[FR Doc. 95–19689 Filed 8–8–95; 8:45 am] BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[OPP-180978; FRL 4969-1]

Carbofuran; Notice of Issuances and Receipt of Application for Emergency Exemption

AGENCY: Environmental Protection

Agency (EPA). **ACTION:** Notice.

SUMMARY: EPA has issued specific exemptions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, to the Texas Department of Agriculture, the Oklahoma Department of Agriculture, and the Mississippi Department of Agriculture and Commerce (hereafter referred to as the "Applicants") for use of the insecticide, flowable carbofuran, to control aphids on cotton. Due to the unique nature of these emergency situations, in which the time to review the conditions of these situations was short, it was not possible to issue a solicitation for public comment, in accordance with 40 CFR 166.24, prior to the Agency's decision to grant these exemptions. EPA is also announcing the receipt of a request from the Louisiana Department of Agriculture and Forestry for an emergency exemption to use flowable carbofuran on 300,000 acres of

comment period, as allowed in 40 CFR 166.24, due to the short period of time available with which to review this situation and render a timely decision. However, comments may still be submitted and will be evaluated. **ADDRESSES:** Three copies of written comments, bearing the identification notation "OPP-180978," should be submitted by mail to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460. In person, bring comments to: Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

DATES: EPA is waiving the public

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: oppdocket@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 in 5.1

file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP–180978]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as 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 provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Dave Deegan, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460. Office location and telephone number: 6th Floor, Crystal Station I, 2800 Jefferson Davis Highway, Arlington VA, (703) 308–8417; Internet address: deegan.dave@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a State agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicants requested that the Administrator issue specific exemptions for the use of the insecticide, carbofuran, formulated as Furadan 4F Insecticide-Nematicide, EPA Reg. No. 279-2876, manufactured by FMC Corporation, to control aphids. Information in accordance with 40 CFR part 166 was submitted as part of these

According to the Applicants, carbofuran is the only insecticide that could provide effective control of aphids. The applicants submitted data indicating that other currently registered insecticides either are showing signs of diminishing efficacy due to development of resistance in pest populations, or whose efficacy is not

consistently reliable enough to control this pest infestation.

Under the uses requested and/or authorized in these specific exemptions, Furadan 4F was requested to be used at a rate of 0.25 lb. of active ingredient (a.i.) per acre per application, applied as a foliar spray using ground or aerial equipment. A maximum of two applications per acre were requested. If two applications are made, a maximum total rate of 0.5 lbs. of carbofuran may not be exceeded per acre.

Under the exemptions which have been granted, the Texas Department of Agriculture was authorized use of up to 100,000 lbs. of carbofuran to treat up to 400,000 acres of cotton; the Oklahoma Department of Agriculture was authorized use of up to 10,000 lbs. of carbofuran to treat up to 40,000 acres of cotton; and the Mississippi Department of Agriculture and Commerce was authorized use of up to 50,000 lbs. of carbofuran to treat up to 200,000 acres of cotton. These states were granted use of these amounts of carbofuran following the requested application rates.

The granted specific exemptions expire on September 15, 1995. In the event that it is granted, the proposed exemption from Louisiana would expire on September 15, 1995 as well.

The regulations governing section 18 [40 CFR 166.24(a)(5)] require that the Agency publish a notice of receipt in the Federal Register and solicit public comment on an application for a specific exemption if the applicant proposes use of a chemical which has been the subject of a special review within the Agency. In the case of these states', and the situation found in their cotton producing areas, there was not adequate time to publish a notice of receipt and solicit public comments on these applications prior to the Agency reviewing the submitted data, and making and issuing its decisions. Therefore, as allowed for by 40 CFR 166.24(c), the comment period following a notice of receipt was eliminated, since the time available to make a decision required this.

A record has been established for this notice under docket number "[OPP–180978]" (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 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