

Commodity	Proposed Tolerance (USEPA) (PPM)	Proposed/Current MRL (CODEX) (PPM)
Soybeans	0.05	0.5 (legume animal feeds, dry weight)
Stone fruit	0.6	0.05
Sunflower seeds	0.05	0.1 (oilseed)
Tops	4.0	--
Tree nuts	0.1	--
Tuberous and corm vegetables subgroup 1C, excluding artichokes	0.04	0.01 (root and tuber vegetables)
Wheat gluten (post harvest)	1.4	--
Wheat, grain (post harvest)	2.0	1.0
Wheat, grain dust (post harvest)	2.7	--

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ENVIRONMENTAL PROTECTION AGENCY

[PF-1050; FRL-6807-9]

Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

DATES: Comments, identified by docket control number PF-1050, must be received on or before December 7, 2001.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I.C. of the

SUPPLEMENTARY INFORMATION. To ensure proper receipt by EPA, it is imperative that you identify docket control number PF-1050 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: By mail: Treva C. Alston, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-8373; e-mail address: alston.treva@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Categories	NAICS codes	Examples of potentially affected entities
Industry	111 112 311 32532	Crop production Animal production Food manufacturing Pesticide manufacturing

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this

document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the "Federal Register—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number PF-1050. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number PF-1050 in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in Wordperfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number PF-1050. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI That I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI 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. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified under **FOR FURTHER INFORMATION CONTACT**.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Make sure to submit your comments by the deadline in this notice.
7. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. What Action is the Agency Taking?

EPA has received a pesticide petition as follows proposing the establishment and/or amendment of regulations for residues of a certain pesticide chemical in or on various food commodities under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that this petition contains data or information regarding the elements set forth in section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 27, 2001.

Peter Caulkins,

Acting Director, Registration Division, Office of Pesticide Programs.

Summary of Petition

The petitioner's summary of the pesticide petition is printed below as required by section 408(d)(3) of the FFDCA. The summary of the petition was prepared by the petitioner and represents the view of the petitioner. EPA is publishing the petition summary verbatim without editing it in any way. The petition summary announces the availability of a description of the analytical methods available to EPA for the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed.

Huntsman Corporation

1E6350

EPA has received a pesticide petition (1E6350) from Huntsman Corporation, 3040 Post Oak Blvd., Houston, TX 77056 proposing, pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend the tolerance exemption listed under 40 CFR 180.1001 (c) for 1,2-ethanediamine, polymer with methyl oxirane and oxirane to include a number average molecular weight of 1,100. EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

A. Residue Chemistry

Analytical method. Huntsman is petitioning that 1,2-ethanediamine, polymer with methyl oxirane and oxirane be exempt from the requirement of a tolerance based upon the definition of a low risk polymer under 40 CFR 723.250(e). Therefore, an analytical method to determine residues of 1,2-ethanediamine, polymer with methyl oxirane and oxirane in raw agricultural commodities (RACs) is not required.

B. Toxicological Profile

In the case of certain chemical substances that are defined as "polymers," the Agency has established a set of criteria which identifies categories of polymers that present low risk. These criteria, described in 40 CFR 723.250(e), identify polymers that are typically not readily absorbed, and are relatively unreactive and stable compounds in comparison to other chemical substances. These properties generally limit a polymer's ability to cause adverse effects. In addition, these criteria exclude polymers about which little is known. The Agency believes that polymers meeting the criteria noted above will present minimal or no risk. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane conforms to the definition of a polymer given in 40 CFR 723.250(b) and meets the following criteria that are used to identify low risk polymers.

1. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane is not a cationic polymer, nor is it capable of becoming a cationic polymer in the natural aquatic environment.

2. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane contains as an integral part of its composition, the

atomic elements carbon, hydrogen, nitrogen, and oxygen.

3. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane does not contain as an integral part of its composition, except as impurities, any element other than those listed in 40 CFR 723.250(d)(2)(iii).

4. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane is not designed, nor is it reasonably anticipated to substantially degrade, decompose, or depolymerize.

5. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane is manufactured using monomers and/or reactants that are already included on the TSCA Chemical Substance Inventory or covered under an applicable TSCA section 5 exemption.

6. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane is not a water absorbing polymer with a number average molecular weight greater than or equal to 10,000 daltons.

7. The number average molecular weight of 1,2-ethanediamine, polymer with methyl oxirane and oxirane is 1,100. Substances with molecular weights greater than 400 generally are not absorbed through the intact skin, and substances with molecular weights greater than 1,000 generally are not absorbed through the gastrointestinal (GI) tract. Chemicals not absorbed through the skin or GI tract are generally incapable of eliciting a toxic response.

8. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane contains less than 10% oligomeric material below molecular weight 500 and less than 25% oligomeric material less than molecular weight 1,000.

9. 1,2-Ethanediamine, polymer with methyl oxirane and oxirane does not contain reactive functional groups.

Endocrine disruption. There is no evidence that 1,2-ethanediamine, polymer with methyl oxirane and oxirane is an endocrine disrupter, where as substances with molecular weights greater than 400 generally are not absorbed through the intact skin, and substances with molecular weights greater than 1,000 generally are not absorbed through the GI tract. Chemicals not absorbed through the skin or GI tract are generally incapable of eliciting a toxic response.

C. Aggregate Exposure

1. *Dietary exposure*—i. *Food.* 1,2-Ethanediamine, polymer with methyl oxirane and oxirane is not absorbed through the intact GI tract and is considered to be incapable of eliciting a toxic response.

ii. *Drinking water.* Based upon the aqueous insolubility of 1,2-

ethanediamine, polymer with methyl oxirane and oxirane, there is no reason to expect human exposure to residues in drinking water.

2. *Non-dietary exposure.* Although there may be exposures to 1,2-ethanediamine, polymer with methyl oxirane and oxirane through dietary and or non-occupational sources, the chemical characteristics of this compound are such that there is reasonable certainty of no harm from aggregate exposure.

D. Cumulative Effects

There is not a reasonable expectation of any increased risk due to cumulative exposures to 1,2-ethanediamine, polymer with methyl oxirane and oxirane, since polymers with molecular weights greater than 400 generally are not absorbed through the skin, and substances with molecular weights greater than 1,000 generally are not absorbed through the intact GI tract. Chemicals not absorbed through the skin or GI tract generally are incapable of eliciting a toxic response.

E. Safety Determination

1. *U.S. population.* 1,2-Ethanediamine, polymer with methyl oxirane and oxirane causes no safety concerns because it conforms to the definition of a low risk polymer given in 40 CFR 723.250(b) and, as such, is considered to be incapable of eliciting a toxic response.

2. *Infants and children.* 1,2-Ethanediamine, polymer with methyl oxirane and oxirane causes no additional concern to infants and children because it conforms to the definition of a low risk polymer given in 40 CFR 723.250(b) and, as such, is considered to be incapable of eliciting a toxic response.

F. International Tolerances

Huntsman is not aware of any country requiring a tolerance for 1,2-ethanediamine, polymer with methyl oxirane and oxirane, nor have there been any codex maximum residue levels established for any food crops at this time.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7099-8]

Proposed CERCLA Administrative Cost Recovery Settlement: Former Diller Battery Site

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.

SUMMARY: In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement for recovery of past response costs concerning the Former Diller Battery site in Des Moines, Iowa with the following settling parties: City of Des Moines, Iowa, Union Pacific Railroad Company, Polk County, Iowa, Richard A. Bartolomei and Dennis L. Eppard. The settlement requires the settling parties to pay \$75,000 to the Hazardous Substance Superfund. The settlement includes a covenant not to sue the settling parties pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a). For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the Des Moines North Side Public Library, 3516 5th Avenue, Des Moines, Iowa 50313, and at the U.S. Environmental Protection Agency, Region 7, Regional Records Center, 901 North 5th Street, Kansas City, Kansas 66101.

DATES: Comments must be submitted on or before December 7, 2001.

ADDRESSES: Copies of the documents relevant to this proposed settlement may be obtained from Mike Gieryc, Office of Regional Counsel, 901 North 5th Street, Kansas City, Kansas 66101, (913) 551-7822. Comments should reference the Former Diller Battery site, Des Moines, Iowa, and should be addressed to Kathy Robinson, Regional Hearing Clerk, 901 North 5th Street, Kansas City, Kansas 66101.

FOR FURTHER INFORMATION CONTACT: Mike Gieryc, Office of Regional