination with Indian Tribal Governments* (63 FR 27655, May 19, 1998), EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal

government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments. If the mandate is unfunded, EPA must provide OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

Today's supplemental document does not significantly or uniquely affect the communities of Indian tribal governments. This action does not involve or impose any requirements that affect Indian tribes. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this supplemental document.

List of Subjects in Parts 152, 174, and 180

Environmental protection, Agricultural commodities, Pesticides and pests, Plants.

Dated: April 16, 1999.

Susan Wayland,

Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 99-10237 Filed 4-22-99; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 180, 185, and 186

[OPP-300847; FRL-6076-4]

RIN 2070-AC18

Bentazon, Cyanazine, Dicrotophos, Diquat, Ethephon, Oryzalin, Oxadiazon, Picloram, Prometryn, and Trifluralin; Proposed Revocations and Changes in Terminology

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed Rule.

SUMMARY: This document proposes to revoke specific tolerances for residues of the herbicides bentazon, cyanazine, diquat, oxadiazon, picloram, prometryn, and trifluralin; the plant growth regulator ethephon; and the insecticide

dicrotophos. EPA expects to determine whether any individuals or groups want to support these tolerances. In addition, EPA is also proposing to revise commodity terminology for oryzalin, bentazon, diquat, ethephon, picloram, and trifluralin to conform to current Agency practice. The regulatory actions proposed in this document are part of the Agency's reregistration program under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and the tolerance reassessment requirements of the Federal Food, Drug, and Cosmetic Act (FFDCA). By law, EPA is required to reassess 33% of the tolerances in existence on August 2, 1996, by August 1999, or about 3,200 tolerances. The regulatory actions proposed in this document pertain to the proposed revocation of 29 tolerances and/or exemptions, which would be counted among reassessments made toward the August, 1999 review deadline of FFDCA section 408(q), as amended by the Food Quality Protection Act (FQPA) of 1996.

DATES: Comments must be received on or before June 22, 1999.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit IV of the SUPPLEMENTARY INFORMATION section of this notice. Be sure to identify the appropriate docket number [OPP-300847].

FOR FURTHER INFORMATION CONTACT: For technical information contact: Joseph Nevola, Special Review Branch, (7508C), Special Review and Reregistration Division, Office of Pesticide Programs, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location: Special Review Branch, Crystal Mall #2, 6th floor, 1921 Jefferson Davis Hwy., Arlington, VA. Telephone: (703) 308-8037; e-mail: nevola.joseph@epa.gov.

SUPPLEMENTARY INFORMATION:

I. What Is the Progress of Tolerance Reassessment?

By law, EPA is required to reassess 33% of the tolerances in existence on August 2, 1996, by August 1999, or about 3,200 tolerances. The regulatory actions proposed in this document pertain to the proposed revocation of 29 tolerances and/or exemptions, which would be counted among reassessments made toward the August, 1999 review deadline of FFDCA section 408(q), as amended by the Food Quality Protection Act (FQPA) of 1996.

II. Does this Notice Apply to Me?

You may be affected by this notice if you sell, distribute, manufacture, or use pesticides for agricultural applications, process food, distribute or sell food, or implement governmental pesticide regulations. Pesticide reregistration and other actions [see FIFRA section 4(g)(2)] include tolerance and exemption reassessment under FFDCA section 408. Potentially affected categories and entities may include, but are not limited to:

Category	Examples of Potentially Affected Entities
Agricultural Stakeholders.	Growers/Agricultural Workers Contractors [Certified/Commercial Applicators, Handlers, Advisors, etc.] Commercial Processors Pesticide Manufacturers User Groups Food Consumers
Food Distributors	Wholesale Contractors Retail Vendors Commercial Traders/Importers
Intergovernmental Stakeholders.	State, Local, and/or Tribal Government Agencies
Foreign Entities	Governments, Growers, Trade Groups

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this table could also be affected. If you have any questions regarding the applicability of this action to a particular entity, you can consult with the technical person listed in the "FOR FURTHER INFORMATION CONTACT" section.

III. How Can I Get Additional Information or Copies of this or Other Support Documents?

A. Electronically

You may obtain electronic copies of this document and various support documents from the EPA Internet Home Page at <http://www.epa.gov/>. On the Home Page select "Laws and Regulations" and then look up the entry for this document under "Federal Register - Environmental Documents." You can also go directly to the "Federal Register" listings at <http://www.epa.gov/homepage/fedrgstr/>.

B. In Person or by Phone

If you have any questions or need additional information about this action, please contact the technical person