(H) The Red Bank Municipal Code, Chapter 3, Title 8, is revised as shown in the following paragraphs. These revisions were adopted March 16, 1993.

(1) Section 8–302: the following definitions are added: Primary Air Quality Standards; Secondary Air Quality Standards; Owner or operator of a demolition or renovation activity; and Best available control technology (BACT).

(2) Section 8–341: Rule 25.2, subparagraph 21.

(3) Section 8–341: Rule 21, ''Ambient Air Quality Standards.''

(I) The Collegedale Municipal Code, Title 8, *Health and Sanitation,* Chapter 5, *Air Pollution Control,* is revised as shown in the following paragraphs. These revisions were adopted April 12, 1993.

(1) Section 8–502: the following definitions are added: Primary Air Quality Standards; Secondary Air Quality Standards; Owner or operator of a demolition or renovation activity; and Best available control technology (BACT).

(2) Section 8–541: Rule 25.2, subparagraph 33.

(3) Section 8–541: Rule 21, ''Ambient Air Quality Standards.''

(J) The Lakesite Municipal Code, Title 4, *Building, Utility, Housing and Air Pollution Control Codes,* Chapter 6, *Air Pollution Control Ordinance* is revised as shown in the following paragraphs. These revisions were adopted March 30, 1993.

(1) Section 2: the following definitions are added: Primary Air Quality Standards; Secondary Air Quality Standards; Owner or operator of a demolition or renovation activity; and Best available control technology (BACT).

(2) Section 41: Rule 25.2, subparagraph 21.

(3) Section 41: Rule 21, ''Ambient Air Quality Standards.''

(K) The East Ridge City Code, Title 8, Health and Sanitation, Chapter 7, Air Pollution Control is revised as shown in the following paragraphs. These revisions were adopted March 11, 1993.

(1) Section 8–702: the following definitions are added: Primary Air Quality Standards; Secondary Air Quality Standards; Owner or operator of a demolition or renovation activity; and Best available control technology (BACT).

(2) Section 8–741: Rule 25.2, subparagraph 21.

(3) Section 8–741: Rule 21, ''Ambient Air Quality Standards.''

(ii) Other material. None.

[FR Doc. 96–7917 Filed 4–2–96; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 60

CFR Correction

In title 40 of the Code of Federal Regulations, part 60, revised as of July 1, 1995, make the following correction:

§ 60.62 [Corrected]

On page 127, in § 60.62 remove paragraph (a)(3).

BILLING CODE 1505–01–D

40 CFR PART 180

[PP 4F4322/R2217; FRL–5356–4]

RIN 2070–AB78

Pesticide Tolerance for Tribenuron Methyl

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final Rule.

SUMMARY: This rule establishes tolerances for residues of the herbicide tribenuron methyl (methyl-2[[[[*N*-(4-methoxy-6-methyl-1,3,5-triazin-2-yl) methylamino] carbonyl]amino]sulfonyl] benzoate) in or on the raw agricultural commodities (RACs) hay of grass forage, fodder and hay group (excluding Bermudagrass) at 0.10 ppm; and forage grass forage, fodder and hay group (excluding Bermudagrass) at 0.10 ppm. This regulation to establish a maximum permissible level for residues of tribenuron methyl was requested in a petition submitted by E.I. DuPont de Nemours Company, Inc. Agricultural Products, Walker Mill, Barley Mill Plaza, P.O. Box 80038. Wilmington, DE 19880–0038.

EFFECTIVE DATE: April 3, 1996.

ADDRESSES: Written objections and hearing requests, identified by the docket number, [PP 4F4322/R2217], 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 copies 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 4F4322/R2217]. 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 in the SUPPLEMENTARY INFORMATION section of this document.

FOR FURTHER INFORMATION CONTACT: By mail: Joanne Miller, Product Manager (23) Registration Division (7505C), Office of Pesticide Programs. Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. Office location and telephone number: Rm. 237, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, 703–305–6224.

SUPPLEMENTARY INFORMATION: EPA issued a notice of filing, published in the Federal Register of July 13, l994 (59 FR 35719), which announced that DuPont, Agricultural Products, Walker's Mill, Barley Mill Plaza P.O. Box 80038, Wilmington, DE had submitted a pesticide petition, PP 4F4322, to EPA requesting that the Administrator, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), establish tolerances for combined residues of the herbicide tribenuron methyl (methyl-2[[[[*N*-(4-methoxy-6-methyl 1,3,5-triazin-2-yl) methylamino] carbonyl]amino]sulfonyl]benzoate in or on grass, seed; grass seed straw; grass, seed cleanings (screenings) at 0.04 ppm. A second notice of filing was issued on February 1, l996, published in the Federal Register (61 FR 3696), which announced that DuPont had amended the petition by revising the requested tolerances to read: in or on the raw agricultural commodities hay of grass forage, fodder and hay group (excluding Bermudagrass) at 0.10 ppm; forage of grass forage, fodder and hay group (excluding Bermudagrass) at 0.10 ppm and forage regrowth at 0.10 ppm. The analytical method for determining residues is high performance liquid

chromatography with photo-conductivity detection.

There were no comments received in response to the notices of filing. The scientific data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerances include:

1. The following acute studies with tribenuron methyl (DPX-L5300):

Acute Oral, Rat: LD_{50} >5,000 mg/kg, Toxicity Category IV.

Acute Dermal, Rabbit: LC_{50} >2000 mg/kg, Toxicity Category IV.

Acute Inhalation, Rat: >6.7 mg/L/4hr, Toxicity Category IV.

Primary Eye Irritation, Rabbit: Toxicity Category IV.

Primary Dermal Irritation, Guinea Pig: Toxicity Category IV.

Dermal Sensitiation, Guinea Pig: nonsensitizing.

2. A 3–month feeding study, Rat: No-observed-effect-level (NOEL) = 7/8 mg/kg/day and Lowest effect level (LEL) = 118/135 mg/kg/day. Toxicity observed: decreased body weight gain, food consumption and food efficiency; decreased absolute heart, liver, and kidney weights; increased relative brain, heart, liver, kidney, testes, and spleen weights; decreased serum glucose and globulin; no histopathologic lesions; likely cachexia.

3. A 3–month feeding study, Dog: NOEL = 73.3/78.0 mg/kg/day (HDT).

4. A 28–day dermal, Rabbit; The limit dose, 1,000 mg/kg/day, resulted in serious toxicity and death, NOEL and LEL could not be defined. Toxicity included treatment site lesions, hypokinesia, decreased body weights and food consumption, and kidney pathology, but the cause of death could not be determined. Although the study was Core Supplementary, another study is not needed. Worker expsure is expected to be 4 to 5 orders of magnitude less than the limit dose.

5. Chronic feeding, Dog: NOEL (females) = 0.79 mg/kg/day, NOEL (males) = 8.16 mg/kg/day; LEL (males) = 8.18 mg/kg/day, with elevated serum bilirubin, AST, and urinary volume, and LEL (females) = 52.02 mg/kg/day with increased serum creatinine, bilirubin, AST, and globulin, decreased body weight gain of 18.2%.

6. Carcinogenicity, Mouse: NOEL (males) = 3 mg/kg/day and LEL (males) = 30 mg/kg/day, with bilateral seminiferous degeneration and oligospermia. Although frank toxicity was not observed in the females, Health Effects Division (HED) peer review judged the dose levels to be adequate. There was no evidence of carcinogenicity.

7. Developmental toxicity, Rat: Maternal NOEL = 20 mg/kg/day; Maternal LEL = 125 mg/kg/day, with decreased maternal body weight gain and food consumption; Developmental NOEL = 20 mg/kg/day; Developmental LEL = 125 mg/kg/day, with decreased body weight; at 500 mg/kg/day (HDT) there were increased resorptions, fetal deaths, and incomplete ossification.

8. Developmental toxicity, Rabbit: Maternal NOEL = 20 mg/kg/day, Maternal LEL = 80 mg/kg/day (HDT - decreased food consumption, increased abortions); Developmental NOEL = 20 mg/kg/day, Development LEL = 80 mg/kg/day (HDT - 10% decrease in body weight compared to controls, not statistically significant). Abortions were increased at 89 mg/kg/day. No terata were observed.

9. 2-generation reproduction, Rat: Paternal NOEL = 2.0 mg/kg/day, Paternal LEL = 21.0 mg/kg/day, with decreased body weight gain in F1a adult females; Reproductive NOEL = 2.5 mg/kg/day, Reproductive LEL = 25 mg/kg/day, with decreased body weight gain during lactation for F1b and F2b pups.

10. Chronic feeding/carcinogenicity, Rat: NOEL = 0.95/1.2 mg/kg/day, LEL = 10/13 mg/kg/day, with decreased body weight gain in both sexes. Statistically significant increase in mammary gland adenocarcinomas in female rats at 76 mg/kg/day, HDT. Health Effects Division Peer Review Committee classified tribenuron methyl a Category C (possible human carcinogen) under EPA's cancer assessment guidelines.

11. Gene mutation: Ames Assay: Negative for *Salmonella* strains TA97, TA98, TA100 and TA1535 with and without metabolic activation.

12. Structural chromosome: Micronucleus Assay in Mouse Bone Marrow. Negative at a cytotoxic dose. *In vivo* Cytogenetic Assay in Rat. Negative.

13. Other genotoxic effects: *In vitro* Point Mutation in CHO Cells. Negative.

14. Unscheduled DNA synthesis in rats. Negative.

15. Metabolism: Rats given a single dose of 20 or 1,800 mg/kg excreted 99% or 97%, respectively, of radiolabel within 96 hours. The major route of excretion is the urine (2 to 4 times the amount excreted in feces). No more than 1% of radiolabel was found in any one tissue or organ 7 days. Major metabolites in the urine and feces included metsulfuron methyl, saccharin, and *O*-dimethyl triazine amine. The two major metabolic routes are the demethylation of the carbamoyl methyl group and the hydrolysis of the carbamate moiety.

16. Estrogenic Activity in Rats: Weak estrogenic activity was observed in female rats.

The Reference Dose (RfD) is established at 0.008 mg/kg/day, based on the 1 year dog feeding study NOEL of 0.79 mg/kg/day and an uncertainty factor of 100. The NOEL is taken from a 1 year feeding study in dogs which demonstrated as an effect elevated serum bilirubin and AST levels. The result from the EPA Dietary Risk Evaluation System for chronic analysis of dietary risk from all raw agricultural commodities (RACs) for which tolerances have been established (40 CFR 180.451) was published (FRL–4759–4) in the Federal Register (59 FR 17755, April 14, l994). Based on the information published the Theoretical Maximum Residue Contribution (TMRC) for the general population is now estimated to be 7.8×10^{-5} mg/kg bwt/day, or 1% of the RfD (viz. 0.97). The addition of forage and hay of grasses associated with the use of tribenuron methyl in the culture of grass seeds in the states of Washington, Oregon and Idaho under a regional registration will not increase the risk by more than a fraction of 1%, because of the low potential for transfer of residues of tribenuron methyl in ruminants. In a lactating goat study with labeled tribenuron methyl at a level of 6.7 ppm there was a total of 0.5% of the administered dose found in the assayed tissues and organs. Based on this low potential for transfer of residues to tissues, the Agency has concluded that feeding studies and animal tolerances for tribenuron methyl are not required. The proposed tolerances for grass RACs are at the same level as established for barley, oats, and wheat straw in ruminant diets, the proposed tolerances for the grass RACs will not increase the dietary burden for residues of tribenuron methyl in ruminants. Therefore no tolerances are needed for secondary residues in animal tissues and in milk. There are no human dietary RACs associated with the proposed registration of tribenuron methyl for use in the production of grass seed.

Tribenuron methyl is considered a class C carcinogen with no Q^* established for quantification of potency. EPA considers the cancer risk from exposure to tribenuron methyl from use as registered under the Federal Insecticide, Fungicide and Rodenticide Act as amended to be negligible.

The petitioner requested a petition for tolerances with regional registration based on the claim that the pesticide would not be used in grass seed production areas other than in the state of Washington, Oregon, and Idaho,

because of the culture practices in those state. Residue chemistry data supporting this regulatory action were limited to data from the Pacific Northwestern states mentioned above.

An adequate analytical method, high performance liquid chromatography with photo-conductivity detection, is available for enforcement purposes.

There are presently no actions pending against the continued registration of this chemical. The pesticide is considered useful for the purpose for which the tolerances are being sought.

Based on the information and data considered, the Agency has determined that the tolerances established by amending 40 CFR 180.451 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 tht 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).

EPA has established a record for this rulemaking under docket number [PP–4F4322/R2217] (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.

Electronic comments may 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 rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the Virginia 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: March 22, 1996.

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

Therefore, 40 CFR part 180 is 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 § 180.451 by revising the section heading to read as set forth below, designating the existing text as paragraph (a), and by adding a new paragraph (b), to read as follows:

§ 180.451 Tribenuron methyl; tolerances for residues.

(a) * * *

(b) Tolerances with regional registration, as defined in § 180.1(n) are established for residues of the herbicide tribenuron methyl (methyl-2-[[[[*N*-(4-methoxy-6-methyl-1,3,5- triazin-2-yl) methylamino] carbonyl]amino]sulfonyl]benzoate) in or on the following raw agricultural commodities:

Commodity	Parts per million
Grass forage, fodder and hay group (except Bermudagrass); forage	0.10
Grass forage, fodder and hay group (except Bermudagrass); hay	0.10

[FR Doc. 96–8145 Filed 4–2–96; 8:45 am]
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