

application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

n. Preliminary Permit—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

o. Notice of intent—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

p. Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

q. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

r. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

s. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Linwood A. Watson, Jr.,

Acting Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-34203D; FRL-6743-7]

Chlorpyrifos; Receipt of Requests for Amendments, Cancellations, and Notification of Tolerance Revocation and Modifications

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The companies that hold the pesticide registrations of manufacturing-use pesticide products containing chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2-pyridinyl)phosphorothioate] have asked EPA to cancel their registrations for these products. In addition, these companies have asked EPA to cancel or amend their registrations for end-use products containing chlorpyrifos. Pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is announcing the Agency's receipt of these requests from the registrants. These requests for voluntary cancellation and amendment are the result of a memorandum of agreement signed by EPA and a number of registrants of products containing chlorpyrifos on June 7, 2000, and ancillary agreements signed by other registrants shortly thereafter. Given the potential risks, both dietary and non-dietary, that chlorpyrifos use poses,

especially to children, EPA intends to grant the requested cancellations and amendments to delete uses. EPA also plans to issue a cancellation order for the deleted uses and the canceled registrations at the close of the comment period for this announcement. Upon the issuance of the cancellation order, any distribution, sale, or use of chlorpyrifos products will only be permitted if such distribution, sale, or use is consistent with the terms of that order. In addition, EPA is announcing its intention to revoke the tolerance for chlorpyrifos residues in or on tomatoes and to lower the tolerance for chlorpyrifos residues in or on apples and grapes.

DATES: Comments on the requested amendments to delete uses and the requested registration cancellations must be submitted to the address provided below and identified by docket control number OPP-34203D. Comments must be received on or before October 20, 2000.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-34203D in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: Tom Myers, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 703 308-8589; fax number: 703-308-8041; e-mail address: myers.tom@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. You may be potentially affected by this action if you manufacture, sell, distribute, or use chlorpyrifos products. The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, does not apply because this action is not a rule, for purposes of 5 U.S.C. 804(3). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules" 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/>. To access information about the risk assessment for chlorpyrifos, go to the Home Page for the Office of Pesticide Programs or go directly to <http://www.epa.gov/pesticides/op/chlorpyrifos.htm>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-34203D. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), 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 PIRIB telephone number is (703) 305-5805.

C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-34203D in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection

Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP-34203D. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI that I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this 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. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.

4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.

5. Provide specific examples to illustrate your concerns.

6. Offer alternative ways to improve the notice or collection activity.

7. Make sure to submit your comments by the deadline in this notice.

8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. Receipt of Requests to Cancel and Amend Registrations to Delete Uses.

A. Background

In a memorandum of agreement (Agreement) effective June 7, 2000, EPA and a number of registrants of pesticide products containing chlorpyrifos agreed to several voluntary measures that will reduce the potential exposure to children associated with chlorpyrifos containing products. Shortly thereafter, EPA and several other pesticide registrants of manufacturing-use products containing chlorpyrifos signed ancillary agreements in which the parties agreed to comply with the terms of the June 7, 2000, agreement. EPA initiated the negotiations with registrants after finding chlorpyrifos, as currently registered, was an exposure risk especially to children. As part of the Agreement, the signatory registrants that hold the pesticide registrations of manufacturing-use pesticide products containing chlorpyrifos have asked EPA to cancel their registrations for these products. In addition, these companies have asked EPA to cancel or amend their registrations for end-use products containing chlorpyrifos. Pursuant to section 6(f)(1) of FIFRA, EPA is announcing the Agency's receipt of these requests from the registrants. With respect to the registration amendments, the companies have asked EPA to amend end-use product registrations to delete the following uses: all termite control uses (these will be phased out); all residential uses (except for ant and roach baits in child resistant packaging (CRP) and fire ant mound drenches for public health purposes by licensed applicators and mosquito control for public health purposes by public health agencies); all indoor non-residential uses (except ship holds, industrial plants, manufacturing plants, food processing plants, and containerized baits in CRP); all outdoor non-residential sites (except golf courses,

road medians, industrial plant sites, non-structural wood treatments, and fire ant mound drenches for public health purposes by licensed applicators and mosquito control for public health purposes by public health agencies); and use on tomatoes and post-bloom apple trees. With respect to the registration cancellations, the companies have submitted replacement applications for registration with new labeling that would also eliminate all of these uses. In addition, the companies agreed to limit the maximum chlorpyrifos end-use dilution to 0.5%

active ingredient (a.i.) for termiticide uses that will be phased out, limit the maximum label application rate for outdoor non-residential use on golf courses, road medians, and industrial plant sites to 1 lb/a.i. per acre, and either classify all new/amended chlorpyrifos products (except baits in CRP) as Restricted Use or package the products in large containers, depending on the formulation type, to ensure that remaining chlorpyrifos products are not available to homeowners. In return, EPA stated that with this Agreement, it had no current intention to initiate any

cancellation or suspension proceedings under section 6(b) or 6(c) of FIFRA with respect to the issues addressed in the Agreement.

B. Requests for Voluntary Cancellation of Manufacturing-Use Products

Pursuant to the Agreement and FIFRA section 6(f)(1)(A), the registrants have submitted requests for voluntary cancellation of registrations for their manufacturing-use products. The registrations for which cancellations were requested are identified in the following Table 1:

TABLE 1.— MANUFACTURING –USE PRODUCT REGISTRATION CANCELLATION REQUESTS

Company	Reg. No.	Product
Aventis Environmental Science USA	432–570:	Ultratec Insecticide w/ SBP–1382/ Chlorpyrifos Trans. E.C. 1.6%–16%
	432 –571:	Ultratec Insecticide w/ SBP–1382/ Chlorpyrifos Trans. E.C. 3.2%–16%
	432–615:	Ultratec Insecticide w/ Chlorpyrifos/Esbiothrin Trans. E.C. 2.5%–25%
	432–649:	Ultratec Insecticide w/ SBP–1382/ Chlorpyrifos Trans. E.C. 1.6%–16%
	432–661:	Ultratec Insecticide w/ Chlorpyrifos/ Esbiothrin Trans.
	432–662:	Ultratec Insecticide w/ Chlorpyrifos Trans. Emuls. 25%
	432–682:	Ultratec Insecticide w/ Chlorpyrifos/Pyr/PBO Trans. Emuls. 1.5–7.5–15
	432–692:	Ultratec Insecticide w/ SBP–1382/ Chlorpyrifos Trans. E.C. 3.2%–16% LO
	432–718:	SBP–1382/ Chlorpyrifos Trans. E.C. 3.2%–16% LO For Pres. Spray
	432–1019:	Niagara P-D 5 Residual Insecticide Intermediate
	432–1095:	Pyrenone Dursban Aqueous Base
	432–1104:	Pyrenone Dursban W-B
	432–1106:	Pyrenone Dursban Aqueous Base II
	769–690:	SMCP DFC-4 Formulators Concentrate
Verdant Brands, Inc. McLaughlin Gormley King Company	1021–1215:	Pyrocide Intermediate 7129
	1021–1220:	D-Trans Intermediate 1957
	1021–1221:	Pyrocide Intermediate 7130
	1021–1434:	Esbiol Intermediate 2235
	1021–1438:	D-Trans Intermediate 2247
	1021–1444:	Multicide Intermediate 2253
	1021–1506:	D-Trans Intermediate 2321
	1021–1707:	Multicide Concentrate 2748
	1021–1717:	Multicide Intermediate 2745
	1812–429:	Questor MUP Insecticide
	4787–27:	Chlorpyrifos Technical
	4787–29:	Cyren MUC
	4787–30:	Cyren 150 Concentrate
	4787–32:	Cyren RT
Griffin LLC Cheminova, Inc.	10350–10:	Dursban 20 MEC
	11678–45:	Pyrinex Chlorpyrifos Insecticide
	34704–801:	Chlorpyrifos Technical
	42519–17:	Dorsan Technical
	45600–6:	Insecta No. 105
	51036–217:	Chlorpyrifos 61.5% MUP
	53883–34:	Martin's 6 lb. Chlorpyrifos
	62719–15:	Dursban F Insecticidal Chemical
	62719–44:	Dursban R
	62719–45:	Dursban 30 SEC
	62719–66:	Dursban HF Insecticidal Concentrate
	62719–76:	Lentrek 6
	62719–78:	Dursban W Insecticidal Chemical
	62719–225:	XRM–5222
Gharda USA, Inc	70907–1:	Chlorpyrifos Technical
	70907–6:	Chlorpyrifos 6 Manufacturing Concentrate
	70907–14:	Chlorpyrifos 4 Manufacturing Concentrate

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that EPA cancel any of their pesticide registrations. Section 6(f)(1)(B) of FIFRA requires that EPA provide a 30-day period in which the public may comment before the Agency may act on the request for voluntary cancellation. In addition, section 6(f)(1)(C) of FIFRA requires that EPA provide a 180-day comment period on a request for voluntary termination of any minor agricultural use before granting the request, unless (1) the registrants request a waiver of the comment period,

or (2) the Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment. The registrants have requested that EPA waive the 180-day comment period. In light of this request, EPA is granting the request to waive the 180-day comment period and is providing a 30-day public comment period before taking action on the requested cancellations. Given the potential risks, both dietary and non-dietary, that chlorpyrifos use poses, especially to children, EPA intends to grant the requested cancellations at the

close of the comment period for this announcement.

C. Requests for Voluntary Cancellation of End-Use Products

In addition to requesting voluntary cancellation of manufacturing-use products, several registrants have submitted requests for voluntary cancellation of some of their registrations for end-use pesticide products containing chlorpyrifos. The end-use registrations for which cancellation was requested are identified in the following Table 2:

TABLE 2.—END-USE PRODUCT REGISTRATION CANCELLATION REQUESTS

Company	Reg. No.	Product	
Aventis Environmental Science USA	432-566	SBP-1382/ Chlorpyrifos Transparent Emulsion Spray 0.05% + 0.5%	
	432-567:	SBP-1382/ Chlorpyrifos Transparent Emulsion Dilutable Conc. 1.6% + 16%	
	432-568	Ultratec Insecticide w/ SBP-1382/ ChlorpyTrans. EM. Dil.Conc. 3.2% + 16%	
	432-569:	SBP-1382/ Chlorpyrifos Transparent Emulsion Spray 0.1 % + 0.5%	
	432-1027:	Pyrenone Dursban Roach & Ant Spray'	
	432-1059:	Pyrenone Dursban Dual Use E.C.	
	432-1101:	Aqueous Residual Spray	
	432-1107:	Pyrenone Dursban Water-Based Pressurized Spray	
	Verdant Brands, Inc	769-562:	Mole Cricket Bait "D"
		769-576:	Sureco Indoor Pest Control
769-578:		Sureco Yard and Kennel Spray Concentrate	
769-607:		R&M Insect Spray with Resmethrin/Dursban	
769-666:		Dursban 1E Insecticide	
769-668:		SMCP D/V 217 Insecticide	
769-672:		SMCP Residual Roach Spray	
769-685:		SMCP Dursban Household Insecticide	
769-694:		SMCP Xtraban Roach Concentrate	
769-697:		SMCP Dursban Plus Turf Insecticide	
769-715:		SMCP Lawn-Gard Spray	
769-716:		SMCP Lawn and Ornamental Spray	
769-717:		Dursban .8% Granular Insecticide	
769-721:		SMCP Dursban Granular Insecticide	
769-731:		SMCP Home Lawn and Ornamental Spray	
769-735:		SMCP Dursban Cricket Bait 1200	
769-737:		SMCP Blatta-Bits Roach bait Insecticide	
769-738:		Frank's Finest Roach/Flea Spray	
769-781:		AFC Residual Insect Spray	
769-800:		Superior Dursban 4E Emulsifiable Concentrate	
769-801:		Superior Dursban 2E	
769-804:		Superior Delve Concentrate	
769-826:		Sureco T.A.S.K	
769-827:		Dursban Plus Dichlovos	
769-828:		Dursban 1.4% G	
769-829:		SMCP 32-4-7 Fertilizer with Dursban	
769-831:	SMCP 40-0-0 with Dursban		
769-873:	Dursban 135 EC		
769-880:	Pratt Dursban 250 EC		
769-936:	Warner Enterprises Residual Spray		
769-952:	Dursban G5 Granular		
769-953:	Pratt Dursban G232 Granular Lawn Insect Control for Professional Use		
McLaughlin Gormley King Company	769-962:	Ulti-Mate Homeowner pest Control Concentrate	
	1021-1362:	Pyrocide Concentrate 7254	
	1021-1416:	Pyrocide Residual Contact Spray 7335	
	1021-1435:	Esbiol Residual Contact Spray 2236	
	1021-1439:	D-Trans Concentrate 2249	
	1021-1605:	D-Trans Residual Spray 2580	
	1021-1668:	Evercide Residual Spray 2640	
	1021-1693:	Evercide Residual Pump Spray 2641	
	1021-1716:	Multicide Pressurized Ant and Roach Spray 27451	
	Griffin LLC	1812-427:	Pyrinex 4EC Insecticide

TABLE 2.—END—USE PRODUCT REGISTRATION CANCELLATION REQUESTS—Continued

Company	Reg. No.	Product
3M Company Luxembourg Industries (Pamol) Ltd. Micro-Flo Company	1812-428:	Pyrinex 2 EC Area Insecticide
	1812-443:	Questor LO Insecticide
	10350-12:	Duratrol Yard Spray Concentrate
	42519-18:	Dorsan 4E-41
	51036-102:	Chlorpyrifos 0.5% RTU
	51036-118:	Chlorpyrifos 4E LO Insecticide
	51036-119:	Chlorpyrifos 1E
	51036-223:	Chloroban 4-E
	51036-303:	Chlorpyrifos 5.3%
	Control Solutions, Inc.	53883-36:
53883-37:		Martin's Chlorpyrifos 2E
53883-49:		Martin's Dursban 1L Lawn and Ornamental Plant Insecticide
53883-53:		Martin's Dursban Pest Control
53883-55:		Martin's Termite and Soil Insect Control
Dow AgroSciences LLC	62719-22:	Dursban 25W
	62719-23:	Lorsban 4E
	62719-29:	Lorsban1-PE
	62719-41:	Dursban 4 Plus
	62719-46:	Dursban WB05
	62719-55:	Dursban LO
	62719-56:	Dursban 1-12 Insecticide
	62719-74:	Dursban ME
	62719-85:	Lorsban 7.5 G
	62719-163:	Dursban 50 DF
	62719-197:	Dursban WB05 III
	62719-235:	Dursban Lawn and Ornamental Insecticide
	62719-252:	Dursban 50WSP Insecticide in Water Soluble Packets
	62719-269:	Dursban NXS-4
	62719-281:	Dursban NXS05
	62719-283:	Dursban ME02 + ETOC
	62719-284:	Dursban NXS-6
	62719-298:	Dursban ME 1.7
Cheminova, Inc.	67760-5:	Cyren 1E
	67760-22:	Cheminova Chlorpyrifos 4E-AG-SG
	67760-23:	Cyren Turf and Ornamental Insecticide
	67760-24:	Cyren 1/2 G Granular Insecticide
	67760-25:	Cyren 1G
	67760-32:	Cyren 2E XL
	2393-245:	Hopkins Lincoln Granules
Platte Chemical Company	34704-305:	Hopkins Lincoln Granules
	34704-413:	Dursban 1 Coated Granules
	34704-449:	Clean Crop Chlorpyrifos 1.14G Insecticide and Fertilizer
	34704-523:	Clean Crop Dursban Insect Spray
	34704-526:	Pest Control for Home and Garden
	34704-541:	Dursban 4E
	34704-748:	Clean Crop Household Insect Spray
	34704-765:	Clean Crop Dursban 1

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that EPA cancel any of their pesticide registrations. The registrants have requested that EPA waive the 180-day public comment period under section 6(f)(1)(C)(ii) of FIFRA. In light of this request, EPA is granting the request to waive the 180-day comment period and is providing a 30-day public comment

period before taking action on the requested cancellations. Given the potential dietary and non-dietary risks that chlorpyrifos use poses, especially to children, EPA intends to grant the requested cancellations at the close of the comment period for this announcement.

1. *Requests for voluntary amendments to delete uses from the registrations of end-use products.* Pursuant to section

6(f)(1)(A) of FIFRA, the signatory registrants have also submitted requests to amend their other end-use registrations of pesticide products containing chlorpyrifos to delete the aforementioned uses from any product bearing such use. The registrations for which amendments to delete uses were requested are identified in the following Table 3:

TABLE 3.—END—USE PRODUCT REGISTRATION AMENDMENT REQUESTS

Company	Reg. No.	Product/SLNs
Verdant Brands, Inc.	769-641:	Dursban 2E Insecticide
	769-662:	SMCP Dursban .5% Granular Insecticide
	769-679:	Dursban 1% Granular Insecticide
	769-680:	Dursban Mole Cricket Bait

TABLE 3.—END—USE PRODUCT REGISTRATION AMENDMENT REQUESTS—Continued

Company	Reg. No.	Product/SLNs	
Griffin LLC	769–699:	Dursban 4E Insecticide	
	769–726:	Dursban 1G Granular Insecticide	
	769–808:	Banzol	
	769–825:	SMCP Dursban 2.5% G Insecticide	
	769–940:	Dursban Plus Insecticide	
	1812–403:	Chlorfos 4E Insecticide	
	1812–404:	Chlorfos 15G	
	3M Company Platte Chemical Company	10350–22:	MEC Chlorpyrifos Livestock Premise Spray Concentrate
		34704–55:	Clean Crop Chlorpyrifos 1/2G Turf Insecticide
		34704–65:	Chlorpyrifos 2E
34704–66:		Clean Crop Chlorpyrifos 4E Insecticide	
34704–423:		Dursban 2 Coated Granules	
34704–448:		Clean Crop Dursban 1G Insecticide	
34704–587:		Chlorpyrifos– thiram 7.5–7.5G	
34704–693:		Clean Crop Chlorpyrifos 50WP Seed Treater	
Luxembourg Industries (Pamol) Ltd.		42519–19:	Dorsan 4E–45
		42519–20:	Dorsan 2E
	42519–21:	Dorsan 4E	
	45600–1:	Insecta	
Insecta Sales & Research Inc.	45600–11:	Insecta 1000	
	45600–17:	Insecta for Manholes	
	53883–48:	Martin's Dursban Insecticide Granules	
Control Solutions, Inc.	53883–52:	Martin's Dursban 21/2% Insecticide Granules	
	51036–117:	Chlorpyrifos 1/2% Bait	
Micro–Flo Company	51036–122:	Micro–flo Chlorpyrifos Termite Concentrate	
	51036–152:	Micro–Flo Chlorpyrifos 2E	
	51036–153:	Chlorpyrifos1% Bait	
	51036–154:	Chlorpyrifos 4–E Insecticide	
	51036–216:	Micro–Flo Chlorpyrifos 4E Wood Treatment	
	51036–220:	1% Chlorpyrifos Granule	
	51036–247:	Chlorpyrifos 2.5% G	
	51036–259:	Chlorpyrifos 2.32 Bait	
	51036–263:	Chlorpyrifos 1/2% Granule	
	51036–264:	Chlorpyrifos 2.32% Granule	
	51036–291:	Chlorpyrifos 4# AG	
	51036–300:	Chlorpyrifos 15G	
	Dow AgroSciences LLC	62719–11:	Dursban 4E Insecticide
		62719–14:	Dursban 1/2 G Granular
		62719–34:	Lorsban 15G
		62719–35:	Dursban Turf Insecticide
		62719–39:	Lorsban 50W Wettable Powder SLNs; FL9000500, GA93000300
		62719–47:	Dursban TC
		62719–54:	Dursban 1–D Insecticide
62719–65:		Dursban 2E	
62719–68:		Dursban 50W	
62719–69:		Dursban WT Insecticidal Wood Treatment Concentrate	
62719–72:		Dursban 50W in Water Soluble Packets	
62719–77:		Lentrek 6 WT	
62719–88:		Dursban ME20 Microencapsulated Insecticide	
62719–89:		Dursban ME04 Microencapsulated Insecticide	
62719–90:		Dursban ME02 Microencapsulated Insecticide	
62719–166:		Dursban Pro	
62719–167:		Equity	
62719–210:		Dursban 1G Insecticide	
62719–221:		Lorsban 50W Insecticide in Water Soluble Packets SLNs; FL92001000,GA93000400	
62719–254:		Dursban 4E–N	
62719–255:	Dursban 50W Nursery in Water Soluble Packets		
62719–271:	Dursban 1F		
62719–276:	Dursban 2.5G		
62719–293:	Dursban 75WG		
62719–295:	Lorsban 30G		
62719–316:	Dursban Plus Fertilizer 2		
Makhteshim– Agan of North America Inc.	66222–3:	Pyrinex Chlorpyrifos 4EC	
	66222–4:	Pyrinex Chlorpyrifos Lawn Chinch Bug and Sod Webworm Control	
	66222–5:	Pyrinex Chlorpyrifos Lawn and Ornamental Insecticide w/ Dursban 2E	
	66222–6:	Pyrinex Chlorpyrifos Dursban 2E Insecticide	
Cheminova, Inc.	66222–17:	Pyrinex Chlorpyrifos Termiticide Concentrate	
	67760–6:	Cyren 2E	
	67760–7:	Cyren 4E Insecticide	

TABLE 3.—END—USE PRODUCT REGISTRATION AMENDMENT REQUESTS—Continued

Company	Reg. No.	Product/SLNs
Gharda USA, Inc.	67760-10: 67760-31: 70907-2 : 70907-4: 70907-7: 70907-8: 70907-9: 70907-13:	Cyren TC Cyren 2 TC Regatta 4E Chlorpyrifos Professional Insecticide Pilot 4E Chlorpyrifos Agricultural Insecticide Navigator 4 TC Chlorpyrifos Termite Concentrate Pilot 50W Chlorpyrifos Agricultural Insecticide Regatta 50W Chlorpyrifos Professional Insecticide Navigator 4WT Chlorpyrifos Wood Treatment Concentrate

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that their pesticide registrations be amended to delete one or more pesticide uses. The registrants have requested that EPA waive the 180-day comment period. In light of this request, EPA is granting the request to waive the 180-day comment period and is providing a 30-day public comment period before taking action on the requested amendments to delete uses. Given the potential dietary and non-dietary risks that chlorpyrifos use poses, especially to children, EPA intends to grant the requested amendments to delete uses at the close of the comment period for this announcement.

III. Proposed Existing Stocks Provisions

The registrants have requested voluntary cancellation of the chlorpyrifos registrations identified in Tables 1 and 2 and voluntary amendment to terminate certain uses of the chlorpyrifos registrations identified in Table 3. Pursuant to section 6(f) of FIFRA, EPA intends to grant the requests for voluntary cancellation and amendment. For purposes of the cancellation order that the Agency intends to issue at the close of the comment period for this announcement, the term "existing stocks" will be defined, pursuant to EPA's existing stocks policy as published in the **Federal Register** of June 26, 1991, (56 FR 29362), as those stocks of a registered pesticide product 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 or amendment. Any distribution, sale, or use of existing stocks after the effective date of the cancellation order that the Agency intends to issue that is not consistent with the terms of that order will be considered a violation of section 12(a)(2)(K) and /or 12(a)(1)(A) of FIFRA.

A. Manufacturing—Use Products

1. *Distribution or sale.* The distribution or sale of existing stocks of any manufacturing—use product

identified in Table 1 will not be lawful under FIFRA as of the 30th day following the issuance of the cancellation order canceling the registrations of the products identified in Table 1, except for the purposes of returns for relabeling consistent with the Agreement, shipping such stocks for export consistent with the requirements of section 17 of FIFRA, or for proper disposal.

2. *Use for producing other manufacturing—use products.* The use of existing stocks of any manufacturing—use product identified in Table 1 for formulation into any other manufacturing—use product will not be lawful under FIFRA as of the date of the cancellation order unless such product bears an EPA-approved label that is consistent with the provisions of the Agreement.

3. *Use for producing end—use products— (i) Restricted use and package size limitations—*(a) The use of existing stocks of any manufacturing—use product identified in Table 1 for formulation into any end—use product that is an emulsifiable concentrate (EC) will not be lawful under FIFRA as of December 1, 2000, unless the end—use product is labeled for restricted use.

(b) The use of existing stocks of any manufacturing—use product identified in Table 1 for formulation into any end—use product labeled for any agricultural use (other than cattle ear tags) and that is not an EC, will not be lawful under FIFRA as of December 1, 2000, unless the product is either labeled for restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation, 50 pounds of a granular formulation, or 25 pounds of any other dry formulation;

(c) The use of existing stocks of any manufacturing—use product identified in Table 1 for formulation into any end—use product labeled solely for non—agricultural uses (other than containerized baits in Child Resistant Packaging (CRP)) and that is not an EC, will not be lawful under FIFRA as of December 1, 2000, unless the product is either labeled for restricted use or

packaged in containers no smaller than 15 gallons of a liquid formulation or 25 pounds of a dry formulation.

(ii) *Use in products labeled for use on tomatoes or use on apple trees post bloom.* The use of existing stocks of any manufacturing—use product identified in Table 1 for formulation into end—use products bearing instructions for use on tomatoes or use on apple trees following bloom will not be lawful under FIFRA as of the date of issuance of the cancellation order canceling the manufacturing—use products listed in Table 1.

(iii) *Use in products labeled for other end—uses.* The use of existing stocks of any manufacturing—use product identified in Table 1 for formulation into any end—use product bearing instructions for any of the following uses will not be lawful under FIFRA after December 1, 2000:

(a) All termite control uses, unless the end—use product bears directions for use of a maximum 0.5% chlorpyrifos end—use dilution;

(b) Post—construction termite control, except for spot and local termite treatment, provided the label of the end—use product states that the product may not be used for spot and local treatment after December 31, 2002;

(c) Indoor residential, except for containerized baits in CRP;

(d) Indoor non—residential, except for containerized baits in CRP and products with formulations other than EC that bear labeling solely for one or more of the following uses: warehouses, ship holds, railroad boxcars, industrial plants, manufacturing plants, or food processing plants;

(e) Outdoor residential, except for products bearing labeling solely for one or more of the following public health uses: individual fire ant mound treatment by licensed applicators or mosquito control by public health agencies;

(f) Outdoor non—residential, except for products that bear labeling solely for one or more of the following uses: golf courses, road medians, and industrial plant sites, provided the maximum label

application rate does not exceed 1lb./ai per acre; mosquito control for public health purposes by public health agencies; individual fire ant mound treatment for public health purposes by licensed applicators; and fence posts, utility poles, railroad ties, landscape timbers, logs, pallets, wooden containers, poles, posts and processed wood products;

(iv) *Final use date for any manufacturing-use product labeled for termite control.* The use of existing stocks of any manufacturing-use product identified in Table 1 for formulation into any end-use product labeled for termite control will not be lawful under FIFRA after December 31, 2004, except that EPA will permit the continued use for the manufacture of end-use products labeled solely for pre-construction termite control if EPA has issued a written determination that the pre-construction use may continue consistent with the requirements of FIFRA.

4. *All other use.* Any use of existing stocks of a canceled manufacturing-use product identified in Table 1 that is not otherwise limited or prohibited as set forth in Unit III.A.1.-3. of this document may continue until such stocks are exhausted provided such use is in accordance with the existing label of that product.

B. End-Use Products

1. *Distribution, sale or use of products bearing instructions for use on tomatoes or apples trees post bloom.* The distribution, sale or use of existing stocks by any person of any product listed in Table 2 or 3 that bears instructions for post-bloom application to apple trees or use on tomatoes will not be lawful under FIFRA after December 31, 2000. Any use of such product until that date must be in accordance with the existing labeling of that product.

2. *Distribution or sale by registrants of products bearing other uses—(i) Restricted use and package size limitations—* (a) The distribution or sale by registrants of existing stocks of any EC formulation product listed in Table 2 or 3 will not be lawful under FIFRA after February 1, 2001 unless the product is labeled as restricted use.

(b) The distribution or sale by registrants of existing stocks of any product listed in Table 2 or 3 labeled for any agricultural use and that is not an EC, will not be lawful under FIFRA after February 1, 2001, unless the product is either labeled for restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation, 50

pounds of a granular formulation, or 25 pounds of any other dry formulation;

(c) The distribution or sale by registrants of existing stocks of any product listed in Table 2 or 3 labeled solely for non-agricultural uses (other than containerized baits in CRP) and that is not an EC, will not be lawful under FIFRA after February 1, 2001, unless the product is either labeled for restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation or 25 pounds of a dry formulation.

(ii) *Prohibited uses.* The distribution or sale of existing stocks by registrants of any product identified in Table 2 or 3 that bears instructions for any of the following uses will not be lawful under FIFRA after February 1, 2001:

(a) Termite control, unless the product bears directions for use of a maximum 0.5% active ingredient chlorpyrifos end-use dilution;

(b) Post-construction termite control, except for spot and local termite treatment, provided the label of the product states that the product may not be used for spot and local treatment after December 31, 2002;

(c) Indoor residential except for containerized baits in CRP;

(d) Indoor non-residential except for containerized baits in CRP and products with formulations other than EC that bear labeling solely for one or more of the following uses: warehouses, ship holds, railroad boxcars, industrial plants, manufacturing plants, or food processing plants;

(e) Outdoor residential except for products bearing labeling solely for one or more of the following public health uses: individual fire ant mound treatment by licensed applicators or mosquito control by public health agencies;

(f) Outdoor non-residential except for products that bear labeling solely for one or more of the following uses: golf courses, road medians, and industrial plant sites, provided the maximum label application rate does not exceed 1lb./ai per acre; mosquito control for public health purposes by public health agencies; individual fire ant mound treatment for public health purposes by licensed applicators; and fence posts, utility poles, railroad ties, landscape timbers, logs, pallets, wooden containers, poles, posts and processed wood products.

3. *Retail and other distribution or sale.* The retail sale of existing stocks of products listed in Table 2 or 3 bearing instructions for the prohibited uses set forth in Unit III.B.2.(b)(i)-(vi) of this document will not be lawful under FIFRA after December 31, 2001. Except

as provided in the previous sentence or in Units III.B.1. and III.B.4 of this document, EPA intends to permit distribution or sale of products identified in Table 2 or 3 by persons other than registrants until such stocks are exhausted.

4. *Final distribution, sale and use date for preconstruction termite control.* The distribution, sale or use of any product listed in Table 2 or 3 bearing instructions for pre-construction termiticide use will not be lawful under FIFRA after December 31, 2005, unless, prior to that date, EPA has issued a written determination that such use may continue consistent with the requirements of FIFRA.

5. *Use of existing stocks.* Except for products bearing those uses identified in Units III.B.1. and III.B.4. of this document, EPA intends to permit the use of existing stocks of products listed in Table 2 or 3 until such stocks are exhausted, provided such use is in accordance with the existing labeling of that product.

IV. Notification of Intent to Revoke Tolerances

This document also serves to give notice that the Agency intends to propose to revoke the tolerance found in 40 CFR 180.342 for residues of chlorpyrifos in or on tomatoes with a revocation date of June 30, 2001. Accordingly, the Agency will issue such a proposed rule to be published in the **Federal Register**. In the June 7, 2000, Agreement, the registrants agreed to cancel the use of chlorpyrifos products on tomatoes. The Agreement states that chlorpyrifos manufacturing-use products may not be reformulated for use on tomatoes, and that EPA intends to prohibit all distribution, sale, or use of any end-use product bearing instructions for post-bloom application to apple trees or use on tomatoes after December 31, 2000. In addition, this document serves to give notice that the Agency intends to propose to lower tolerances found in 40 CFR 180.342 for residues of chlorpyrifos in or on apples and grapes. The Agency will issue such a proposed rule to be published in the **Federal Register**.

V. Import Tolerance Guidance

The Agency recognizes that interested parties may want to retain a tolerance in the absence of a U.S. registration, to allow legal importation of food into the United States. To assure that all food marketed in the United States is safe, under the FFDC, EPA may require the same technical chemistry and toxicology data for such import tolerances (tolerances without related

U.S. registrations) as required to support U.S. food use registrations and any resulting tolerances. In addition, EPA may require residue chemistry data (crop field trials) that are representative of growing conditions in exporting countries in the same manner that the Agency requires representative residue chemistry data from different U.S. regions to support domestic use of the pesticides and the tolerance. Interested parties should contact the Agency for written guidance on adapting U.S. residue chemistry data requirements to non-U.S. growing conditions in order to support an import tolerance.

List of Subjects

Environmental protection, Memorandum of Agreement, Pesticides and pests.

Dated: September 12, 2000.

Lois A. Rossi,

Director, Special Review and Reregistration Division, Office of Pesticide Programs.

[FR Doc. 00-24211 Filed 9-19-00; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-64051; FRL-6744-2]

Vinclozolin; Receipt of Request For Amendments to Delete Uses

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In accordance with section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, EPA is issuing a notice of receipt of request by BASF Corporation to amend its registrations for products containing 3-(3,5-dichlorophenyl)-5-ethenyl-5-methyl-2,4-oxazolinedione), or vinclozolin, to terminate certain uses. The requests to cancel certain uses from the registrations are intended to mitigate dietary and aggregate risks which exceed the Agency's level of concern. EPA will decide whether to approve the requests after consideration of public comment.

DATES: Comments on the requested amendments to delete uses must be submitted to the address provided below by October 20, 2000.

FOR FURTHER INFORMATION CONTACT: By mail: Deanna Scher, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania

Ave., NW., Washington, DC 20460; telephone number: (703) 308-7043; e-mail address: scher.deanna@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to persons who produce or use pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the information in this notice, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

Electronically. You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," 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/>.

II. BASF Request to Amend Registrations

A. Background Information

Vinclozolin (trade names Curalan, Ronilan, Vorlan, and Touche) is a fungicide first registered in 1981 to control various types of rot cause by *Botrytis spp.*, *Sclerotinia spp.*, and other types of mold and blight causing organisms on lettuce, onions, raspberries, succulent beans, canola, kiwi, chicory grown for endive, and turf on golf courses, commercial sites, and industrial sites. Vinclozolin is also registered for use on ornamental plants in greenhouses and nurseries.

BASF, the sole registrant of vinclozolin, petitioned EPA to establish tolerances for residues of the fungicide vinclozolin and its metabolites containing the 3,5-dichloroaniline moiety in or on canola and succulent beans (65 FR 21427, April 21, 2000) (FRL-6555-6). Concomitantly, BASF also proposed amendments under section 3 of FIFRA to the label for Ronilan fungicide (EPA Reg. No. 7969-85) to add the use of these crops. However, EPA was unable to make the "reasonable certainty of no harm" finding mandated by section 408(b)(2) of

the Federal Food, Drug, and Cosmetic Act (FFDCA) for succulent beans and canola use and associated tolerances if all existing uses remained in place.

In addition to the action on the tolerance petition, EPA has been working to make a reregistration decision under FIFRA concerning vinclozolin and plans to release a Reregistration Eligibility Decision shortly. As part of the reregistration process, the Agency has recently identified risk concerns for occupational workers in the ornamental industry in part due to the potential for long-term exposure. The Agency also identified a risk of concern for children playing on transplanted sod previously treated on a sod farm.

B. Request for Voluntary Cancellation

To reduce the risk posed by exposure to vinclozolin, and thereby enable the Agency to make a "reasonable certainty of no harm" finding for succulent beans and canola and the related tolerances, BASF requested the immediate voluntary cancellation of some registered uses. In addition, BASF requested a phase-out over the next 4 years of all domestic food uses of vinclozolin except for the use on canola, and the revocation of all import tolerances except for wine grapes to permit the importation of treated wine. BASF also requested that EPA delete the use of vinclozolin on ornamentals and modify use of vinclozolin on turf.

On May 31, 2000, BASF submitted a written request to EPA seeking to amend the registrations for vinclozolin. Specifically, BASF requested that EPA immediately amend registration number 7969-85 (Ronilan, Curalan, Touche) to terminate the use of vinclozolin on onions, raspberries, and ornamental plants. The product Vorlan (sold under EPA registration number 7969-85) would no longer be available, as this product is for use on ornamentals only. BASF made clear that the proposed use terminations were conditioned on EPA reestablishing the expired tolerance for vinclozolin use on succulent beans and granting a new tolerance associated with a canola registration. The cancellations were also conditioned on EPA accepting certain existing stock provisions. BASF requested that EPA waive the 180-day waiting period for EPA action on its use termination requests.

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that their pesticide registrations be amended to delete one or more pesticide uses. Section 6(f)(1)(B) of FIFRA requires that EPA provide a 30-day comment period on the request for voluntary cancellation. In addition, section