Issued in Renton, Washington, on March 7, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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14 CFR Part 71

[Airspace Docket No. 95–AWP–27]

Proposed Establishment of Class E Airspace; San Andreas, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to establish a Class E airspace area at San Andreas, CA. The development of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (RWY) 31 has made this proposal necessary. The intended effect of this proposal is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Calaveras Co-Maury Rasmussen Field Airport, San Andreas, CA.

DATES: Comments must be received on or before April 22, 1996.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Attn: Manager, System Management Branch, AWP–530, Docket No. 95–AWP–27, Air Traffic Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, California, 90009.

The official docket may be examined in the Office of the Assistant Chief Counsel, Western Pacific Region, Federal Aviation Administration, Room 6007, 15000 Aviation Boulevard, Lawndale, California, 90261.

An informal docket may also be examined during normal business at the Office of the Manager, System Management Branch, Air Traffic Division at the above address.

FOR FURTHER INFORMATION CONTACT: William Buck, Airspace Specialist, System Management Branch, AWP–530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California, 90261, telephone (310) 725–6556.

SUPPLEMENTARY INFORMATION:

Comments Invited

Intersted parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with the comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Airspace Docket No. 95–AWP–27.'' The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the System Management Branch, Air Traffic Division, at 15000 Aviation Boulevard, Lawndale, California 90261, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, System Management Branch, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedures.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish a Class E airspace area at San Andreas, CA. The development of a GPS SIAP at Calaveras Co-Muary Rasmussen Field Airport has made this proposal necessary. The intended effect of this proposal is to provide adequate Class E airspace for aircraft executing the GPS RWY 31 SIAP at Calaveras Co-Muary Rasmussen Field Airport, San Andreas, CA. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of FAA Order 7400.9C dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in this Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 10034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AWP CA E5 San Andreas, CA [New]

Calaveras Co-Muary Rasmussen Field Airport, CA
(lat. 38°08′46″ N, long. 120°38′53″ W)

That airspace extending upward from 700 feet above the surface within a 7.3-mile

radius of Calaveras Co-Muary Rasmussen Field Airport.

* * * * *

Issued in Los Angeles, California, on March 1, 1996.

Harvey R. Riebel,

Acting Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 96–6021 Filed 3–12–96; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 5E4521/P644; FRL–5353–7]

RIN 2070–AB18

Clomazone; Proposed Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed Rule.

SUMMARY: EPA proposes to establish a tolerance for residues of the herbicide 2-(2-chlorophenyl)methyl-4,4-dimethyl-3-isoxazolidinone (also referred to in this document as clomazone) in or on the raw agricultural commodity snap bean. The proposed regulation to establish maximum permissible levels for residues of the herbicide was requested in a petition submitted by the Interregional Research Project No. 4 (IR–4).

DATES: Comments, identified by the document control number [PP 5E4521/P644], must be received on or before April 12, 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 to OPP 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 [PP 5E4521/P644]. Electronic conunents 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.

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. Inforrnation 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: Hoyt L. Jamerson, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, DC 2046O. office location and telephone number: Sixth Floor, Crystal Station #1, 28OO Jefferson Davis Highway, Arlington, VA 22202, (703) 308–8783; e-mail: Jamerson.Hoyt@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR–4), New Jersey Agricultural Experiment Station, P.o. Box 231, Rutgers University, New Brunswick, NJ O8903, has submitted pesticide petition (PP) 5E4521 to EPA on behalf of the Agricultural Experiment Stations of Arkansas, Kentucky, North Carolina, Tennessee, Texas, and Virginia. This petition requests that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), amend 40 CFR 180.425 by establishing a tolerance for residues of the herbicide clomazone in or on the raw agricultural commodity snap bean at 0.05 part per million (ppm).

The scientific data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerance include:

1. A l–year feeding study in dogs, which were fed diets containing 100, 500, 2,500, and 5,000 ppm, with a no-observed-effect level (NOEL) of 500 ppm (equivalent to 12.5 milligrams (mg)/kilogram (kg)/day). An increase in the absolute and relative liver weights in male and female dogs was observed at the 2,500 ppln dose level (equivalent to 62.5 mg/kg/day).

2. A developmental toxicity study in rats with NOEL's for maternal and developmental toxicity of 100 mg/kg/day. Maternal toxicity (decreased locomotion, genital stain, and runny eyes) and developmental toxicity (increased incidence of delayed ossification) were observed in rats at the 300 mg/kg/day dose level.

3. A developmental toxicity study in rabbits, which were given the test chemical by gavage at doses of 30, 240, and 700 ppm, with NOEL's for maternal and developmental toxicity of 240 mg/kg/day. Maternal toxicity (decrease in body weight) and developmental toxicity (increase in number of fetal resorptions) were observed in rabbits at the 700 mg/kg/day dose level.

4. A 2–year feeding/carcinogenicity study in rats, which were fed diets containing 20, 100, 500, 1,000, and 2,000 ppm, with a systemic NOEL of 100 ppm (equivalent to 4.3 mg/kg/day) based on elevated cholesterol, absolute and relative liver weights, and the incidence of liver cytomegaly. There were no carcinogenic effects observed under the conditions of the study at any dosage level tested.

5. A 2–year feeding/carcinogenicity study in mice, which were fed diets containing 20, 100, 500, l,000 and 2,000 ppm, with a NOEL of 100 ppm (equivalent to 15 mg/kg/day) for systemic effects based on an increase in white blood cell count. The study was negative for carcinogenic effects at all dosage levels tested.

6. Mutagenic studies, including unscheduled DNA synthesis, negative; reverse mutation (two studies in *Salmonella*), both negative with/without activation; point mutation (CHO/HGPT), weakly positive without activation; and *in vivo* cytogenetic (chromosomal aberration), negative for mutagenicity.

The reference dose (RfD), based on the 2–year feeding study in rats (NOEL of 4.3 mg/kg/day) and using an uncertainty factor of 100, is calculated to be 0.043 mg/kg of body weight (bw)/day. The theoretical maximum residue contribution (TMRC) from existing tolerances and the proposed tolerance for snap bean is calculated to be 0.000065 mg/kg/day, which utilizes less than 1 percent of the RfD for the U.S. population. The TMRC for non-nursing infants (the population subgroup most highly exposed) also utilizes less than 1 percent of the RfD. EPA generally has no cause for concern for exposures below 100 percent of the RfD.

The nature of the residue in plants is adequately understood. An adequate analytical method is available for enforcement purposes. The analytical method for enforcing this tolerance has been published in the *Pesticide Analytical Manual,* Vol. II (PAM II).