

S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; 703-308-9943; e-mail: kish.tony@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

This listing 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 unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. 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. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes 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 docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions

or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns, and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

II. What Action is the Agency Taking?

EPA is printing a summary of a pesticide petition received under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, proposing the establishment or amendment of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities. EPA has determined that this pesticide petition contains data or information regarding the elements set forth in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petition. Additional data may be needed before EPA rules on this pesticide petition.

Pursuant to 40 CFR 180.7(f), a summary of the petition included in this notice, prepared by the petitioner along with a description of the analytical method available for the detection and measurement of the pesticide chemical residues is available on EPA's Electronic Docket at <http://www.regulations.gov/>. To locate this information on the home page of EPA's Electronic Docket, select "Quick Search" and type the OPP docket ID number. Once the search has located the docket, clicking on the "Docket ID" will bring up a list of all documents in the docket for the pesticide including the petition summary.

Amendment to Existing Tolerance

PP 1F6313. BASF Corporation, 26 Davis Drive, P.O. Box 13528, Research Triangle Park, NC 27709-3528, proposes to amend the tolerances in 40 CFR 180.589 by lowering the established 1.0 parts per million (ppm) tolerances to 0.1 ppm for indirect or inadvertent residues of the fungicide boscalid (BAS 510F);

[3-pyridinecarboxamide, 2-chloro-N-(4'-chloro(1,1'-biphenyl)-2-yl)] in or on the food commodities beet, garden, roots; beet, sugar, roots; radish, roots; turnip, roots; and vegetable, root and tuber, leaves, Group 2 at 0.1 ppm. For the analytical method in plants, the parent residue is extracted using an aqueous organic solvent mixture followed by liquid/liquid (L/L) partitioning and a column clean-up. Quantitation is by gas chromatography using mass spectrometry (GS/MS). For livestock, the residues are extracted with methanol. The extract is treated with enzymes in order to release the conjugated glucuronic acid metabolite. The residues are then isolated by L/L partition followed by column chromatography. The hydroxylated metabolite is acetylated followed by a column clean-up. The parent and acetylated metabolite are quantitated by GC with electron capture detection. The original notice of filing for PP 1F6313 was published on February 14, 2003 (68FR7542), and the resultant final rule was published on July 30, 2003 (68FR44640). As per the final rule and associated notice of pesticide registration, the BASF Corporation was conditionally required to submit more extensive field data on the vegetable, root, Subgroup 1B. Because the conditional data will result in lowering the 1.0 ppm tolerances established in the final rule to 0.1 ppm, a revised petition, notice of filing, final rule, and a public comment period are required.

List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: March 7, 2006.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 06-2630 Filed 3-16-06; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2006-0155; FRL-7766-1]

Ethoprop; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received a specific exemption request from the Oregon

Department of Agriculture to use the pesticide ethoprop (CAS No. 13194-48-4) to treat up to 300 acres of baby hops to control garden symphylans (*Scutigerebella immaculata*). The Applicant proposes a use which has been requested in 5 or more previous years and a petition for a tolerance and registration application has not yet been submitted to the Agency. Due to the urgent nature of the emergency and the very narrow and extremely limited use being requested, EPA has eliminated the public comment period. Nonetheless, interested parties may still contact the Agency with comments about this notice and proposed treatment program.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2006-0155, by one of the following methods:

- <http://www.regulations.gov/>. Follow the on-line instructions for submitting comments.

- **Mail:** Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

Hand Delivery: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID number EPA-HQ-OPP-2006-0155. The docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the docket facility is (703) 305-5805. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to docket ID number EPA-HQ-OPP-2006-0155. EPA's policy is that all comments received will be included in the public docket without change and may be made available on-line at <http://www.regulations.gov/>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [regulations.gov](http://www.regulations.gov/) or e-mail. The [regulations.gov](http://www.regulations.gov/) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through

[regulations.gov](http://www.regulations.gov/), your e-mail address will be captured automatically and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/docket.htm/>.

Docket: All documents in the docket are listed in the [regulations.gov](http://www.regulations.gov/) index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically at <http://www.regulations.gov/> or in hard copy at the Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. The docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the docket facility is (703) 305-5805.

FOR FURTHER INFORMATION CONTACT: Libby Pemberton, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-9364; fax number: (703) 308-5433; e-mail address: Sec-18-Mailbox@epa.gov.

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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 Oregon Department of Agriculture has requested the Administrator to issue a specific exemption for the use of ethoprop on baby hops to control garden symphylans (*Scutigera immaculata*). Information in accordance with 40 CFR part 166 was submitted as part of this request.

As part of this request, the Applicant asserts that there are no symphylan control products labeled for use on hops, nor are there any available cultural control methods. The impact of symphylans on baby hops is two-fold. First, the newly planted baby hop plants are easily devastated by garden symphylans as a primary pest that infests the root system. The secondary effect of symphylan infestation is that the plant is now weakened and less able to defend itself against other diseases and pests. Growers have documented losses of 15 to 100%, which would result in significant economic losses.

The Applicant proposes to make no more than one ground application post-plant, pre-emergence to a maximum of 300 acres of baby hops in Oregon at a rate of 3 pounds ethoprop (0.5 gallons of product) per acre. A maximum of 900 lbs. active ingredient would be applied between February 15 and May 31, 2006.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 of FIFRA require publication of a notice of receipt for an application for a specific exemption proposing a use, which has been requested in 3 or more previous years, and a petition for a tolerance has not yet been submitted to the Agency.

As noted above, the Agency is eliminating the comment period due to the urgent nature of emergency situation and the very narrow and extremely limited use being requested. Nonetheless, interested parties may still contact the Agency with comments about this notice and proposed treatment program.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: March 7, 2006.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. E6-3928 Filed 3-16-06; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8046-2]

Public Water System Supervision Program Revision for the State of New Mexico

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of tentative approval.

SUMMARY: Notice is hereby given that the State of New Mexico is revising its approved Public Water System Supervision Program. New Mexico has adopted the Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR). The purpose of the LT1ESWTR is to improve control of microbial pathogens, specifically protozoan *Cryptosporidium*, in drinking water, and address risk trade-offs with disinfection byproducts. EPA has determined that the LT1ESWTR revisions submitted by New Mexico are no less stringent than the corresponding federal regulation. Therefore, EPA intends to approve the program revisions.

DATES: All interested parties may request a public hearing. A request for a public hearing must be submitted by April 17, 2006 to the Regional Administrator at the EPA Region 6 address shown below. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request for a public hearing is made by April 17, 2006, a public hearing will be held. If no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become final and effective on April 17, 2006. Any request for a public hearing shall include the following information: The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; a brief statement of the requesting person's interest in the Regional Administrator's determination and a brief statement of the information that the requesting person intends to submit at such hearing; and the signature of the individual making the request, or, if the request is made on behalf of an organization or other entity,

the signature of a responsible official of the organization or other entity.

ADDRESSES: All documents relating to this determination are available for inspection between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, at the following offices: New Mexico Environment Department, Drinking Water Bureau, 525 Camino De Los Marquez, Suite 4, Santa Fe, New Mexico 87505 and the United States Environmental Protection Agency, Region 6, Drinking Water Section (6WQ-SD), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202.

FOR FURTHER INFORMATION CONTACT: Dzung Kim Ngo-Kidd, EPA Region 6, Drinking Water Section at the Dallas address given above or at telephone (214) 665-7158, or ngo.kim@epa.gov.

Authority: Section 1413 of the Safe Drinking Water Act, as amended (1996), and 40 CFR part 142 of the National Primary Drinking Water Regulations.

Dated: March 7, 2006.

Richard E. Greene,

Regional Administrator, Region 6.

[FR Doc. E6-3909 Filed 3-16-06; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

AGENCY: Federal Election Commission.

Special Executive Session

DATE AND TIME: Tuesday, March 14, 2006 at 10 a.m.

PLACE: 999 E Street, NW., Washington, DC.

STATUS: This meeting was closed to the public pursuant to 11 CFR 2.4(b)(1).

DATE AND TIME: Thursday, March 23, 2006 at 10 a.m.

PLACE: 999 E Street, NW., Washington, DC (Ninth Floor).

STATUS: This meeting will be open to the public.

Items To Be Discussed

Correction and Approval of Minutes.
Draft Advisory Opinion 2006-03:
Whirlpool Corporation Political Action Committee by Sean C. Mackay, Treasurer.

Routine Administrative Matters.

PERSON TO CONTACT FOR INFORMATION: Robert W. Biersack, Press Officer, Telephone: (202) 694-1220.

Mary W. Dove,

Secretary of the Commission.

[FR Doc. 06-2663 Filed 3-15-06; 2:56 p.m.]

BILLING CODE 6715-01-M