

for registration has not been submitted to the Agency. Additionally, propazine is an unregistered chemical. The situation appears to be urgent and nonroutine; with significant economic loss anticipated the benefits from this individual use should outweigh the risks. (Andrea Beard)

4. Florida Department of Agriculture and Consumer Services for the use of tebufenozide on cotton to control the beet armyworms; May 29, 1996, to October 31, 1996. (Margarita Collantes)

5. Florida Department of Agriculture and Consumer Services for the use of Pirate on cotton to control the beet armyworm and tobacco budworm; May 29, 1996, to October 31, 1996. (Margarita Collantes)

6. Florida Department of Agriculture and Consumer Services for the use of imidacloprid on citrus to control brown citrus aphid; May 3, 1996, to May 2, 1997. (Dave Deegan)

7. Florida Department of Agriculture and Consumer Services for the use of imidacloprid on citrus to control citrus leafminer; May 3, 1996, to May 2, 1997. (Dave Deegan)

8. Idaho and Washington Departments of Agriculture for the use of pirimicarb on alfalfa grown for seed to control aphids and lygus bugs; May 14, 1996, to August 31, 1996. A notice published in the Federal Register of April 24, 1996 (61 FR 18141; FRL-5362-3). Pirimicarb is the only known pesticide that provides control of aphids and lygus bugs without inflicting harm to Native Bee population following application. (Margarita Collantes)

9. Kentucky and North Carolina Departments of Agriculture for the use of dimethomorph on tobacco to control blue mold; May 31, 1996, to May 31, 1997. A notice published in the Federal Register of March 27, 1996 (61 FR 13493; FRL-5356-8). The situation appears to be urgent and nonroutine; use can be toxicologically supported. The uses are not expected to result in hazard to nontarget organisms or surface and groundwater based on information currently available. (Libby Pemberton)

10. Michigan Department of Agriculture for the use of chlorothalonil on asparagus to control purple spot; May 14, 1996, to November 1, 1996. (Dave Deegan)

11. Michigan Department of Agriculture for the use of vinclozolin on snap beans to control gray and white mold; May 23, 1996, to October 31, 1996. (Libby Pemberton)

12. Minnesota Department of Agriculture for the use of 2,4-D on wild rice to control water plantain; April 19, 1996, to July 31, 1996. (Margarita Collantes)

13. Missouri Department of Agriculture for the use of propamocarb hydrochloride on potatoes to control late blight; May 28, 1996, to May 27, 1997. (Libby Pemberton)

14. New Mexico Department of Agriculture for the use of tebufenozide on cotton to control beet armyworms; May 29, 1996, to September 30, 1996. (Margarita Collantes)

15. New York Department of Environmental Conservation for the use of vinclozolin on snap beans to control gray and white mold; May 23, 1996, to September 30, 1996. (Libby Pemberton)

16. Oklahoma Department of Agriculture for the use of cypermethrin on mustard greens and kale to control various insects; May 17, 1996, to November 15, 1996. (Libby Pemberton)

17. Oklahoma Department of Agriculture for the use of imidacloprid on spinach to control green peach aphid; May 2, 1996, to May 20, 1996. (Margarita Collantes)

18. Oregon Department of Agriculture for the use of vinclozolin on snap beans to control gray and white mold; May 23, 1996, to October 31, 1996. (Libby Pemberton)

19. Pennsylvania Department of Agriculture for the use of dimethomorph on tobacco to control blue mold; May 31, 1996, to May 31, 1997. (Libby Pemberton)

20. Pennsylvania Department of Agriculture for the use of vinclozolin on snap beans to control gray and white mold; May 23, 1996, to October 31, 1996. (Libby Pemberton)

21. South Carolina Department of Fertilizer and Pesticide Control for the use of dimethomorph on tobacco to control blue mold; May 31, 1996, to May 31, 1997. (Libby Pemberton)

22. Tennessee Department of Agriculture for the use of cypermethrin on mustard greens and kale to control various insects; May 17, 1996, to November 15, 1996. (Libby Pemberton)

23. Tennessee Department of Agriculture for the use of dimethomorph on tobacco to control blue mold; May 31, 1996, to May 31, 1997. (Libby Pemberton)

24. Virginia Department of Agriculture and Consumer Services for the use of dimethomorph on tobacco to control blue mold; May 31, 1996, to May 31, 1997. (Libby Pemberton)

25. Washington Department of Agriculture for the use of pirimicarb on vegetables grown for seed to control aphids; May 24, 1996, to September 14, 1996. (Margarita Collantes)

26. West Virginia Department of Agriculture for the use of dimethomorph on tobacco to control

blue mold; May 31, 1996, to May 31, 1997. (Libby Pemberton)

27. Wisconsin Department of Agriculture, Trade, and Consumer Protection for the use of sodium bentazon on succulent peas to control Canada thistle; May 17, 1996 to July 15, 1996. (Andrea Beard)

Crisis exemptions were initiated by the:

1. Colorado Department of Agriculture on May 24, 1996, for the use of chlorpyrifos on barley to control the Russian wheat aphid. This program has ended. (Andrea Beard)

2. Montana Department of Agriculture on May 30, 1996, for the use of chlorpyrifos on barley to control the cereal leaf beetle. This program has ended. (Andrea Beard)

3. North Dakota Department of Agriculture on May 1, 1996, for the use of carboxin on lentils to control ascochyta blight. This program has ended. (Andrea Beard)

4. North Dakota Department of Agriculture on May 1, 1996, for the use of thiabendazole on lentils to control ascochyta blight. This program has ended. (Andrea Beard)

EPA has denied a specific exemption request from the:

1. Idaho and Montana Departments of Agriculture for the use of tralkoxydim on wheat, barley, and small grains to control wild oats. The Agency denied the exemption because the situation does not appear to be urgent and significant economic losses will not occur, since weeds can be controlled by the registered alternative diclofop-methyl. (Margarita Collantes)

2. Michigan Department of Agriculture for the use of fosetyl-al on blueberries to control fruit and root rot. The Agency denied the exemption because although crop losses of up to 20% to 30% have been reported, Michigan failed to document abnormal fluctuations in disease of the environment, any historical crop loss data relating to the specific problem, or evidence of non-efficacious registered alternatives, captan and benomyl's, comparative performance. (Margarita Collantes)

Authority: 7 U.S.C. 136.

#### List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: July 19, 1996.

Stephen L. Johnson,

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 96-19083 Filed 7-30-96; 8:45 am]

BILLING CODE 6560-50-F

[OPP-181019; FRL 5386-4]

**Pyridaben; 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 Delaware State Department of Agriculture (hereafter referred to as the "Applicant") for use of the pesticide pyridaben, [2-tert-butyl-5-(4-tert-butylbenzylthio)-4-chloropyridazin-3-(2H)-one], CAS number 96489-71-3 to control European red mite and two-spotted spider mite on up to 800 acres of apples. The Applicant proposes the first food use of an active ingredient; 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 August 15, 1996.

**ADDRESSES:** Three copies of written comments, bearing the identification notation "OPP-181019," should be submitted by mail 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. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

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 in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-181019]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as (CBI). 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 CBI 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. 1132, Crystal Mall No. 2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: Pat Cimino, 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 #1, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308-8328; e-mail: cimino.pat@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 Applicants have requested the Administrator to issue a specific exemption for the use of the miticide pyramite which contains the registered active ingredient, pyridaben, to control European red mite and two-spotted spider mite on up to 800 acres of apples in Delaware. Information in accordance with 40 CFR part 166 was submitted as part of this request.

The Applicant states that European red mite is the most important acarine pest of apples in Delaware and neighboring states. Populations of European red mite and two-spotted spider mite build up during the growing season and are aggravated by hot, dry weather. Mites feed on apple leaves and can cause fruit size and color reduction and debilitation of tree health resulting in decreased yields in subsequent years. The primary cause of the emergency condition is the voluntary withdrawal of the use of propargite (Omite) on apples by Uniroyal Corporation. Propargite was the primary miticide of choice for mid to late season mite control because of its fit into Delaware Apple Integrated Pest Management (IPM) systems. Propargite was cost effective, efficacious, did not have mite resistance problems and fit well into IPM systems because it did not adversely impact mite predators. The applicant indicates that alternative, registered miticides are not recommended because either mite populations have developed resistance to them and/or they adversely impact mite predator populations and disrupt IPM apple systems.

This is the first year that the Applicant has requested this pesticide for any use. Delaware has approximately 800 acres of apples in production all of which are subject to mite infestations. Applications of pyramite would be made to apples via ground application methods (dilute or airblast sprayers) between July and early September 1996. Application rates range from 4.4 – 6.6 ounces formulated product/acre for European red mite control and 6.6 – 13.2 ounces formulated product/acre for two-spotted spider mite control. The use of pyramite is limited to 2 complete applications per acre per year (this includes 4 split applications using alternate row middle spray methods) and will not exceed 26.4 ounces of formulated product per acre per year.

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 proposes use of a new chemical (40 CFR 166.24).

A record has been established for this notice under docket number [OPP-181019] (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 Resource 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 notice, 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 record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document. 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 Delaware State Department of Agriculture.

#### List of Subjects

Environmental protection, Pesticides and pests, Emergency exemptions.

Dated: July 16, 1996.

Stephen L. Johnson,  
Director, Registration Division, Office of  
Pesticide Programs.

[FR Doc. 96-19079 Filed 7-30-96; 8:45 am]

BILLING CODE 6560-50-F

[PF-663; FRL-5384-6]

#### Pesticide Tolerance Petitions; Notice of Filings

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filings of pesticide petitions (PP)

and proposing the establishment of regulations for residues of certain pesticide chemicals in or on various agricultural commodities.

**DATES:** Comments, identified by the docket number [PF-663], must be received on or before August 30, 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 [PF-663]. Electronic comments on this notice 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). 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: Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, contact the PM named in each petition at the following office location/telephone number:

Product Manager	Office location/telephone number/email	Address
George LaRocca (PM 13).	Rm. 204, CM #2, 703-305-6100, e-mail: larocca.george@epamail.epa.gov.	1921 Jefferson Davis Hwy, Arlington, VA
Connie Welch (PM 21)	Rm. 227, CM #2, 703-305-6226, e-mail: welch.connie@epamail.epa.gov.	Do.

**SUPPLEMENTARY INFORMATION:** EPA has received pesticide petitions as follows proposing the amendment of regulations for residues of certain pesticide chemicals in or on various agricultural commodities.

#### Initial Filings

1. *PP 6F4738*. Gowan, P.O. Box 5569, Yuma, AZ 85366-5569, proposes to amend 40 CFR 180.448 by establishing tolerances for the combined residues of the acaricide hexythiazox, *trans*-5-(4-chlorophenyl)-*N*-cyclohexyl-4-methyl-2-oxothiazolidine-3-carboxamide and its metabolites containing the (4-chlorophenyl)-4-methyl-2-oxo-3-thiazolidine moiety (expressed as parts per million of the parent compound) in or on the following commodities: milk, at 0.05 parts per million (ppm), cattle, meat and cattle, fat at 0.05 ppm, cattle, mbyp (meat byproducts) at 0.1, almonds, nutmeat at 0.2 ppm, stone fruits (except plums) at 1 ppm and almonds, hulls at 10 ppm. (PM-13)

2. *PP 6F4707*. AgrEvo USA Company, 2711 Centerville Road, Wilmington, DE

19808, proposes to amend 40 CFR part 180 by establishing a tolerance for the combined residues of the fungicide Propamocarb Hydrochloride (propyl [3-(dimethylamino)propyl] carbamate hydrochloride) and its metabolites, determined as propamocarb free base (propyl [3-(dimethylamino)propyl] carbamate) in or on potatoes, meat, and milk raw agricultural commodities at 0.05 ppm. The analytical method for determining residues is by N-FID/GLC or MSD/GLC. (PM-21)

A record has been established for this notice under docket number [PF-663] (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 Rm. 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.