

Room M-1500, 1st Floor, 401 M Street, SW., Washington, DC 20460. Telephone (202) 260-7548. FAX (202) 260-4400.

The proposed regulatory text, proposed test Method 311 and other materials related to this rulemaking are available for review in the docket. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT:

For information concerning the proposed standards, contact Dr. Madeleine Strum at (919) 541-2383, Coatings and Consumer Products Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711. For further information concerning the proposed test Method 311, contact Mr. Gary McAlister at (919) 541-1062, Source Categorization Group B, Emissions Monitoring and Analysis Division (MD-19), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION: On December 6, 1994, EPA published proposed standards to limit emissions of hazardous air pollutants (HAP) from existing and new wood furniture manufacturing operations located at major sources. The proposed standards implement section 112(d) of the Clean Air Act as amended, which require the Administrator to regulate emissions of HAP listed in section 112(b) of the Act. The EPA also proposed Method 311, to be used to assist in demonstrating compliance with the proposed emission limitations.

The comment period was scheduled to close on February 21, 1995. Industry has requested a 60-day extension of the comment period to complete testing of the proposed test Method 311. In response to this request, the Agency is extending the comment period for the proposed Method 311 to April 24, 1995. The comment period for the proposed rule, however, will be extended by only 30 days, and is thus extended to March 23, 1995. All interested parties are encouraged to submit comments prior to that date.

Dated: February 16, 1995.

Mary D. Nichols,

Assistant Administrator for Air and Radiation.

[FR Doc. 95-4454 Filed 2-21-95; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Parts 63 and 430

[FRL-5156-5]

RIN 2060-AD03 and 2040-AB53

Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards: Pulp, Paper, and Paperboard Category; National Emission Standards for Hazardous Air Pollutants for Source Category: Pulp and Paper Production

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of data availability.

SUMMARY: On December 17, 1993, EPA proposed standards to reduce the discharge of water pollutants and emissions of hazardous air pollutants from the pulp, paper, and paperboard industry (58 FR 66078). This action announces the availability of additional data that EPA will consider for the promulgation of hazardous air pollutant emission standards for this industry.

DATES: Comments are not solicited at this time.

ADDRESSES: The data being announced today has been placed in Air Docket A-92-40. The docket is available for public inspection and copying between 8 a.m. and 4 p.m., Monday through Friday, at the EPA Air Docket Section, Waterside Mall, room M1500, U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Mark Najarian, Waste and Chemical Processes Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina, 27711, telephone number (919) 541-5393.

SUPPLEMENTARY INFORMATION: On December 17, 1993 (58 FR 66078), EPA proposed standards to reduce the discharge of water pollutants and emissions of hazardous air pollutants from the pulp, paper, and paperboard industry. The period for receiving public comments on the proposed rule ended on April 18, 1994; however, EPA stated in the preamble to the proposed rule that various industry groups were collecting air emissions data that would not be available until after the comment period and that the Agency would still consider that data for the promulgation of the air emission standards.

The additional data being announced today includes the following items located in Air Docket A-92-40: (1) A 16-mill study conducted by the National Council of the Paper Industry for Air

and Stream Improvement (NCASI), items II-I-77 through II-I-79, IV-D-8, IV-D1-20 through IV-D1-22, IV-J-1 through IV-J-4, IV-J-6 through IV-J-14, and IV-J-16; (2) a 10-mill study conducted by International Paper, items IV-J-18 through IV-J-27; (3) a 5-mill study conducted by the Texas Paper Industry Environmental Committee, items II-I-13 to II-I-18; (4) a condensate study, items IV-D1-16 and IV-D1-18. NCASI prepared summaries of their testing program in NCASI technical bulletins, items IV-D1-29, IV-D1-29A, IV-D1-31, IV-D1-33 through IV-D1-35, IV-D1-38, IV-D1-39, IV-D1-41, and IV-D1-42. EPA has also prepared draft summaries of the NCASI and Texas studies, items IV-A-2 and IV-A-3, respectively.

EPA is not soliciting comment on the new data at this time so that the public will have an expanded opportunity to review the data. The reports added to the Air Docket consist of multi-volume test reports from numerous testing programs and summaries of two of the testing programs. The Agency will solicit comment on these data in a subsequent notice.

EPA also anticipates that additional data regarding both air emissions and effluent discharges will be published after today's notice. An additional announcement will be posted at a later date presenting further data and soliciting comments of all announced data.

Dated: February 13, 1995.

Richard D. Wilson,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 95-4293 Filed 2-21-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 81

[A-1-FRL-5156-8]

Clean Air Act Promulgation of Extension of Attainment Date for Ozone Nonattainment Area; Maine

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to extend by one year the attainment date for the Hancock and Waldo Counties, Maine ozone nonattainment area, a marginal nonattainment area. This proposal is based in part on monitored air quality readings for the national ambient air quality standard for ozone during 1993.

DATES: Comments on this proposal must be received by March 24, 1995.

ADDRESSES: Comments on this proposal should be submitted to: Linda M. Murphy, Director, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203. Copies of the State submittal and EPA's technical support document are available for public inspection during normal business hours, by appointment at the Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region I, One Congress Street, 10th floor, Boston, MA and the Bureau of Air Quality Control, Department of Environmental Protection, 71 Hospital Street, Augusta, ME 04333

FOR FURTHER INFORMATION CONTACT: Richard P. Burkhart, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203. Phone: 617-565-3244.

SUPPLEMENTARY INFORMATION:

CAA Requirements and EPA Actions Concerning Designation and Classification

Section 107(d)(4) of the Clean Air Act as amended in 1990 (CAA) required the States and EPA to designate areas as attainment, nonattainment, or unclassifiable for ozone as well as other pollutants for which national ambient air quality standards (NAAQS) have been set. Section 181(a)(1) (table 1) required that ozone nonattainment areas be classified as marginal, moderate, serious, severe, or extreme, depending on their air quality.

In a series of **Federal Register** documents, EPA completed this process by designating and classifying all areas of the country for ozone. See, e.g., 56 FR 58694 (Nov. 6, 1991); 57 FR 56762 (Nov. 30, 1992); 59 FR 18967 (April 21, 1994).

Areas designated nonattainment for ozone are required to meet attainment dates specified under the Act. For areas classified marginal through extreme, the attainment dates range from November 15, 1993 through November 15, 2010. A discussion of the attainment dates is found in 57 FR 13498 (April 16, 1992) (the General Preamble).

The Hancock and Waldo Counties, Maine area was designated nonattainment and classified marginal for ozone pursuant to 56 FR 58694 (Nov. 6, 1991). By this classification, its attainment date became November 15, 1993.

CAA Requirements and EPA Actions Concerning Meeting the Attainment Date

Section 181(b)(2)(A) requires the Administrator, within six months of the

attainment date, to determine whether ozone nonattainment areas attained the NAAQS. For ozone, EPA determines attainment status on the basis of the expected number of exceedances of the NAAQS over the three-year period up to, and including, the attainment date. See General Preamble, 57 FR 13506. In the case of ozone marginal nonattainment areas, the three-year period is 1991-93. CAA section 181(b)(2)(A) further states that, for areas classified as marginal, moderate, or serious, if the Administrator determines that the area did not attain the standard by its attainment date, the area must be reclassified upwards.

However, CAA section 181(a)(5) provides an exemption from these bump up requirements. Under this exemption, EPA may grant up to two one-year extensions of the attainment date under specified conditions:

Upon application by any State, the Administrator may extend for 1 additional year (hereinafter referred to as the "Extension Year") the date specified in table 1 of paragraph (1) of this subsection if—

(A) the State has complied with all requirements and commitments pertaining to the area in the applicable implementation plan, and

(B) no more than 1 exceedance of the national ambient air quality standard level for ozone has occurred in the area in the year preceding the Extension Year.

No more than 2 one-year extensions may be issued under this paragraph for a single nonattainment area.

EPA interprets this provision to authorize the granting of a one-year extension under the following, minimum, conditions: (i) The State requests a one-year extension; (ii) all requirements and commitments in the EPA-approved SIP for the area have been complied with; and (iii) the area has no more than one measured exceedance of the NAAQS during the year that includes the attainment date (or the subsequent year, if a second one-year extension is requested).

EPA Action

EPA is today proposing to grant a one-year extension of the attainment date for the Hancock and Waldo Counties, Maine nonattainment area. Air Quality monitors for this area revealed two exceedances of the ozone National Ambient Air Quality Standard during the three year period from 1991 to 1993. Both exceedances occurred in 1991, at a monitor located in Hancock County at a site operated by the National Park Service. The site had data capture problems in both 1991 and 1992. In 1993 the Maine Department of Environmental Protection took over maintenance of the site and data capture

improved greatly. Since 1991 the site has not had any exceedances of the NAAQS.

EPA is proposing that the requirements for a one-year extension of the attainment date have been fulfilled as follows: (i) The State requested a one-year extension in a letter, dated April 11, 1994, from Governor McKernan to EPA Region I Administrator, John Devillars; (ii) in that same letter Maine certified that the State is implementing the EPA-approved SIP; and (iii) the area has monitored no exceedance during 1993.

Accordingly, EPA is proposing to establish a new attainment date for the Hancock and Waldo Counties, Maine area as November 15, 1994. If this proposal is finalized as proposed, the area would remain a marginal ozone nonattainment area, and the requirements for EPA to determine by May 15, 1994 whether the area has reached attainment or whether the area should be reclassified upwards would be extended by one year. Instead, under section 181(b)(2) of the CAA, EPA would determine by May 15, 1995 whether the area has met its revised attainment date based on air quality data during the years 1992-94, except that EPA would consider a second one-year extension if requested by the State.

Solicitation of Public Comment

As described above, EPA is proposing to extend the attainment date of the Hancock and Waldo Counties, Maine ozone nonattainment area for one year, until November 15, 1994. Public comment is solicited on this proposal. All comments received by the close of the public comment period will be considered in the development of EPA's final decision.

Regulatory Process

Under E.O. 12866, this action has been exempted from the Office of Management and Budget's review.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et. seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000. Attainment date extensions under section 181(a)(5) of the CAA do not create any new requirements; therefore, I certify that this action will not have a significant impact on small entities.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Authority: 42 U.S.C. 7401-7671q.

Dated: January 25, 1995.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 95-4295 Filed 2-21-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 180

[OPP-300379; FRL-4934-8]

RIN 2070-AC18

Extended Tolerance on Dried Hops for Imidacloprid

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to extend the tolerance for residues of the insecticide 1-[(6-chloro-3-pyridinyl) methyl]-N-nitro-2-imidazolidinimine and its metabolites (common name "imidacloprid") in or on dried hops at 3.0 parts per million (ppm). On its own initiative, EPA proposes to extend the tolerance to allow time to review a petition from the Interregional Research Project No. 4 (IR-4).

DATES: Written comments, identified by the document control number, [OPP-300379], may be submitted on or before March 24, 1995.

ADDRESSES: Comments may be submitted to: Public Docket and Freedom of Information Section, Field Operations Division (7506C), Office of Pesticide Programs, 401 M St., SW., Washington, DC 20604. In person, bring comments to: Rm. 1132, CM #2, Arlington, VA 22202.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information "Confidential Business Information" (CBI). Information so marked 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 below, from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Dennis H. Edwards, Jr., Product

Manager (PM) 19, Registration Division (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 207, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-6386.

SUPPLEMENTARY INFORMATION: On its own initiative and pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), the Agency established in 40 CFR 180.472 a time-limited tolerance for the residues of imidacloprid on dried hops at 3.0 parts per million (ppm) (see the **Federal Register** of June 28, 1994 (59 FR 33204)). EPA established this tolerance because EPA had granted a petition for an emergency exemption under section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. 136p, for the use of imidacloprid on hops in the States of Washington, Oregon, and Idaho; imidacloprid is used in other countries which export hops to the United States; and the database for imidacloprid is relatively complete. At that time, a third field residue trial was outstanding. Since then, the Interregional Research Project No. 4 (IR-4) has submitted a pesticide petition to the Agency requesting that a tolerance be established in or on dried hops. This petition is currently in review. The Agency may not complete its review of the IR-4 petition before the time-limited tolerance would expire. EPA does not believe that its risk assessment will significantly change as a result of the IR-4 petition. Therefore, the Agency is proposing to extend this tolerance for an additional 1-year period, i.e., to June 28, 1996.

In the **Federal Register** of November 30, 1994 (59 FR 61278), EPA revised 40 CFR 180.472 and removed the time-limited designation for commodities listed in paragraph (a). The listing for "Hops, dried" at 3.0 ppm inadvertently was left in paragraph (a) in the new list of commodities without a time-limited designation. Hops should have retained the time-limited designation, June 28, 1995, and been moved to a new paragraph. This change was made by a technical amendment published in the **Federal Register** of February 22, 1995.

All relevant materials have been evaluated. The toxicology data considered in support of the tolerance include:

1. A three generation rat reproduction study that showed a NOEL of 100 ppm (8 mg/kg/bwt); rat and rabbit teratology studies were negative at doses up to 30 mg/kg/bwt and 24 mg/kg/bwt, respectively.

2. A 2-year rat feeding/carcinogenicity study that was negative for carcinogenic effects under the conditions of the study and had a NOEL of 100 ppm (5.7 mg/kg/bwt in males and 7.6 mg/kg/bwt in females) for noncarcinogenic effects, which included decreased body weight gain in females at 300 ppm and increased thyroid lesions in males at 300 ppm and females at 900 ppm.

3. A 1-year dog feeding study that showed a NOEL of 1,250 ppm (41 mg/kg/bwt).

4. A 2-year mouse carcinogenicity study that was negative for carcinogenic effects under the conditions of the study and had a NOEL of 1,000 ppm (208 mg/kg/day).

There is no cancer risk associated with exposure to this chemical. Imidacloprid has been classified as a "Group E" (no evidence of carcinogenicity for humans) carcinogen by the OPP Reference Dose (RfD) Committee.

The reference dose (RfD), based on the 2-year rat feeding/carcinogenic study with a NOEL of 5.7 mg/kg/bwt and 100-fold uncertainty factor, is calculated to be 0.057 mg/kg/bwt. The theoretical maximum residue contribution (TMRC) from the proposed tolerances is 0.000984 mg/kg/bwt/day and utilizes 2% percent of the ADI.

The nature of the residue in plants and livestock is adequately understood. Spent hops are not considered a poultry feed item; therefore, secondary imidacloprid tolerances for poultry and eggs are not required. The analytical method is a common moiety method for imidacloprid and its metabolites containing the 6-chloropyridinyl moiety in plants using a permanganate oxidation, silyl derivatization, and capillary GC-MS-selective ion monitoring. The magnitude of the residue crop field trial data for imidacloprid on hops indicates that residues of total imidacloprid will not exceed the proposed tolerance when the formulations are used as directed. The extension for this use will expire on June 28, 1996.

This pesticide is considered useful for the purposes for which the tolerances are sought. Based on the above information considered by the Agency, the tolerance established by amending 40 CFR part 180 would protect the public health. Therefore, it is proposed that the tolerance be established as set forth below. Any person who has registered or submitted an application for registration of a pesticide, under FIFRA, as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this document in the **Federal Register**