

sewage or discharge outside of the designated zones.

List of Subjects in 40 CFR Part 140

Environmental protection; Sewage disposal, Vessels.

Dated: June 21, 1995.

William J. Muszynski,

Acting Regional Administrator.

For the reasons set out in the preamble, 40 CFR part 140 is proposed to be amended as follows:

PART 140—[AMENDED]

1. The authority citation for part 140 continues to read as follows:

Authority: Sec. 312, as added Oct. 18, 1972, Pub. L. 92–500, sec. 2, 86 Stat. 871. Interpret or apply sec. 312(b)(1), 33 U.S.C. 1322(b)(1).

2. In § 140.4 paragraph (b)(1) is amended by designating the undesignated text after the colon as paragraph (b)(1)(i) and by adding paragraph (b)(1)(ii) to read as follows:

§ 140.4 Complete prohibition.

* * * * *

(b)***

(1)***

(ii) Two portions of the Hudson River in New York State, the first of which is bounded by the Mohawk River on the south and Lock 2 on the north, as described in item 1 of 6 New York Code of Rules and Regulations (NYCRR) Part 941.6, and the second of which is bounded on the north by the southern end of Houghtaling Island and on the south by a line between the Village of Roseton on the western shore and Low Point on the eastern shore, as described in Items 2 and 3 of 6 NYCRR Part 858.4.

[FR Doc. 95–16418 Filed 7–3–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 180

[PP 5E4425/P619; FRL–4962–5]

RIN 2070–AC18

Imidacloprid; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to establish a tolerance for residues of the insecticide (1-[6-chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine (referred to in this document as imidacloprid) and its metabolites in or on the raw agricultural commodity dried hops. The Interregional Research Project No. 4 (IR-4) requested pursuant to the Federal

Food, Drug and Cosmetic Act (FFDCA) the proposed regulation to establish a maximum permissible level for residues of the insecticide.

DATES: Comments identified by the document control number, [PP 5E4425/P619], must be received on or before August 4, 1995..

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. 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 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 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

Comments and data may also be submitted electronically 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 5E4425/P619]. Electronic comments on this proposed 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: Hoyt L. Jamerson, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. Office location and telephone number: Sixth Floor, Crystal Station #1, 2800 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 08903, has submitted pesticide petition (PP) 5E4425 to EPA on behalf of the Agricultural Experiment Stations of Oregon and Washington. 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 180.472 by establishing a tolerance for residues of the insecticide imidacloprid (1-[(6-chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine) and its metabolites containing the 6-chloropyridinyl moiety, all expressed as 1-[(6-chloro-3-pyridinyl)-methyl]-N-nitro-2-imidazolidinimine, in or on the raw agricultural commodity dried hops at 6 parts per million (ppm).

In the **Federal Register** of June 28, 1994 (59 FR 33204), EPA established a time-limited tolerance for residues of imidacloprid on dried hops at 3.0 ppm. The imidacloprid tolerance for dried hops was established to expire on June 28, 1995, to allow IR-4 sufficient time to conduct additional residue field trials in support of a permanent tolerance for this use. Subsequently, IR-4 submitted the data from the residue field trials and petition 5E4425 in support of a permanent tolerance, but EPA extended the time-limited tolerance to expire on June 28, 1996 (60 FR 24784, May 10, 1995), when it became apparent that the IR-4 proposed tolerance could not be established prior to the June 28, 1995 expiration date. The IR-4 residue data have been reviewed and determined to be adequate to support a permanent tolerance for imidacloprid on dried hops at 6 ppm.

The toxicological data considered in support of the proposed tolerance include:

1. A 1-year chronic feeding study in dogs fed diets containing 0, 200, 500, or 1,250/2,500 ppm (average intake was 0, 6.1, 15, or 41/72 milligrams (mg)/kilogram (kg)/day) with a noobserved-effect level of 1,250 ppm based on increased plasma cholesterol and liver cytochrome P-450 levels in dogs at the 2,500-ppm dose level. The high dose was increased to 2,500 ppm (72 mg/kg/day) from week 17 onward due to lack of toxicity at the 1,250-dose level.

2. A 2-year feeding/carcinogenicity study in rats fed diets containing 0, 100, 300, 900, or 1,800 ppm with a NOEL for chronic effects at 100 ppm (5.7 mg/kg/day in males, 7.6 mg/kg/day in females) that included decreased body weight gain in females at 300 ppm (24.9 mg/kg/day) and above; and increased thyroid