F. International Tolerances

There are no known international tolerances for residues of propionic acid in food or animal feed.

G. Tolerance Exemptions for Proposed Uses

The petitioner proposes new uses which include application of propionic acid to sugar beets, potatoes and sweet potatoes. The petitioner requests tolerance exemption for residues of propionic acid in or on sugar beets, potatoes and sweet potatoes. The petitioner also requests waivers for all tests for determining the residues including the analytical method.

The petitioner proposes tolerance exemption for propionic acid for its use on or in:

a. Sugarbeets (stored sugarbeets and seed sugarbeets, and also dried-pulp and dried-molasses intended for animal feed);

b. Potatoes (stored potatoes - marketable and frozen and stored seed potatoes, and also stored potatoes for animal feed); and,

c. Sweet potatoes (stored sweet potato and stored seed sweet potatoes).

The maximum amount of propionic acid applied to these RACs during storage will be 6 lb/ton.

II. Administrative Matters

EPA invites interested persons to submit comments on this notice of filing. Comments must bear a notification indicating the document control number [PF–694]. 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 p.m., Monday through Friday, except legal holidays.

A record has been established for this notice under docket control number [PF–694] (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 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 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 ''ADDRESSEES'' at the beginning of this document.

Authority: 21 U.S.C. 346a.

List of Subjects

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

Dated: February 3, 1997.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 97–3227 Filed 2–11–97; 8:45 am]
BILLING CODE 6560–50–F

[PF–702; FRL–5586–3]

Valent U.S.A. Corporation; Pesticide Tolerance Petition Filing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing.

SUMMARY: This notice announces the filing of a pesticide petition proposing the establishment of a regulation for residues of the herbicide clethodim in or on tomato, alfalfa, dry bean, and peanut commodities. The summary of the petition was prepared by the petitioner, Valent U.S.A. Corporation (Valent).

DATES: Comments, identified by the docket control number [PF–702], must be received on or before, March 13, 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., S.W., Washington, DC 20460. In person, bring comments to Rm. 1132, CM #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 on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in unit II. of this document.

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 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Joanne I. Miller, Product Manager (PM) 23; Registration Division (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 237, CM #2, 1921 Jefferson Davis Highway, Arlington, VA; (703) 305–6224; e-mail: miller.joanne@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA has received pesticide petitions (PP 5F4572 and PP 5F4440) from Valent U.S.A. Corporation, 1333 N. California Blvd., Walnut Creek, CA 94596 proposing pursuant to section 408(d) of the Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing tolerances for residues of the herbicide clethodim in or on the following raw or processed agricultural commodities: tomatoes at 1.0 part per million (ppm); tomato puree at 2.0 ppm; tomato paste at 3.0 ppm; alfalfa forage at 6.0 ppm; alfalfa hay at 10.0 ppm; peanut nutmeat at 3.0 ppm; peanut hay at 3.0 ppm; peanut meal at 5.0 ppm; and dry bean seeds at 2.0 ppm. The proposed enforcement analytical method for these commodities is EPA-RM-26D-3, a high-performance liquid chromatography (HPLC) method. EPA has determined that the 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 supports granting of the petitions. Additional data may be needed before EPA rules on the petitions.

As required by section 408(d) of the FFDCA, as recently amended by the Food Quality Protection Act (FQPA) (Pub L. 104-170), Valent included in the petitions a summary of the petitions and authorization for the summary to be published in the Federal Register in a notice of receipt of the petitions. The summary represents the views of Valent; EPA is in the process of evaluating the petitions. As required by section 408(d)(3) EPA is including the summary as a part of this notice of filing. EPA may have made minor edits to the summary for the purpose of clarity.

I. Petition Summary

A. Residue Chemistry

1. *Plant metabolism*. Clethodim is used for postemergent control of grasses in a wide variety of crops including cotton, soybeans, sugar beets, onions, etc. Plant metabolism studies have been performed in carrots, soybeans, and cotton. Studies were performed with clethodim radio-labeled in the ring structure and in the side chain to follow both parts of the molecule.

The major metabolic pathway in plants is initial sulfoxidation to form clethodim sulfoxide followed by further sulfoxidation to form clethodim sulfone; elimination of the chloroallyloxy side chain to give the imine sulfoxide and sulfone; and hydroxylation to form the 5-OH sulfoxide and 5-OH sulfone. Clethodim sulfoxide and clethodim sulfone conjugates were also detected as major or minor metabolites, depending on plant species and subfractions. Once cleaved from clethodim, the chloroallyloxy moiety undergoes extensive metabolism to eliminate the chlorine atom and incorporate the three-carbon moieties into natural plant components. EPA has determined that the nature of the residue is adequately understood for the purposes of this petition (memos from J. Morales, February 8, 1996 and June 25, 1996).

Based on these metabolism studies, the residues of concern in crops are clethodim and its metabolites containing the cyclohexene moiety, and their sulfoxides and sulfones.

2. *Analytical methods.* Adequate analytical methodology is available for detecting and measuring levels of clethodim and its metabolites in crops. For most commodities, the primary enforcement method is EPA-RM-26D-3, an HPLC method capable of distinguishing clethodim from the structurally related herbicide sethoxydim. However, for milk natural interferences prevent adequate quantitation of clethodim moieties and the common-moiety method (RM-26B-2) is the primary enforcement method with EPA-RM-26D-3 as the secondary method if needed to determine whether residues are clethodim or sethoxydim. Both of these methods have successfully undergone petition method validations at EPA.

3. *Magnitude of residues.* Clethodim is the active ingredient in SELECT 2 EC Herbicide (EPA Reg. No. 59639-3) and SELECT Herbicide (also known as PRISM and ENVOY Herbicides, EPA Reg. No. 59639-78). Tolerances have been established for residues in cotton, soybean, sugar beet, onion (dry bulb), and animal commodities. A summary of available field residue data for the pending tolerances on tomato, alfalfa, peanut, and dry bean commodities is presented below.

In 12 field trials, tomatoes were treated with two post-emergent applications of 0.25 lb. a.i./A each, approximately 14 days apart, and harvested approximately 20 days after the last application. Both fresh and processing tomatoes were included and trials were performed in EPA growing regions 1, 2, 3, 5, and 10. Residues for individual tomato fruit samples ranged from < 0.1 ppm to 0.82 ppm. The highest average field trial (HAFT) residue was 0.77 ppm. The average residue value for all trials, excluding samples less than the limit of detection, was 0.37 ppm. Two processing studies were also performed for tomatoes. Residues were found to concentrate in puree and paste. Concentration factors were determined to be 2.2 for puree and 3.25 for paste. These data have been reviewed by EPA and support time-limited tolerances of 1.0 ppm in tomato fruit, 2.0 ppm in puree, and 3.0 in paste. Valent has agreed to conduct four additional residue trials in growing region 10 as a condition of registration in order to meet recent Agency guidance for distribution of crop field trials across the United States.

In 12 field trials, alfalfa was treated with two post-emergent applications of 0.25 lb. a.i./A each. Alfalfa was harvested approximately 15 to 20 days after each application. Forage samples were taken immediately after cutting and hay samples were dried in the field for 1 to 10 days before being collected. Trials were performed in EPA growing regions 1, 5, 7, 10 and 11. Residues for individual forage samples, treated with either one or two applications, ranged from 0.13 ppm to 5.7 ppm. The highest average field trial (HAFT) residue was 5.4 ppm. Hay sample residues ranged from 0.45 ppm to 9.2 ppm. The HAFT residue was 8.9 ppm. These data have been reviewed by the EPA and support tolerances of 6.0 ppm in alfalfa forage and 10.0 ppm in hay.

In 8 field trials, peanuts were treated with two post-emergent applications of 0.25 lb. a.i./A each approximately 14 days apart and harvested approximately 40 days after the last application. Trials were performed in EPA growing regions 2, 3, and 8. Harvested peanuts were dried in the field for 3 to 11 days after which peanuts and peanut hay were sampled. Residues for individual peanut nutmeat samples ranged from < 0.05 ppm to 2.7 ppm. The highest average field trial (HAFT) residue was 1.75 ppm. The average residue value for all trials, excluding samples less than the limit of detection, was 0.94 ppm. Residues in peanut hay ranged from 0.22 ppm to 2.6 ppm with a HAFT residue of 2.55 ppm. A processing study was also performed for peanuts and residues were found to concentrate in meal with a concentration factor of 3.0. These data have been reviewed by the EPA and support tolerances of 3.0 ppm in peanut nutmeat, 3.0 ppm in peanut hay, and 5.0 ppm in peanut meal. Valent has agreed to conduct four additional residue trials in growing region 2 as a condition of registration in order to meet recent Agency guidance for distribution of crop field trials across the United States.

In 9 field trials, dry beans were treated with two post-emergent applications of 0.25 lb. a.i./A each approximately 14 days apart and harvested approximately 30 days after the last application. Trials were performed in EPA growing regions 5, 7, 9, 10, and 11. Residues for individual dry bean seed samples ranged from 0.58 ppm to 1.6 ppm. The highest average field trial (HAFT) residue was 1.6 ppm. The average residue value for all trials, excluding samples less than the limit of detection, was 0.99 ppm. These data have been reviewed by the EPA and support a tolerance of 2.0 ppm for dry bean seeds. Valent has agreed to conduct three additional residue trials in growing region 5 as a condition of registration in order to meet recent Agency guidance for distribution of crop field trials across the United States.

B. Toxicological Profile

1. *Acute toxicity.* Clethodim Technical is slightly toxic to animals following acute oral (Toxicity Category III), dermal (Toxicity Category IV), or inhalation exposure (Toxicity Category IV under current guideline interpretation). Clethodim is a moderate eye irritant (Category III), a severe skin irritant (Category II), and does not cause skin sensitization in the modified Buehler test in guinea pigs. In addition, an acute oral no-observed effect level

(NOEL) has been determined in rats to be 300 mg/kg. Since this NOEL is significantly higher than the lowest chronic NOEL of 1 mg/kg/day, chronic exposures are expected to be of the most concern and this summary will focus on repeated exposures.

2. *Genotoxicity*. Clethodim Technical did not induce gene mutation in microbial *in vitro* assays. A weak response in an *in vitro* assay for chromosome aberrations was not confirmed when clethodim was tested in an *in vivo* cytogenetics assay up to the maximally tolerated dose level, nor was the response observed *in vitro* using technical material of a higher purity. No evidence of unscheduled DNA synthesis was seen following *in vivo* exposure up to a dose level near the LD_{50} (1.5 g/kg). This evidence indicates that clethodim does not present a genetic hazard to intact animal systems.

3. *Reproductive and developmental toxicity*. No reproductive toxicity was observed with Clethodim Technical at feeding levels up to 2,500 ppm. Developmental toxicity was observed in two rodent species, but only at maternally toxic dose levels. In rats, the developmental NOEL was 300 mg/kg/day while the maternal toxicity NOEL was only 150 mg/kg/day. In rabbits, the developmental NOEL was 300 mg/kg/day and the maternal NOEL was only 25 mg/kg/day. Thus, Valent believes that clethodim should therefore not be considered a reproductive or developmental hazard.

4. *Subchronic toxicity*. High doses of Clethodim Technical cause decreased body weights, increased liver size (increased weight and cell hypertrophy), and anemia (decreased erythrocyte counts, hemoglobin, or hematocrit) in rats and dogs. No observable effect levels have been determined to be 100 mg/kg/day for a 4-week dermal study in rats, 200 to 1,000 ppm for 4- or 5-week feeding studies in rats or mice, 500 ppm in a 13-week feeding study in rats, and 25 mg/kg/day in a 90-day oral study in dogs.

5. *Chronic toxicity and oncogenicity*. In chronic studies conducted in rats, mice, and dogs, compound-related effects noted at high doses included decreased body weight, increased liver size (liver weight and hypertrophy), and anemia (decreased hemoglobin, hematocrit, and erythrocyte count). Bone marrow hyperplasia was observed in dogs at the highest dose tested. No treatment-related increases in incidence of neoplasms were observed in any study. Chronic NOELs were 200 ppm for an 18-month feeding study in mice and 500 ppm for a 24-month study in rats. The lowest NOEL is from the 1-year oral dog study and is 1 mg/kg/day clethodim technical. Based on this study and a 100-fold safety factor, the Reference Dose (RfD) for clethodim was determined to be 0.01 mg/kg/day. Valent believes that Clethodim is not carcinogenic.

6. *Rat metabolism*. The *in vivo* metabolism of clethodim in rats was tested at a high dose (468 mg/kg), low dose (4.4 mg/kg), and a low dose (4.8 mg/kg) following 14 days of treatment with Clethodim Technical. A single oral dose of [14C]-clethodim was given to each rat and expired carbon dioxide and excreta were collected over the next two and seven days, respectively, to determine radio-label recovery. Several organs and tissues, and the remaining carcass, were collected after sacrifice to determine radio-label recovery. In all treatment groups, nearly all of the radio-label was eliminated in the urine (87-93%), feces (9-17%), and carbon dioxide (0.5-1%) and less than 1% of the dose was recovered in the organs and tissues after seven days.

Elimination was rapid as most of the recovered dose was eliminated within 48 hours. The low dose groups eliminated clethodim slightly faster than the high dose group, and repeated exposure to clethodim prior to radio-label dosing did not affect the rate of elimination or distribution of recovered radio-label. There were no apparent sex differences with respect to elimination or distribution of metabolites.

The primary excretory metabolites were identified as clethodim sulfoxide (48-63%), clethodim S-methyl sulfoxide (6-12%), clethodim imine sulfoxide (7-10%), and clethodim 5-hydroxy sulfoxide (3-5%). Minor metabolites included clethodim oxazole sulfoxide (2-3%), clethodim trione sulfoxide (1%), clethodim (1%), clethodim 5-hydroxy sulfone (0.3-1%), clethodim sulfone (0.1-1%), aromatic sulfone (0.2-0.7%), and S-methyl sulfone (0-0.4%).

7. *Dermal penetration*. The dermal penetration of SELECT 2 EC Herbicide, the end-use product, was tested on unabraded, shaved skin of rats. Single doses of approximately 0.05, 0.5, and 5.0 mg of radio-labeled (14C-clethodim) SELECT 2 EC Herbicide, were applied topically to 10 cm2 sites on the dorsal trunk. After 2, 10, or 24 hours, urine, feces, volatiles, scrubbings of the skin, skin at treatment site, blood, several tissues, and the carcass were collected and counted for radioactivity. Clethodim was found to be slowly absorbed through the skin in a time-dependent manner. The percent of dose absorbed increased with length of exposure and decreased with increasing dose. Ten-hour absorption rates ranged from 7.5% to 30.0%. Most of the absorbed material was found in the urine and carcass, and most of the unabsorbed material was found in the skin scrubbings indicating that material was still on the skin surface.

8. *Metabolite toxicity*. Two metabolites of clethodim, clethodim imine sulfone (RE-47719) and clethodim 5-hydroxy sulfone (RE-51228), have been tested in toxicity screening studies to evaluate the potential impact of these metabolites on the toxicity of clethodim. In general, these metabolites were found to be less toxic than Clethodim Technical for acute and oral toxicity studies; reproduction and teratology screening studies; and several mutagenicity studies.

C. Aggregate Exposure

1. *Dietary exposure*—a. *Food*. Clethodim is approved for use in the production of commercial agricultural crops including cotton, soybeans, sugar beets, and onions (dry bulb). Dietary exposures are expected to represent the major route of exposure to the public. Since chronic exposures are of more concern than acute exposures for clethodim, this summary will focus primarily on chronic issues. Chronic dietary assessments for clethodim have been conducted recently by EPA and Valent to address the new tolerances proposed for tomato, alfalfa, peanut, and dry bean commodities.

In the EPA assessment (memo from Brian Steinwand dated June 28, 1996), anticipated residues were used for soybean, cotton, and animal commodities. For all other crops, tolerance values were used which overestimate potential exposure. The assessment assumed 100% of all crops were treated with clethodim which also overestimates exposure. The results of this conservative assessment are summarized in the Safety Determination section of this document and indicate that chronic dietary exposures for existing and proposed uses of clethodim are less than the reference dose.

In Valent's assessment, anticipated residues were used for all crop and animal commodities. Anticipated residue levels were the mean levels found in crop field trial data after treatment with the maximum recommended rate and harvested at minimum allowable intervals. These values are, therefore, slightly conservative. An assessment was performed assuming 100% of crop treated (still conservative) as well as assuming a more realistic percent of crop treated based on market survey data for existing uses or market projections for proposed uses. Adjusting

for percent of crop treated is justified because most of treated commodities are combined in central locations and broadly distributed to the public, none of the clethodim tolerances or uses are limited to specific regions in the United States, and we are primarily concerned with chronic dietary exposure which minimizes the variance of single serving residues. The results of these more realistic assessments are summarized in the Safety Determination section of this document and indicate that chronic dietary exposures for existing and proposed uses of clethodim are well below the RfD in either case.

b. *Drinking water.* Since clethodim is applied outdoors to growing agricultural crops, the potential exists for clethodim or its metabolites to leach into groundwater. Drinking water, therefore, represents a potential route of exposure for clethodim and should be considered in an aggregate exposure assessment.

Based on available studies used in EPA's assessment of environmental risk for clethodim (memo from E. Brinson Conerly dated June 26, 1990), clethodim itself was classified as mobile in soil, but very non-persistent, representing a minimal groundwater concern. Metabolites of clethodim were also classified as mobile, but are slightly more persistent (half-lives up to 30 days versus up to 3 days for parent). Regarding clethodim metabolites, the Agency concluded that the ''potential for groundwater contamination may be somewhat higher than for clethodim but would still be expected to be relatively low in most cases due to their moderately low persistence''.

There is no established Maximum Concentration Level for residues of clethodim in drinking water under the Safe Drinking Water Act.

Based on this information, Valent believes that clethodim appears to represent an insignificant risk for exposure through drinking water.

2. *Non-dietary exposure.* Clethodim is currently approved for the commercial production of agricultural crops including soybeans, cotton, sugar beets, onions, and ornamental plants as well as for use on non-crop areas. The new uses proposed in this notice of filing are all agricultural crops. While there is a potential for clethodim to be used in non-crop areas (e.g. around parks and rights-of-way) where the public does spend some time, the likelihood of significant exposure is very small. First, this grass herbicide cannot be sprayed on lawns where the public does spend significant amounts of time, but instead must be used where there is no crop or around ornamental plants that are tolerant to the chemical. The public does not spend significant amounts of time in these areas. And second, clethodim is not persistent in the environment so the potential for public exposure is short term. Therefore, Valent believes that the potential for non-occupational exposure to the general public, other than through the diet or drinking water, is insignificant.

D. Cumulative Effects

There is one other pesticide compound registered in the United States, sethoxydim, which is structurally related to clethodim and has similar effects on animals. Sethoxydim is approved for use on a variety of agricultural crops, in non-crop areas, and around the home. This chemical should be considered in an aggregate exposure assessment along with clethodim. Dietary exposure is expected to represent the major route of exposure for sethoxydim as well as for clethodim.

The RfD for sethoxydim is 0.09 mg/kg/day based on the 1-year dog feeding study NOEL and a 100-fold safety factor. This in on the same order of magnitude as clethodim, 0.01 mg/kg/day, which is also based on a 1-year dog study and a 100-fold safety factor.

A discussion of the cumulative effects from clethodim and sethoxydim exposures is presented below in the Safety Determination section.

E. Safety Determination

1. *U.S. population.* Using the dietary exposure assessment procedures described above for clethodim, chronic dietary exposures resulting from existing and proposed uses of clethodim were compared to the RfD of clethodim. In the EPA's conservative analysis (using anticipated residues for some crops and 100% of all crops treated), the total dietary exposure will occupy 39.4% of the RfD for the U.S. population. The highest exposure group is children aged 1 - 6 years, where exposure will occupy 84.1% of the RfD. In Valent's conservative assessment (using anticipated residues and assuming 100% treated for all crops), exposure for the U.S. population would occupy 13.5% of the RfD and non-nursing infants (< 1 year) are most highly exposed with total exposure occupying 29.1% of the RfD. In Valent's realistic analysis (using anticipated residues and estimated percent of crop treated for all crops), exposure for the U.S. population would occupy only 0.6% of the RfD and non-nursing infants would be at only 1.5% of the RfD.

For sethoxydim, recent EPA dietary assessments have been performed in conjunction with tolerance approvals using the very conservative assumptions of tolerance values and 100% of crop treated for all crops. In a Proposed Rule published in the Federal Register dated February 29, 1996 (61 FR 7764; FRL–5351–8) the EPA estimated that exposure to all existing and proposed tolerances for sethoxydim would occupy 37.7% of the sethoxydim RfD for the U.S. population and 74.3% of the RfD for the most exposed subpopulation of children aged 1 to 6 years. A more realistic assessment utilizing anticipated residues and percent of crop treated will certainly reduce exposure by a large amount as with clethodim.

Since clethodim and sethoxydim have similar toxicological effects in mammals, the contributions to the individual RfDs should be considered in an aggregate exposure assessment. The EPA generally has no concern for exposures below 100% of the RfD because the RfD represents the level at or below which daily aggregate exposure over a lifetime will not pose appreciable risks to human health. Based on the very conservative assumptions in the EPA analyses, aggregate exposures would exceed 100% if the contributions for these two chemicals were summed directly. However, reliable information is not available to indicate that directly summing the percent of RfD for these two chemicals is the most appropriate thing to do. In addition, as can be seen by the Valent assessments using anticipated residue and percent of crop treated values, both well-accepted Agency practices, realistic exposures are lower by about an order of magnitude. Similar reductions would be expected for sethoxydim since actual residues will be lower than tolerance levels and percent of crop treated values will likely be similar to those for clethodim since they both compete for the same post-emergence grass herbicide market. Valent believes that it is therefore very likely that aggregate dietary exposure will be well below the acceptable level of 100% of the RfD and probably well below 10%. Unfortunately, Valent does not have access to appropriate values for anticipated residues or percent of crop treated for sethoxydim and cannot provide an estimate of realistic dietary exposure.

Regarding drinking water exposures, sethoxydim is similar to clethodim representing a minimal risk for leaching into groundwater due to its rapid degradation in the environment. There is no established Maximum Concentration Level for residues of sethoxydim in drinking water under the Safe Drinking Water Act.

Regarding non-occupational exposures, sethoxydim is registered for use in non-crop areas and around the home and may have some potential for exposure to the general public. However, as discussed for clethodim, sethoxydim cannot be applied to grass where public contact is expected and sethoxydim is not persistent in the environment. Valent expects that non-occupational exposures to the public are therefore expected to be minimal for sethoxydim.

In summary, Valent expects that dietary exposure for clethodim and sethoxydim are each expected to occupy less than 10% of their RfD's when anticipated residue levels and percent of crop treated values are considered. Exposures through the drinking water or other non-occupational routes are expected to be minimal. Collectively, Valent believes that the aggregate risks associated with the uses of these two chemicals is small and demonstrates a reasonable certainty of no harm to the public.

2. *Infants and children.* As discussed above, dietary exposure for clethodim and sethoxydim is greatest for children ages 1 to 6 years or non- nursing infants less than 1 year old. However, using a realistic approach to estimating exposures, exposures are expected to be below 10% of the RfD for each chemical even for infants and children. The databases for clethodim and sethoxydim are complete relative to current pre- and post-natal toxicity testing requirements including developmental toxicity studies in two species and multi-generation reproduction studies in rats. Reproduction and developmental effects have been found in toxicology studies for clethodim and sethoxydim, but the effects were seen at levels that were also maternally toxic. This indicates that developing animals are not more sensitive than adults. FQPA requires an additional safety factor of up to 10 for chemicals which represent special risks to infants or children. Clethodim and sethoxydim do not meet the criterion for application of an additional safety factor for infants and children. Valent believes that this demonstrates a reasonable certainty of no harm to children and infants from the proposed uses of clethodim.

3. *International tolerances.* Although some have been proposed, there are no Canadian, Mexican, or Codex tolerances or maximum residue limits established for clethodim on tomatoes, alfalfa, peanuts, or dry beans. There are no conflicts between this proposed action and international residue limits.

II. Public Record

EPA invites interested persons to submit comments on this notice of filing. Comments must bear a notification indicating the docket control number [PF–702]. All written comments filed in response to these petitions will be available, in the Public Response and Program Resources Branch, at the address given above from 8:30 a.m. to 4 p.m., Monday through Friday, except legal holidays.

A record has been established for this notice under docket control number [PF–702] (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 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.

Authority: 21 U.S.C. 346a.

List of Subjects

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

Dated: February 3, 1997.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 97–3225 Filed 2–11–97; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collections Submitted to OMB for Review and Approval

February 6, 1997.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commissions burden estimates; (c)ways to enhance the quality, utility, and clarity of the information collected and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before March 14, 1997. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to dconway@fcc.gov and Timothy Fain, OMB Desk Officer, 10236 NEOB 725 17th Street, NW., Washington, DC 20503 or fain_t@a1.eop.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Dorothy Conway at 202–418–0217 or via internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Approval No.: 3060–0478.

Title: Informational Tariffs.

Form No. N/A.