

for American Refining Group, Inc., Bellefonte Lime Company, Butter Krust Baking Company, Inc., Carnegie Natural Gas Company, Caterpillar, Inc., Gencorp, Inc., Harris Semiconductor, Merisol Antioxidants LLC, Norcon

Power Partners, L.P., Triangle Pacific Corp., Viking Energy of Northumberland Limited Partnership, and White Cap, Inc., at the end of the table to read as follows:

**52.2020 Identification of plan.**  
 \* \* \* \* \*  
 (d) \* \* \*  
 (1) \* \* \*

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
American Refining Group, Inc.	OP-42-004	McKean	11/23/98	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
Bellefonte Lime Company	OP-14-0002	Centre	10/19/98	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
Butter Krust Baking Company, Inc.	OP-49-0006	Northumberland	11/5/96	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
Carnegie Natural Gas Company.	30-000-106	Greene	9/22/95	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
Caterpillar, Inc	67-2017	York	8/1/95	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
Gencorp, Inc	54-0009	Schuykill	5/31/96	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
Harris Semiconductor	OP-40-0001A	Luzerne	4/16/99	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
Merisol Antioxidants LLC	OP-61-00011	Venango	4/18/05	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
Norcon Power Partners, L.P.	OP-25-923	Erie	9/21/95	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
Triangle Pacific Corp	34-2001	Juniata	5/31/95	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
Viking Energy of Northumberland Limited Partnership.	OP-49-0004	Northumberland	5/30/95	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)
White Cap, Inc	40-0004	Luzerne	7/20/95	6/14/06 [Insert page number where the document begins].	52.2020(d)(1)(q)

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 [FR Doc. 06-5293 Filed 6-13-06; 8:45 am]  
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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 155**

[EPA-HQ-OPP-2004-0404; FRL-8071-5]

RIN 2070-AD29

**Pesticides; Procedural Regulations for Registration Review; Notification to the Secretary of Agriculture**

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

**ACTION:** Notification to the Secretary of Agriculture.

**SUMMARY:** This document notifies the public that the Administrator of EPA has forwarded to the Secretary of Agriculture a draft final rule as required by section 25(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). As described in the Agency's semi-annual Regulatory Agenda, the draft final rule will establish procedures to implement section 3(g) of FIFRA which provides for periodic review of pesticide registrations. The goal of these regulations, which are required by FIFRA section 3(g), is to review a pesticide's registration every 15 years. The regulations will address the following procedural aspects of the program: establishing pesticide cases for registration review; establishing

schedules; assembling information to be considered during the review; deciding on the scope and depth of the review; calling in data under FIFRA section 3(c)(2)(B) that are needed to conduct the review; reviewing data and conducting risk assessments or benefit analyses, as needed; deciding whether a pesticide continues to meet the standard of registration in FIFRA; and public participation in the registration review process. If a pesticide does not meet the FIFRA standard, and cancellation is determined to be needed, the Agency will follow cancellation procedures in section 6 of FIFRA. This program will begin after the completion of tolerance reassessment in 2006 and before the completion of reregistration in 2008. Each pesticide will be reviewed every

15 years to assure that it continues to meet the FIFRA standard for registration, including compliance with any new legislation, regulations or science policy.

**ADDRESSES:** EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2004-0404. All documents in the docket are listed on the regulations.gov web site. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** Vivian Prunier, Field and External Affairs Division (7506P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington DC 20460-0001; telephone number: (703) 308-9341; e-mail address: [prunier.vivian@epa.gov](mailto:prunier.vivian@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

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

This action is directed to the public in general. It simply announces the submission of a draft final rule to the United States Department of Agriculture (USDA) and does not otherwise affect any specific entities. This action may, however, be of particular interest to those persons who register pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or who use pesticides. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be interested in this action. If you have any questions regarding this action, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

###### *B. How Can I Access Electronic Copies of this Document?*

In addition to using [regulations.gov](http://www.regulations.gov), you may access this **Federal Register** document electronically through the

EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr>.

##### **II. What Action is EPA Taking?**

Section 25(a)(2) of FIFRA requires the Administrator to provide the Secretary of Agriculture with a copy of any final regulation at least 30 days before signing it for publication in the **Federal Register**. The draft final rule is not available to the public until after it has been signed by EPA. If the Secretary comments in writing regarding the draft final rule within 15 days after receiving it, the Administrator shall include the comments of the Secretary, if requested by the Secretary, and the Administrator's response to those comments in the final rule when published in the **Federal Register**. If the Secretary does not comment in writing within 15 days after receiving the draft final rule, the Administrator may sign the final rule for publication in the **Federal Register** anytime after the 15-day period.

##### **III. Do Any Statutory and Executive Order Reviews Apply to this Notification?**

No. This document is not a rule, it is merely a notification of submission to the Secretary of Agriculture. As such, none of the regulatory assessment requirements apply to this document.

##### **IV. Will this Notification be Subject to the Congressional Review Act?**

No. This action is not a rule for purposes of the Congressional Review Act (CRA), 5 U.S.C. 804(3), and will not be submitted to Congress and the Comptroller General. EPA will submit the final rule to Congress and the Comptroller General as required by the CRA.

##### **List of Subjects in Part 155**

Environmental protection, Administrative practice and procedure, Pesticides and pests

Dated: June 2, 2006.

**James Jones,**

*Director, Office of Pesticide Programs.*

[FR Doc. E6-9077 Filed 6-13-06; 8:45 am]

**BILLING CODE 6560-50-S**

## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 180**

[EPA-HQ-OPP-2005-0303; FRL-8072-3]

#### **Bacillus mycoides isolate J; Temporary Exemption from the Requirement of a Tolerance**

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

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes a temporary exemption from the requirement of a tolerance for residues of the microbial pesticide *Bacillus mycoides* isolate J on sugar beets when applied/used to control *Cercospora* Leaf Spot (*Cercospora beticola*) in sugar beets. Montana Microbial Products submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA), requesting the temporary exemption from tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of *Bacillus mycoides* isolate J. The temporary tolerance exemption will expire on December 31, 2007.

**DATES:** This regulation is effective June 14, 2006. Objections and requests for hearings must be received on or before August 14, 2006, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

**ADDRESSES:** EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2005-0303. All documents in the docket are listed in the index for the docket. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive, Arlington, VA. The Docket Facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.