

Subsistence, Tribal Strategy, Pesticide Program Dialogue Committee Spray Drift, Environmental Justice (Fish Consumption), FOSTTA and POPs Issue, Water Quality and Pesticides Management, Worker Protection, and basic elements of Tribal Pesticide Program - Pesticide Assessment.

4. Tribal caucus.
5. EPA Office of Enforcement and Compliance Assurance (OECA) related issues:
  - i. New guidance for cooperative agreements and funding.
  - ii. Data collections issues - Form 5700-33H.
  6. Section 18 and other Tribal authority issues - including a training session on section 18s.
  7. Institute for Tribal Environmental Professionals (ITEP) - Report on Tribal training.
  8. Federal inspector credentials criteria.
  9. Tribal caucus.
  10. Report from: American Indian Environmental Office (AIEO), Report from Tribal Operations Committee (TOC), Report from Tribal Science Council (TSC), and Report from National Tribal Environmental Council (NTEC).

#### List of Subjects

Environmental protection, Pesticides.

Categories	NAICS Codes	Examples of potentially affected entities
State government	9241	State agencies that petition EPA for section 18 pesticide exemption

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. Other types of entities not listed in the table in this unit could also be regulated. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action applies to certain entities. To determine whether you or your business is affected by this action, you should carefully examine the applicability provisions. 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

Dated: January 24, 2002.

**Jay S. Ellenberger,**

*Acting Director, Field and External Affairs Division, Office of Pesticide Programs.*

[FR Doc. 02-2835 Filed 2-5-02; 8:45 am]

**BILLING CODE 6560-50-S**

#### ENVIRONMENTAL PROTECTION AGENCY

[OPP-181084; FRL-6821-8]

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

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

**ACTION:** Notice.

**SUMMARY:** EPA has received specific exemption requests from the Minnesota and North Dakota Departments of Agriculture to use the pesticide tetraconazole (CAS No. 112281-77-3) to treat up to 1,660,000 acres of sugar beets to control *Cercospora* leaf spot. The Applicants propose the use of a new chemical which has not been registered by the EPA. Therefore, EPA is soliciting public comment before making the decision whether or not to grant the exemptions.

**DATES:** Comments, identified by docket control number OPP-181084, must be received on or before February 21, 2002..

**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-181084 in the subject line on the first page of your response.

#### FOR FURTHER INFORMATION CONTACT:

Andrea Conrath, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-9356; fax number: (703) 308-5433; e-mail address: conrath.andrea@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

You may be potentially affected by this action if you petition EPA for emergency exemption under section 18 of FIFRA. Potentially affected categories and entities may include, but are not limited to:

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/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-181084. 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-181084 in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records

Integrity Branch (PIRB), 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 (PIRB), 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 PIRB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: [opp-docket@epa.gov](mailto: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-181084. 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 proposed rule or collection activity.
7. Make sure to submit your comments by the deadline in this document.
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. Background**

*What Action is the Agency Taking?*

Under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), at the discretion of the Administrator, a Federal or State agency may be exempted from any provision of FIFRA if the Administrator determines that emergency conditions exist which require the exemption. The Minnesota and North Dakota Departments of Agriculture have requested the Administrator to issue specific exemptions for the use of tetrachlorazone on sugar beets to control *Cercospora* leaf spot. Information in accordance with 40 CFR part 166 was submitted as part of these requests.

As part of these requests, the Applicants assert that emergency conditions exist because the registered alternative fungicides (benomyl and thiophanate methyl, TPTH, EBDC fungicides mancozeb, maneb, and copper hydroxide) no longer provide the level of control of *Cercospora* leaf spot that they historically did, or which would avoid decreased productivity and yields. Without this use, the Applicants assert that significant economic losses will occur for the sugar beet industry in these states.

The Applicants propose to make no more than three applications of tetrachlorazone, formulated as a liquid with 1 pound active ingredient (a.i.) per gallon at a rate of 1.625 ounces a.i. per acre, on up to 1,660,000 acres of sugar beets in North Dakota and Minnesota. Use at this rate on the maximum

number of acres could result in application of a total of 168,594 pounds a.i., or 168,594 gallons of formulation. The proposed use season is June 15 through September 30, 2002.

This notice does not constitute a decision by EPA on the applications themselves. The regulations governing section 18 of FIFRA require publication of a notice of receipt of an application for a specific exemption proposing use of a new chemical (i.e., an active ingredient) which has not been registered by the EPA. The notice provides an opportunity for public comment on the applications.

The Agency will review and consider all comments received during the comment period in determining whether to issue the specific exemptions requested by the Minnesota and North Dakota Departments of Agriculture.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: January 18, 2002.

**Rachel C. Holloman,**

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

[FR Doc. 02-2514 Filed 2-5-02; 8:45 am]

**BILLING CODE 6560-50-S**

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**FEDERAL COMMUNICATIONS COMMISSION**

**[Report No. 2529]**

**Petition for Reconsideration of Action in Rulemaking Proceeding**

February 1, 2002.

Petition for Reconsideration has been filed in the Commission's rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of this document is available for viewing and copying in Room CY-A257, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Qualex International (202) 863-2893. Oppositions to this petition must be filed by February 21, 2002. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: Amendment of FM Table of Allotments (MM Docket No. 99-196).

Number of petitions f