tariff required to implement the Standards of the Gas Industry Standards Board (GISB). Texas Gas states that, in compliance with Order No. 587, it will file the final tariff sheets implementing the GISB standards to become effective on June 1, 1997.

Texas Gas states that copies of the pro forma tariff sheets are being served upon Texas Gas's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, in accordance with Sections 385.211 and 385.214 of the Commission's Rules and Regulations. All such motions or protests must be filed on or before December 30, 1996. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party to the proceeding must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 96–32044 Filed 12–17–96; 8:45 am]

BILLING CODE 6717–01–M

ENVIRONMENTAL PROTECTION AGENCY

[PF–682; FRL–5576–9]

American Cyanamid Company; Pesticide Tolerance Petition Filing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing.

SUMMARY: This notice is a summary of a pesticide petition proposing the establishment of a regulation for residues of imazapyr (AC 243997) [2-[4,5-dihydro-4-methylethyl)-5-oxo-1*H*-imidazol-2-yl]-3-pyridinecarboxylic acid], applied as the acid or ammonium salt, in or on field corn. This summary was prepared by the petitioner.

DATES: Comments, identified by the docket number [PF–682], must be received on or before, January 17, 1997.

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, DC20460. 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 on this notice may be filed online at many Federal Depository Libraries.

Information submitted as comments 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 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

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–682]. No CBI should be submitted through e-mail. 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.

FOR FURTHER INFORMATION CONTACT: By mail: Robert J. Taylor, Product Manager (PM) 23, Registration Division, (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 241, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, 703–305–6027, e-mail: taylor.robert@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA has received a pesticide petition (PP 6F4641) from American Cyanamid Company, P.O. Box 400, Princeton, NJ 08543, proposing pursuant to section 408(d) of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing a tolerance for residues of the herbicide imazapyr in or on the raw agricultural commodities field corn grain, fodder, and forage each at 0.05 ppm. The proposed analytical method is Capillary Electrophoresis Method 2657. Pursuant to section 408(d)(2)(A)(i) of the FFDCA, as amended, American Cyanamid Company has submitted the following summary of information, data and arguments in support of their pesticide petition. This summary was prepared by American Cyanamid Company and EPA has not fully evaluated the merits of the petition. EPA edited the summary to clarify that the conclusions and arguments were the petitioner's and not necessarily EPA's and to remove certain extraneous material.

I. Petition Summary for Imazapyr on Field Corn

On November 9, 1995, American Cyanamid Company petitioned the EPA for a permanent tolerance for the residues of imazapyr on or in field corn grain, forage, and fodder. Imazapyr is currently registered for weed control in non-crop sites. This is the first registration application for a food use in the United States. Section 408(b)(2)(A) of the amended Federal Food, Drug, and Cosmetic Act allows the EPA to establish a tolerance only if the Administrator determines that there is a ''reasonable certainty that no harm will result from the aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' All of the studies required for the proposed use pattern have been completed and submitted to EPA for review. The available information indicates there is a reasonable certainty that no harm will result from various types of exposure. The following is a summary of the information submitted to the EPA to support the establishment, under section 408(b)(2)(D) of the amended FFDCA, of a tolerance for imazapyr on field corn.

A. Residue Chemistry

1. *Plant metabolism*. The qualitative nature of the residues of imazapyr in corn is adequately understood. In corn forage, fodder and grain samples, the only significant component is parent compound. A modified processing study, utilizing corn treated at exaggerated rates, indicates that the low levels of residue in grain did not concentrate in corn oil and concentrated only slightly (≤ 1.2x) in corn meal.

2. *Analytical method*. A practical analytical method (Capillary Electrophoresis Method 2657) for detecting and measuring levels of imazapyr in corn has been submitted to

EPA. This method is appropriate for enforcement purposes.

3. *Magnitude of residues.* In field corn residue studies conducted at a slightly exaggerated use rate, no residues were detected at levels above 0.05 ppm (the limit of quantitation for the analytical method). These field studies clearly support the proposed tolerance of 0.05 ppm.

B. Toxicological Profile

A complete battery of mammalian toxicology studies supports the tolerance for imazapyr on field corn. The database is complete, valid and reliable, and all studies have been accepted by EPA and found to meet EPA requirements.

1. *Acute toxicity.* Imazapyr technical is relatively non-toxic via the oral route of exposure, and only slightly toxic via the dermal and inhalation routes of exposure.

Acute oral toxicity in rats ..	LD_{50} > 5,000 mg/kg
Acute dermal toxicity in rabbits.	LD_{50} > 2,000 mg/kg
Acute inhalation toxicity in rats.	LC_{50} > 1.3 mg/l
Primary eye irritation in rabbits.	Irreversible irritation
Primary dermal irritation in rabbits.	Slightly irritating
Dermal sensitization in guinea pigs.	Non-sensitizer

2. *Genotoxicity.* Imazapyr has shown no genotoxic activity in *in vitro* tests, indicating that this compound is not a mutagen.

Ames	Non-mutagenic
Chromosomal aberrations	Non-genotoxic
Mammalian gene mutation (CHO/HGPRT).	Non-mutagenic
Unscheduled DNA synthesis.	Non-genotoxic

3. *Reproductive and developmental toxicity.* Results indicate that imazapyr is not a reproductive toxicant, a developmental toxicant, or a teratogen.

Teratology in rats	NOEL (maternal) = 300 mg/kg/day NOEL (developmental) = 1,000 mg/kg/day*
Teratology in rabbits	NOEL (maternal) = 400 mg/kg/day* NOEL (developmental) = 400 mg/kg/day*
2-Generation reproduction in rats.	NOEL (parental reproductive) = 10,000 ppm* (~ 800 mg/kg/day in males) (~ 980 mg/kg/day in females)

* Highest dose tested.

4. *Subchronic toxicity.* No treatment-related adverse effects were noted in subchronic toxicity studies at the highest doses tested.

13-Week oral feeding in rats.	NOEL ≧ 20,000 ppm* (~ 1,740 mg/kg/day)
21-Day dermal in rabbits ..	NOEL = 400 mg/kg/day*

* Highest dose tested.

5. *Chronic toxicity.* The EPA Carcinogenicity Peer Review Committee, on April 26, 1995, assigned imazapyr to Group E for carcinogenic potential since there is ''no evidence of carcinogenicity in at least two adequate animal tests in different species. ''No treatment related effects were observed, and no increase in tumors was observed at any dose level.

1–Year chronic toxicity in dogs.	NOEL = 10,000 ppm* (~ 250 mg/kg/day)
18-Month chronic toxicity & oncogenicity in mice.	NOEL = 10,000 ppm* (~ 1500 mg/kg/day)
24-Month chronic toxicity & oncogenicity in rats.	NOEL = 10,000 ppm* (~ 500 mg/kg/day in males) (~ 640 mg/kg/day in females)

* Highest dose tested

6. *Animal metabolism.* The qualitative nature of the residues of imazapyr in animals is adequately understood. Based on metabolism studies with goats, hens and rats, there is no reasonable expectation that measurable imazapyr-related residues will occur in meat, milk, poultry or eggs from the proposed use.

7. *Metabolite toxicology.* No significant metabolites were detected in plant or animal metabolism studies. Therefore, toxicology studies with metabolites are not required.

8. *Endocrine effects.* Collective organ weights and histopathological findings from the two-generation rat reproductive study, as well as from the subchronic and chronic toxicity studies in two or more animal species, demonstrate no apparent estrogenic effects or effects on the endocrine system. There is no information available which suggests that imazapyr would be associated with endocrine effects.

C. Aggregate Exposure

1. *Dietary exposure*— i. *Food.* The Theoretical Maximum Residue Concentrations (TMRC) of imazapyr on or in field corn are:

- 0.000070 mg/kg b.w./day for the general U.S. population
- 0.000142 mg/kg b.w./day for non-nursing infants
- 0.000165 mg/kg b.w./day for children 1 to 6 years of age
- 0.000123 mg/kg b.w./day for children 7 to 12 years of age.

These values are calculated from the proposed 0.05 ppm tolerance of imazapyr on corn using a ''worse case'' estimate of dietary exposure. This conservative estimate assumes that 100 percent of all field corn is treated with imazapyr and that the residues of imazapyr on corn are at the tolerance level (0.05 ppm). In reality, field trials with sampling at least 30 days after treatment resulted in no residues above the analytical method limit of quantitation (0.05 ppm).

Dietary exposure to residues of imazapyr in or on food will be limited to residues on corn. Field corn grain, forage, fodder and milled byproducts could be fed to animals. However, there is no reasonable expectation that measurable residues of imazapyr will occur in meat, milk, poultry or eggs from the proposed use. There are no other established tolerances for imazapyr, and there are no other registered uses for imazapyr on food or feed crops in the United States.

With a Reference Dose (RfD) of 2.50 mg/kg b.w./day, the dietary exposure for this proposed use will utilize only 0.0028 percent of the RfD for the general U.S. population.

ii. *Drinking water.* There is no available information about imazapyr exposure via levels in drinking water. Imazapyr has been registered for non-crop uses for 12 years and there are no confirmed findings in either ground or surface water from these uses. Low initial soil residue levels due to low application rates (0.014 lb. ae/acre) contribute to the minimal risk of exposure to imazapyr in drinking water from this use.

EPA has not established a Maximum Concentration Level for residues of imazapyr in drinking water under the Safe Drinking Water Act, because imazapyr is unlikely to be found in groundwater.The low level of mammalian toxicity further supports the lack of real risk of imazapyr to humans. A Lifetime Health Advisory level for imazapyr in drinking water calculated by EPA procedures would be 17.5 mg/liter, assuming a 20 percent relative contribution from water. There is a reasonable certainty that no harm will result from dietary exposure to imazapyr, because dietary exposure to residues on food will use only a small fraction of the Reference Dose (including exposure of sensitive populations), and exposure through drinking water is expected to be insignificant.

2. *Non-dietary exposure.* There is no available information quantifying non-dietary exposure to imazapyr. However, based on physical and chemical characteristics of the compound, the use patterns, and available information concerning its environmental fate, non-dietary exposure is expected to be negligible.

Currently, registrations for imazapyr limit use to non-crop sites. Labeled use sites for one group of imazapyr products include railroad, utility, pipeline, and highway rights-of-way, utility plant sites, petroleum tank farms, pumping installations, fence rows, storage areas, non-irrigation ditchbanks, under asphalt, under pond liners, wildlife management areas, forestry site preparation, and other non-crop areas. Imazapyr products for the above uses are clearly not intended for use in residential or recreational areas that have a high potential of exposure for the general population. The labels state that these imazapyr products are not for use on lawns, walks, driveways, tennis courts or similar areas.

Other imazapyr products are labeled as plant growth regulators for applications to limited care-low maintenance areas, such as roadsides, airports, fairgrounds, and golf course roughs, and to limited wear areas such as industrial, institutional, and cemetery grounds. These low rate uses entail minimal exposure potential for the general population. The product labeling does not allow use on turf that is being grown for sale or other commercial use, such as sod.

There are imazapyr products marketed for residential use. These total vegetation control products are used for spot treatments or bare ground applications. These products are to be applied only where no plant growth is desired and are not to be used on lawns. Therefore, even for the limited residential uses, the potential for exposure is minimal.

D. Cumulative effects

Imazapyr belongs to the imidazolinone class of compounds. Other compounds in this class are registered herbicides. However, the herbicidal activity of the imidazolinones is due to the inhibition of acetohydroxyacid synthase (AHAS), an enzyme only found in plants. AHAS is part of the biosynthetic pathway leading to the formation of branched chain amino acids. Animals lack AHAS and this biosynthetic pathway. This lack of AHAS contributes to the low toxicity of the imidazolinone compounds in animals. We are aware of no information to indicate or suggest that imazapyr has any toxic effects on mammals that would be cumulative with those of any other chemical.

E. Safety Determination

1. *U.S. population.* The RfD of 2.50 mg/kg b.w./day, supported by a NOEL of 10,000 ppm or 250 mg/kg b.w./day from the 1–year dog study and a safety (uncertainty) factor of 100, is the ''worst case'' estimate of chronic dietary exposure of imazapyr in corn. This proposed application will utilize only 0.0028 percent of the RfD for the general U.S. population. EPA generally has no concern for exposures below 100 percent of the RfD which represents the level at or below which daily aggregate dietary exposure over a lifetime will not pose appreciable risks to human health. The complete and reliable toxicity data, indicating low potential mammalian toxicity, and the conservative chronic exposure assumptions support the conclusion that there is a ''reasonable certainty of no harm'' from aggregate exposure to imazapyr residues.

2. *Infants and children.* The conservative estimates for dietary exposure to imazapyr from food, as described above in Unit C of this notice of filing, indicate that exposure of imazapyr on corn will utilize approximately 0.0057 percent of the RfD for non-nursing infants, approximately 0.0066 percent for the RfD for children 1 to 6 years of age, and approximately 0.0049 percent of the RfD for children seven to 12 years of age.

Furthermore, no developmental, reproductive or fetotoxic effects were noted at the highest doses of imazapyr tested. The only maternal effect in the rat teratology study was increased salivation in the highest dose group. The NOEL used to calculate the RfD for the general U.S. population is 250 mg/kg b.w./day derived from the 1–year chronic toxicity study in dogs. That NOEL is lower than the developmental NOELs for the teratology studies in rabbits and rats (1.6 and 4x, respectively), as well as lower than the NOEL for the two-generation reproduction study in male and female rats (3.2 to 3.9x).

The EPA has found the database relative to pre-and post-natal effects for children to be complete, valid and reliable. There were no effects observed in the offspring in the developmental studies in rats and rabbits. In the reproduction study, the lack of any pup effects observed at 10,000 ppm (the highest dose tested) in their growth and development from parturition through adulthood, suggests that there is no additional sensitivity for infants and children. Therefore, an additional safety (uncertainty) factor is not warranted and the RfD of 2.50 mg/kg b.w./day, which utilizes a 100-fold safety factor, is appropriate to assure a reasonable certainty of no harm to infants and children.

F. International Tolerances

There are no Codex maximum residue levels established for residues of imazapyr on field corn grain, fodder or forage.

II. Administrative Matters

Interested persons are invited to submit comments on the notice of filing. Comments must bear a notation indicating the document control number, [PF–682]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch, at the address given above from 8:30 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

A record has been established for this notice under docket number [PF–682] 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 8:30 a.m. to 4:00 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.

List of Subjects

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

Dated: December 11, 1996.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 96–32091 Filed 12–17–96; 8:45 am]
BILLING CODE 6560–50–F

[OPPT–59356; FRL–5577–8]

Certain Chemicals; Approval of a Test Marketing Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's approval of an application for test marketing exemptions (TMEs) under section 5(h)(1) of the Toxic Substances Control Act (TSCA) and 40 CFR 720.38. EPA has designated these applications as TME–97–1 and TME–97–2. The test marketing conditions are described below.

DATES: This notice becomes effective December 10, 1996. Written comments will be received until January 2, 1997.

ADDRESSES: Written comments, identified by the docket numbers [OPPT–59356] and the specific TME numbers should be sent to: TSCA nonconfidential center (NCIC), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. NEB–607 (7407), 401 M St., SW., Washington, DC 20460, (202) 554–1404, TDD (202) 554–0551.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: ncic@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 [OPPT–59356]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on these notices may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found under ''SUPPLEMENTARY INFORMATION''.

FOR FURTHER INFORMATION CONTACT: Shirley D. Howard, New Chemicals Branch, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E–447H, 401 M St. SW., Washington, DC 20460, (202) 260–3780; Howard.sd@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Section 5(h)(1) of TSCA authorizes EPA to exempt persons from premanufacture notification (PMN) requirements and permit them to manufacture or import new chemical substances for test marketing purposes if the Agency finds that the manufacture, processing, distribution in commerce, use, and disposal of the substances for test marketing purposes will not present an unreasonable risk of injury to human health or the environment. EPA may impose restrictions on test marketing activities and may modify or revoke a test marketing exemption upon receipt of new information which casts significant doubt on its finding that the test marketing activity will not present an unreasonable risk of injury.

EPA hereby approves TME–97–1 and TME–97–2. EPA has determined that test marketing of the new chemical substances described below, under the conditions set out in the TME applications, and for the time periods and restrictions specified below, will not present an unreasonable risk of injury to human health or the environment. Production volume, use, and the number of customers must not exceed that specified in the applications. All other conditions and restrictions described in the applications and in these notices must be met.

A notice of receipt of these applications was not published in advance of approval. Therefore, an opportunity to submit comments is being offered at this time. EPA may modify or revoke the test marketing exemptions if comments are received which cast significant doubt on its finding that the test marketing activities will not present an unreasonable risk of injury.

The following additional restrictions apply to TME–97–1 and TME–97–2. A bill of lading accompanying each shipment must state that the use of the substances are restricted to that approved in the TMEs. In addition, the applicant shall maintain the following records until five years after the date they are created, and shall make them available for inspection or copying in accordance with section 11 of TSCA:

1. Records of the quantity of the TME substances produced and the date of manufacture.
2. Records of dates of the shipments to each customer and the quantities supplied in each shipment.
3. Copies of the bill of lading that accompanies each shipment of the TME substances.

TME–97–1 and TME–97–2

Date of Receipt: October 28, 1996. The extended comment periods will close (*insert date 15 days after date of publication in the* Federal Register).

Applicant: Confidential.

Chemical: (G) Carboxylic acid amides.

Use: (G) Fuel additive.

Production Volume: 181,818 kilograms.

Number of Customers: Confidential.

Test Marketing Period: Confidential. Commencing on first day of commercial manufacture.

Risk Assessment: EPA identified no significant health or environmental concerns for the test market substances. Therefore, the test market activities will not present any unreasonable risk of injury to human health or the environment.

The Agency reserves the right to rescind approval or modify the conditions and restrictions of an exemption should any new information that comes to its attention cast significant doubt on its finding that the test marketing activities will not present any unreasonable risk of injury to human health or the environment.

A record has been established for these notices under docket number [OPPT–59356] (including comments and data submitted electronically as described above). A public version of these record, including printed page versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA nonconfidential information center (NCIC), Rm. NEB–607, 401 M St., SW., Washington, DC 20460. Electronic