Agriculture a proposed regulation issued under section 3(d) of FIFRA. The EPA is proposing to restrict the legal sale and use of five pesticides--atrazine, simazine, cyanazine, alachlor, and metolachlor through use of State Management Plans, because of their ground water contamination potential.

FOR FURTHER INFORMATION CONTACT: By mail: Arden Calvert, Policy and Special Projects Staff (7501C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number and e-mail address: Rm. 1119, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, 703–305–7099, e-mail: calvert.arden@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Section 25(a)(2)(A) of FIFRA provides that the Administrator provide the Secretary of Agriculture with a copy of any proposed regulation at least 60 days prior to signing it for publication in the Federal Register. If the Secretary comments in writing regarding the proposed regulation within 30 days after receiving it, and if requested by the Secretary, the Administrator shall issue for publication in the Federal Register with the proposed regulation, the comments of the Secretary, and the response of the Administrator concerning the Secretary's comments. If the Secretary does not comment in writing within 30 days after receiving the proposed regulation, the Administrator may sign the proposed regulation for publication in the Federal Register anytime after the 30–day period.

As required by FIFRA section 25(a)(3), a copy of this proposed regulation has been forwarded to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

As required by FIFRA section 25(d), a copy of this proposed regulation has also been forwarded to the Scientific Advisory Panel.

Authority: 7 U.S.C. 136 et seq.

Dated: November 29, 1995.

Daniel M. Barolo,

Director, Office of Pesticide Programs.

[FR Doc. 96–880 Filed 1–23–96; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Part 180

[PP 0E3889, 2E4113, and 5E4538/P639; FRL–4990–6]

RIN 2070–AC18

Chlorothalonil; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to establish tolerances for combined residues of the fungicide chlorothalonil and its metabolite in or on the raw agricultural commodities blueberries, filberts, and mushrooms. The proposed regulation to establish maximum permissible levels for residues of the fungicide was requested in petitions submitted by the Interregional Research Project No. 4 (IR-4) pursuant to the Federal Food, Drug and Cosmetic Act (FFDCA).

DATES: Comments, identified by the document control number [PP 0E3889, 2E4113, and 5E4538/P639], must be received on or before February 23, 1996.

ADDRESSES: By mail, submit written comments to: Public Response and Program Resources 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, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202. Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [PP 0E3889, 2E4113, and 5E4538/P639]. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as ''Confidential Business Information.'' CBI should not be submitted through e-mail. Information marked as CBI 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 CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Hoyt L. Jamerson, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Sixth Floor, Crystal Station #1, 2800 Jefferson Davis Highway, Arlington, VA 22202, (703)-308-8783; e-mail: jamerson.hoyt@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petitions (PP) 0E3889, 2E4113, and 5E4538 to EPA on behalf of the named Agricultural Experiment Stations. These petitions request that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), amend 40 CFR 180.275 by establishing tolerances for combined residues of the fungicide chlorothalonil (tetrachloroisophthalonitrile) and its metabolite 4-hydroxy-2,5,6-trichloroisophthalonitrile in or on certain raw agricultural commodities, as follows:

1. *PP 0E3889*. Petition submitted on behalf of the Agricultural Experiment Stations of Florida, Georgia, Kentucky, Louisiana, Michigan, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, and Washington proposing a tolerance for blueberries at 1.0 part per million (ppm).

2. *PP 2E4113*. Petition submitted on behalf of the Oregon Agricultural Experiment Station proposing a tolerance for filberts at 0.1 ppm. The petitioner proposed that use of chlorothalonil on filberts be limited to Oregon based on the geographical representation of the residue data submitted. Additional residue data will be required to expand the area of usage. Persons seeking geographically broader registration should contact the Agency's Registration Division at the address provided above.

3. *PP 5E4538*. Petition submitted on behalf of the Pennsylvania Agricultural Experiment Station proposing a tolerance for mushrooms at 1.0 ppm.

The scientific data submitted in the petitions and other relevant material have been evaluated. The toxicological data considered in support of the

proposed tolerances include the following data:

1. A 3-month feeding study in rats fed diets containing 175 milligrams (mg)/kilogram (kg)/day with gastric and renal lesions in male rats.

2. A 2-year feeding study in dogs fed diets containing 0, 60, or 120 ppm with a NOEL of 60 ppm (1.8 mg/kg/day) based on the induction of kidney vacuolated epithelium and increased bilirubin levels at the 120 ppm (3.5 mg/kg/day) dose level.

3. A chronic feeding/carcinogenicity study with Fisher 344 rats fed diets containing 0, 800, 1,600, or 3,500 ppm (equivalent to 0, 40, 80, or 175 mg/kg/day) for 116 weeks in males or 129 weeks in females resulted in a statistically significant increase in the incidence of renal adenoma and carcinoma, with a significant dose-related trend in both sexes. In female rats there was also a statistically significant increase in papilloma and combined papilloma/carcinoma of the forestomach with significant dose-related trend for combined papilloma/carcinoma.

4. A second chronic feeding/carcinogenicity study with Fisher 344 rats fed diets containing 0, 2, 4, 15, or 175 mg/kg/day with a NOEL of 2 mg/kg/day based on increased kidney weight, possible increase in kidney tubular lesions, increase in renal tubular adenomas and carcinomas, increased incidence and/or severity of hyperplasia, hyperkeratosis and ulcers of squamous mucosa of forestomach at the 4 mg/kg/day dose level. There were also increases in the incidence of renal tubular adenomas and carcinomas; increases in the incidence and severity of kidney tubular lesions; and hyperplasia, hyperkeratosis, and ulcers/erosions of squamous mucosa of the forestomach of rats fed diets containing 15 and 175 mg/kg/day.

5. A 2-year carcinogenicity study in CD-1 mice fed diets containing 0, 750, 1,500, or 3,000 ppm (equivalent to 0, 107, 214, or 428 mg/kg/day) that resulted in statistically significant increases in squamous cell carcinoma of the forestomach in both sexes, with a positive dose-related trend for combined papilloma/carcinoma in females, and statistically significant increases in the incidence of combined renal adenoma/carcinoma in dosed male mice.

6. A 2-year feeding/carcinogenicity study in male CD-1 mice fed diets containing 0, 10/15, 40, 175, or 750 ppm (equivalent to 0, 1.4/2.1, 5.7, 25, or 107 mg/kg/day), which resulted in a slight increase in tubular hyperplasia at 175 ppm, and hyperplasia and hyperkeratosis of the squamous mucosa of the forestomach at 750 ppm.

7. A developmental toxicity study with rats given gavage doses of 0, 25, 100, and 400 mg/kg/of body weight/day from days 6 through 15 of gestation with a NOEL for maternal toxicity at 100 mg/kg/day based on increased mortality, reduced body weight, and increased resorptions and post implantation losses. There were no developmental effects observed under the conditions of the study.

8. A developmental toxicity study in rabbits given gavage doses of 0, 5, 10, or 20 mg/kg/day on days 7 through 19 of gestation with a maternal NOEL of 10 mg/kg/day. Effects observed in rabbits in the high-dose group (20 mg/kg/day) were decreased body weight gain and reduced food consumption. There were no developmental effects observed in this study.

9. A two-generation reproduction study in rats fed diets containing 0, 500, 1,500, and 3,000 ppm with a reproductive NOEL of 1,500 ppm (equivalent to 115 mg/kg/day) based on lower neonatal body weights by day 21.

10. Mutagenicity studies were negative in the following acceptable assays: rat, mouse and hamster *in vivo* chromosomal aberration tests; Salmonella assays with and without activation; and mouse and rat *in vivo* cytogenetics assays. A weak positive response was elicited with chlorothalonil in an *in vivo* Chinese hamster bone marrow cytogenetics assay, which did not show a dose-response.

11. A general metabolism study in rats shows that oral absorption of aqueous suspensions of chlorothalonil is low. At a dose levels equal to or less than 50 mg/kg/day the majority of chlorothalonil was excreted in the feces as chlorothalonil within 24 hours. At a dose level of 200 mg/kg/day the rate of chlorothalonil excretion and levels in the blood are prolonged. Major detoxification occurs in the liver, by conjugation with glutathione. Although these conjugates are excreted directly into the bile, some may be transported to the kidneys where they are converted to thiol metabolites, the excretion of which is rate limited, and thus may lead to nephrotoxicity (and possible tumor formation) when overloading occurs.

The Office of Pesticide Programs' Toxicology Branch Peer Review Committee met on May 28, 1987, to evaluate the weight-of-evidence on chlorothalonil, with particular reference to its carcinogenic potential. The weight-of-evidence relating to the carcinogenicity of chlorothalonil at that time included the following:

i. A 2-year carcinogenicity study in Osborne-Mendel rats fed diets containing 0, 253, or 506 mg/kg/day, which resulted in a statistically significant increase in combined renal adenoma/carcinoma in both sexes, with a significant dose-related trend in female rats.

ii. The chronic feeding/carcinogenicity study with Fisher 344 rats (item 3, above).

iii. The 2-year carcinogenicity study in CD-1 mice (item 5, above).

The Committee classified chlorothalonil as a B2 carcinogen (probable human carcinogen) in accordance with EPA's guidelines for carcinogenic risk assessment (51 FR 33992, September 24, 1986). This decision was based on increased incidences of malignant and/or combined malignant/benign tumors (in both sexes) in two species (rat and mouse).

The Scientific Advisory Panel met on September 23, 1987 to consider the Agency's Toxicology Branch Peer Review Committee decision regarding the carcinogenicity of chlorothalonil. The Panel did not comment specifically on the Agency's evaluation and classification of chlorothalonil, although it did agree that the renal tumors in the CD-1 male mouse were biologically significant at concentrations below the maximum-tolerated dose.

The Toxicology Branch Peer Review Committee met again on May 9, 1988, to consider for the second time the classification of carcinogenicity for chlorothalonil. At that time, the Committee considered all submitted data, including interim reports (after 1 year) for the following studies:

iv. A 2-year dietary feeding study in Fisher 344 rats fed diets containing (0, 2, 4, 15, or 175 mg/kg/day) with interim findings of hyperplasia and karyomegaly of the renal cortex in males at 4, 15, and 175 mg/kg/day, and in females at 175 mg/kg/day; and squamous epithelial hyperplasia and hyperkeratosis of the gastric mucosa in both sexes at 15 and 75 mg/kg/day. See item 4 (above) for results of full 2-year study.

v. A 2-year carcinogenicity study in Charles River CD-1 male mice fed diets containing 0, 10, 40, 175, or 750 ppm (equivalent to 0, 107, 214, or 428 mg/kg/day) with a slight increase in renal tubular hyperplasia at 175 ppm, and hyperplasia and hyperkeratosis of the squamous mucosa of the forestomach at 750 ppm. See item 6 (above) for results of full 2-year study.

The Committee concluded that the evidence satisfies the criteria contained in the EPA Guidelines for sufficient

evidence of carcinogenicity and reaffirmed its classification of chlorothalonil as a Group B2 (probable human carcinogen).

As currently manufactured, chlorothalonil is contaminated with hexachlorobenzene (HCB) at levels that may accumulate in plants due to repeated applications of chlorothalonil. HCB is classified as a group B2, probable human carcinogen, by the Cancer Assessment Group. Animal feeding studies with HCB show an increased incidence of malignant tumors in two species: haemangioendothelioma in hamsters and hepatocellular carcinoma in rats, as well as confirmed reports of hepatomas in both of these species.

Dietary risk assessments for chlorothalonil and HCB indicate that there is minimal risk from established tolerances and the proposed tolerances for blueberries, filberts, and mushrooms. Dietary risk assessments were conducted using Reference Doses (RfD) and the applicable cancer potency factors to assess chronic exposure and risk from chlorothalonil and HCB residues, and the Margin of Exposure (MOE) to asses acute toxicity from chlorothalonil residues.

The Reference Dose (RfD) for chlorothalonil is established at 0.018 mg/kg of body weight (bwt)/day, based on a NOEL of 1.8 mg/kg/day from the 2-year feeding study in dogs and an uncertainty factor of 100. Available information on anticipated residues and/or percent of crop treated was incorporated into the analysis to estimate the Anticipated Residue Contribution (ARC) from existing uses. Tolerance-level residues and 100-percent crop treated were assumed to estimate dietary exposure from the proposed uses for blueberries, filberts, and mushrooms. The ARC is generally considered a more realistic estimate than an estimate based on tolerance-level residues and 100-percent crop treated. The ARC from existing uses and the proposed uses utilizes less than 1 percent of the RfD for the U.S. population and all population subgroups.

The RfD for HCB is established at 0.0008 mg/kg/day based on a NOEL of 0.08 mg/kg of body weight/day and an uncertainty factor of 100. The NOEL was taken from a 130-week feeding study in rats that showed hepatic centrilobular basophilic chromogenesis. Since there are no published tolerances for HCB, the ARC was calculated by multiplying the anticipated residues for chlorothalonil by 0.05 percent, an adjustment based on comparisons of residue data for the two compounds from controlled field trials. The ARC for HCB from existing uses of chlorothalonil and the proposed uses on blueberry, filberts, and mushrooms utilizes less than 1 percent of the RfD for the U.S. population and less than 2 percent of the RfD for children, aged 1 to 6 (the population subgroup at greatest risk).

The upper-bound carcinogenic risks were calculated using the ARC estimates for dietary exposure from existing uses; tolerance level residues from the proposed uses on blueberries, filberts, and mushrooms; and Q*s of 0.00766 $(mg/kg/day)^{-1}$ for chlorothalonil and 1.02 $(mg/kg/day)^{-1}$ for HCB. The upper-bound carcinogenic risk from existing uses and the proposed uses of chlorothalonil is estimated at 7.7×10^{-7} with the proposed uses contributing 2.4×10^{-7} to the cancer risk assessment. The upper-bound carcinogenic risk for HCB is estimated at 1.9×10^{-7} for existing uses and the proposed uses, with the proposed uses contributing 1.8×10^{-8} to the cancer risk assessment.

The MOE is a measure of how closely the high-end acute dietary exposure comes to the NOEL from the toxicity endpoint of concern. For chlorothalonil, the MOE was calculated as ratio of the lowest-observed-effect level (LOEL) of 175 mg/kg/day from the subchronic study in rats. A NOEL was not established since an effect (renal and gastric lesions) was observed at the single dose tested. An uncertainty factor of 300 was used to calculate the MOE since there was no available NOEL from the study. The acute dietary margin of exposure from chlorothalonil is calculated to be greater than 300 for the general population and all population subgroups. Chlorothalonil poses minimal acute dietary risk.

The nature of the residue in blueberries, filberts, and mushrooms is adequately understood. The parent compound and its metabolite (4-hydroxy-2,5,6-trichloroisophthalonitrile) are of regulatory concern. An adequate analytical method (gas chromatography) is available for enforcement purposes. The method is listed in the Pesticide Analytical Manual, Vol. II (PAM II). There are currently no actions pending against the registration of this chemical.

There is no reasonable expectation that secondary residues will occur in milk, eggs, or meat of livestock and poultry since there are no livestock feed items associated with blueberries, filberts, or mushrooms.

Based on the information and data considered, the Agency has determined that the tolerances established by amending 40 CFR part 180 would protect the public health. Therefore, it is proposed that the tolerances be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this document in the Federal Register that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the FFDCA.

A record has been established for this rulemaking under docket number [PP 0E3889, 2E4113, 5E4538/P639] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Electronic comments can be sent directly to EPA at:

opp-Docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in ''ADDRESSES'' at the beginning of this document.

Under Executive Order 12866 (58 FR 51735, Oct. 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to all the requirements of the Executive Order (i.e., Regulatory Impact Analysis, review by the Office of Management and Budget (OMB)). Under section 3(f), the order defines ''significant'' as those actions likely to lead to a rule (1) having an annual effect on the economy of $100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition,

jobs, the environment, public health or safety, or State, local or tribal governments or communities (also known as ''economically significant''); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of this Executive Order, EPA has determined that this rule is not ''significant'' and is therefore not subject to OMB review.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: December 15, 1995.

Peter Caulkins,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. In § 180.275, by amending paragraph (a) in the table therein by adding entries for blueberries and mushrooms and by amending paragraph (b) in the table therein by adding an entry for filberts, to read as follows:

§ 180.275 Chlorothalonil; tolerances for residues.

(a) * * *

Commodity	Parts per million
* * * * *	
Blueberries	1.0
* * * * *	
Mushrooms	1.0
* * * * *	

(b) * * *

Commodity	Parts per million
Filberts	0.1
* * * * *	

[FR Doc. 96–879 Filed 1–23–96; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 64 and 68

[CC Docket No. 87–124; DA 96–24]

Access to Telecommunications Equipment and Services by Persons With Disabilities (Hearing Aid Compatibility)

AGENCY: Federal Communications Commission.

ACTION: Proposed rules; Extension of time for comments and replies.

SUMMARY: By Order the Commission granted a request for extension of the time of the comment and reply comment periods concerning a Notice of Proposed Rulemaking regarding hearing aid compatibility of wireline telephones. The proposed rules would require that all wireline telephones in the workplace, confined settings (e.g., hospitals, nursing homes) and hotels and motels eventually would be hearing aid compatible and have volume control.

DATES: Written comments by the public on the proposed rules and on the proposed and/or modified information collections are due on or before January 29, 1996, and reply comments are due on or before February 29, 1996.

ADDRESSES: Office of the Secretary, Room 222, Federal Communications Commission, 1919 M Street NW., Washington, DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street NW., Washington, DC 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725—17th Street NW., Washington, DC 20503 or via the Internet to fain____t@al.eop.gov.

FOR FURTHER INFORMATION CONTACT: Greg Lipscomb, Attorney, 202/418–2340, Fax 202/418–2345, TTY 202/418–0484, glipscom@fcc.gov, Network Services Division, Common Carrier Bureau. For additional information concerning the information collections contained in this NPRM contact Dorothy Conway at 202–418–0217, or via the Internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION: This summarizes the Commission's Order adopted and released on January 17, 1996 (DA 96–24), to extend the filing deadline for comments and replies in the Notice of Proposed Rulemaking in the matter of Access to Telecommunications Equipment and Services by Persons With Disabilities, (CC Docket 87–124, adopted and released November 28, 1995, 60 FR 63667, December 12, 1995). The file is available for inspection and copying during the weekday hour of 9 a.m. to 4:30 p.m. in the Commission's Reference Center, Room 239, 1919 M Street NW., or copies may be purchased from the Commission's duplicating contractor, ITS, Inc., 2100 M Street NW., Suite 140, Washington DC 20037, phone 202/857–3800.

The Commission noted that extensions of time are not routinely granted. However, the Telecommunications Industry Association (TIA) has shown good cause for the grant of additional time. TIA states that because of the recent government shutdown and weather emergency, TIA was not able to contact FCC staff for clarifications regarding technical proposals, and to circulate comments among TIA members. TIA and its members are uniquely qualified to comment on these technical proposals, since TIA represents many telecommunications manufacturers. The comment and reply comment deadlines originally were set for January 12 and February 16, 1996, respectively. TIA requested a thirty day extension of each deadline. The Commission granted an extension of comment period until January 29, 1996, and of the reply period until February 29, 1996.

List of Subjects

47 CFR Part 64

Communications common carriers, Handicapped, Telephone, Hearing aid compatibility.