

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as "Confidential Business Information." Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain Confidential Business Information must be provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Margarita Collantes, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, Crystal Station I, 2800 Jefferson Davis Highway, Arlington, VA 22202, (703) 308-8347; e-mail: collantes.margarita@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a State agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption.

The Applicant has requested the Administrator to issue a specific exemption for the use of the mancozeb, available as Dithane DF (EPA Reg. No. 707-180) from Rohm and Haas Co., to control leaf, stem blight, caused by the fungus *Alternaria panax* and *Phytophthora cactorum*, on a maximum of 4,167 acres in Wisconsin. Information in accordance with 40 CFR part 166 was submitted as part of this request.

According to the Applicant, *Alternaria* blight rarely kills the ginseng root, which is the marketed portion; however, loss of the foliage results in significant root yield loss in a harvested crop, and retards root growth and overwintering ability in younger crops. Infestations of *Alternaria* blight in one season greatly increase the potential for epidemics in subsequent seasons, since the fungus remains in the infected plant debris. *Alternaria panax* has become resistant to Rovral 50W, the only fungicide carrying a section 3 label for use against *Alternaria* blight on ginseng. Rovral by itself is no longer be effective

to control *Alternaria*. Other fungicides are also substantially less effective than Dithane. If not controlled, the disease can be expected to infest all of Wisconsin's 5,000 acres of ginseng.

Under the proposed exemption 2.0 lbs of product [1.5 lbs of active ingredient (a.i.)] per acre will be used on 4,167 acres. A maximum of 12 applications at a minimum of 7-day intervals will be made by ground equipment using a minimum of 80 gallons of water per acre. A 28-day pre-harvest interval will be observed. Applications will be made by certified private or commercial applicators or persons under their direct supervision. In addition, applicators, mixer/loaders, and persons entering treated ginseng gardens to work must wear chemical-resistant gloves, long-legged pants and long-sleeved shirts.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require that the Agency publish notice of receipt in the **Federal Register** and solicit public comment on an application for a specific exemption if an emergency exemption has been subject to a Special Review, and is intended for a use that could pose a risk similar to the risk posed by any use of the pesticide which is or has been subject of the Special Review. [40 CFR 166.24 (a)(5)].

The Agency initiated a Special Review of the ethylene bisdithiocarbamate (EBDC) fungicides on July 17, 1987, which includes mancozeb. A notice of final determination was issued March 2, 1992. The Agency took this action based on an assessment of the risks from exposure to ethylenethiourea (ETU) present in, or formed as a result of metabolic conversion from, pesticide products containing the active ingredient mancozeb. ETU, a potential human carcinogen, teratogen, and thyroid toxicant, is present as a contaminant, degradation product, and metabolite of all the EBDC pesticides. The Agency concluded that the estimated cumulative risk of 10^{-5} from all current 55 food uses was unacceptable and, therefore, canceled the following 11 food uses: apricots, carrots, celery, collards, mustard greens, nectarines, peaches, rhubarb, spinach, succulent beans and turnips. These cancellations reduce estimated lifetime dietary risk to 1.6×10^{-6} which the Agency has determined does not outweigh the benefits of the 44 retained uses.

The regulations governing section 18 also require the Agency to publish a notice of receipt in the **Federal Register** and solicit public comment on an

application for a specific exemption if an emergency exemption has been requested or granted for that use in any 3 previous years, and a complete application for registration of that use has not been submitted to the Agency [40 CFR 166.24 (a) (6)]. Exemptions for the use of mancozeb on ginseng have been requested for the past 8 years (1987 thru 1994). Mancozeb was granted for use on ginseng in 1991, 1993, 1994. Wisconsin issued a crisis in 1992. An application for registration of this use has not been submitted to the Agency.

Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above. The Agency will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the Wisconsin Department of Agriculture, Trade and Consumer Protection.

List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: March 14, 1995.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 95-7061 Filed 3-21-95; 8:45 am]

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[OPP-180964; FRL 4942-5]

Propazine; 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 Kansas Department of Agriculture (hereafter referred to as the "Applicant") to use the pesticide propazine (CAS 139-40-2) to treat up to 300,000 acres of sorghum to control various weeds. The Applicant proposes the use of a new (unregistered) chemical; therefore, in accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption. **DATES:** Comments must be received on or before April 6, 1995.

ADDRESSES: Three copies of written comments, bearing the identification notation "OPP-180964," should be submitted by mail to: Public Response and Program Resource Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW.,

Washington, DC 20460. In person, bring comments to: Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

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FOR FURTHER INFORMATION CONTACT: By mail: Andrea Beard, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460. Office location and telephone number: Floor 6, Crystal Station #1, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308-8417; e-mail: beard.andrea@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a state agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemption for the use of propazine on sorghum to control pigweed. Information in accordance with 40 CFR part 166 was submitted as part of this request.

Sorghum is grown as a rotational crop with cotton and wheat, in order to comply with the soil conservation requirements. Propazine, which was formerly registered for use on sorghum, was voluntarily canceled by the former Registrant, who did not wish to support its re-registration. The Applicant claims that this has left many sorghum growers with no pre-emergent herbicides that will adequately control certain broadleaf weeds, especially pigweed. The Applicant states that other available herbicides have serious limitations on their use, making them unsuitable for control of pigweed in sorghum. The Applicant claims that significant

economic losses will occur without the availability of propazine.

Although the original Registrant of propazine has decided not to support this chemical through re-registration, another company has committed to support the data requirements for this use. Propazine was once registered for this use, but has now been voluntarily canceled and is therefore considered to be a new chemical.

The Applicant proposes to apply propazine at a maximum rate of 1.2 lbs. active ingredient (a.i.), (2.4 pt. of product) per acre, by ground or air, to a maximum of 300,000 acres of sorghum, with one application allowed per crop growing season. Therefore, use under this exemption could potentially amount to a maximum total of 360,000 lbs. of active ingredient (90,000 gal. of product).

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 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 not contained in any currently registered pesticide). Such notice provides for opportunity for public comment on the application. Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above.

The Agency, accordingly, will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the Kansas Department of Agriculture.

List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: March 14, 1995.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 95-7062 Filed 3-21-95; 8:45 am]

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[OPPTS-42182; FRL-4943-6]

Certain Paint Stripping Chemicals; Solicitation of Testing Proposals for Negotiation of TSCA Section 4 Enforceable Consent Agreements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice invites manufacturers and processors of certain chemical substances used in

commercial paint strippers and other interested parties to develop and submit to EPA specific toxicity testing proposals for these chemicals. Testing is needed for three dibasic esters (DBEs), specifically, dimethyl adipate, dimethyl glutarate and dimethyl succinate. The EPA, the Consumer Product Safety Commission and the National Toxicology Program have consulted on the need for and nature of toxicity testing of DBEs, and the means for implementing such testing.

DATES: Written testing proposals must be received by May 22, 1995. EPA may extend the deadline for receipt of testing proposals upon a showing of good faith efforts to develop testing proposals by the initial deadline.

ADDRESSES: Submit three copies of written testing proposals to TSCA Docket Receipts (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. G-99, East Tower, 401 M St., SW., Washington, DC 20460. Submissions should bear the document control number (OPPTS-42182; FRL-4943-6). The public docket supporting this action, including comments, is available for public inspection in the Nonconfidential Information Center, Rm NE-B607, at the above address from 12 noon to 4 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: James Willis, Acting Director, Environmental Assistance Division (7408), Rm. E543B, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551. For specific information regarding this action or related activities, contact George Semeniuk, Project Manager, Chemical Testing and Information Branch (7405), Rm E221B, 401 M St., SW., Washington, DC 20460, (202) 260-2134.

SUPPLEMENTARY INFORMATION:

I. Background

A. Rationale for Action

Known as dibasic esters (DBEs), dimethyl adipate (DMA, CAS No. 627-93-0), dimethyl glutarate (DMG, CAS No. 1119-40-0) and dimethyl succinate (DMS, CAS No. 106-65-0) are component chemicals of solvent mixtures used in paint stripping formulations that are sold to the general public. Consumers can be significantly exposed to DBEs during use of these formulations. This potential for significant exposure, a reported adverse human effect—blurred vision—resulting from the use of DBE-based paint strippers, and the results of limited toxicity testing (rats), form the