

Commodity	Parts per million	Expiration date
Corn, fodder	0.01	Do.
Corn, grain and fresh [including sweet kernels plus cobs with husks removed]	0.01	Do.
Milk	0.01	Do.
cattle, meat	0.05	Do.
cattle, fat	0.05	Do.
cattle, kidney	0.05	Do.
cattle, liver,	0.05	Do.
cattle, meat by-products	0.05	Do.
Goats, meat	0.05	Do.
Goats, fat	0.05	Do.
Goats, kidney	0.05	Do.
Goats, liver	0.05	Do.
Goats, meat by-products	0.05	Do.
Hogs, meat	0.05	Do.
Hogs, fat	0.05	Do.
Hogs, kidney	0.05	Do.
Hogs, liver	0.05	Do.
Hogs, meat byproducts	0.05	Do.
Horses, meat	0.05	Do.
Horses, fat	0.05	Do.
Horses, kidney	0.05	Do.
Horses, liver	0.05	Do.
Horses, meat by-products	0.05	Do.
Sheep, meat	0.05	Do.
Sheep, fat	0.05	Do.
Sheep, kidney	0.05	Do.
Sheep, liver	0.05	Do.
Sheep, meat by-products	0.05	Do.

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40 CFR Part 180

[PP 5F4469/R2225; FRL-5357-5]

RIN 2070-AB78

Prosulfuron; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is establishing time-limited tolerances for residues of the herbicide prosulfuron, 1-(4-methoxy-6-methyl-triazin-2-yl)-3-[2-(3,3,3-trifluoropropyl)-phenylsulfonyl]-urea in or on the raw agricultural commodities cereal grains group (except rice and wild rice), grain; cereal grains group (except rice and wild rice), forage; cereal grains group (except rice and wild rice), fodder, cereal grains group (except rice and wild rice), straw; and cereal grains group (except rice and wild rice), hay. The Agency has not completed the regulatory assessment of the science findings; therefore, these tolerances are being established with an expiration date. These tolerances were requested by the Ciba-Geigy Corporation.

EFFECTIVE DATE: This regulation becomes effective May 29, 1996. These tolerances will expire on December 31, 1999.

ADDRESSES: Written objections and hearing requests, identified by the document control number, [PP 5F4469/R2225], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the docket number and submitted 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 copy of objections and hearing requests to Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Fees accompanying objections shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251.

An electronic copy of objections and hearing requests filed with the Hearing Clerk may be submitted to OPP by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov.

Copies of electronic objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of electronic objections and hearing requests will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All copies of

electronic objections and hearing requests must be identified by the docket number [PP 5F4469/R2225]. No Confidential Business Information (CBI) should be submitted through e-mail. Copies of electronic objections and hearing requests on this rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

FOR FURTHER INFORMATION CONTACT: By mail: Robert J. Taylor, Product Manager (PM) 25, Registration Division (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 245, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, 703-305-6800, e-mail: taylor.robert@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: In the Federal Register of April 17, 1996 (61 FR 16742) (FRL-5357-5), EPA issued a proposed rule proposing to establish time-limited tolerances for residues of the herbicide prosulfuron on cereal grains group (except rice and wild rice), grain at 0.01 ppm; cereal grains group (except rice and wild rice), forage at 0.10 ppm; cereal grains group (except rice and wild rice), fodder at 0.01 ppm; cereal grains group (except rice and wild rice), straw at 0.02 ppm; and cereal grains group (except rice and wild rice), hay at 0.20 ppm. In the proposed rule EPA said that it was revising § 180.481; however, EPA did not intend that

§ 180.481 be completely rewritten, but rather that the section be amended to add entries for "cereal grains (except rice/wild rice) group," and the "cereal grains, forage, fodder, straw and hay (except rice/wild rice) group". Therefore, in this final rule, EPA is amending § 180.481 by adding tolerances for the cereal grains (except rice/wild rice) group," and the "cereal grains, forage, fodder, straw and hay (except rice/wild rice) group."

There were two favorable comments received in response to the proposed rule.

The data submitted with the proposed rule and other relevant material have been evaluated and discussed in the proposed rule. Based on the data and information considered, the Agency has determined that when used in accordance with good agricultural practice, prosulfuron is useful and the tolerances will protect the public health. Therefore, the tolerances are established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the Federal Register, file written objections to the regulation and may also request a hearing on those objections. Objections and hearing requests must be filed with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of the objections and/or hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

A record has been established for this rulemaking under the docket number [PP 5F4469/R2225] (including any comments and data submitted

electronically). 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 22202.

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 any copies of objections and hearing requests received electronically into printed, paper form as they are received and will place the paper copies in the official rule-making 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.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12866.

This action does not impose any enforceable duty, or contain any "unfunded mandates" as described in Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), entitled Enhancing the Intergovernmental Partnership, or special consideration as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

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 food additive regulations 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: May 20, 1996.

Peter Caulkins,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, 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 § 180.481 by revising the introductory text, and amending the table by adding alphabetically entries to read as set forth below:

§ 180.481 Prosulfuron; tolerances for residues.

Tolerances that expire as indicated in the table below are established for residues of the herbicide prosulfuron 1-(4-methoxy-6-methyl-triazin-2-yl)-3-[2-(3,3,3-trifluoropropyl)-phenylsulfonyl]-urea in or on the following raw agricultural commodities:

Commodity	Parts per million	Expiration date
* * *	* *	* *
Cereal grains group (except rice and wild rice), grain.	0.01	December 31, 1999
Cereal grains group (except rice and wild rice), forage.	0.10	Do
Cereal grains group (except rice and wild rice), fodder.	0.01	Do
Cereal grains group (except rice and wild rice), straw.	0.02	Do
Cereal grains group (except rice and wild rice), hay.	0.20	Do
* * *	* *	* *

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