

## OHIO—OZONE—Continued

Designated area	Designation		Classification	
	Date <sup>1</sup>	Type	Date <sup>1</sup>	Type
* * * * *				
Steubenville Area, Jefferson County .....	March 10, 1995 .....	Attainment.		
* * * * *				

<sup>1</sup> This date is November 15, 1990, unless otherwise noted.

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[FR Doc. 95-3072 Filed 2-7-95; 8:45 am]  
BILLING CODE 6560-50-P

#### 40 CFR Part 180

[PP 4F4314/R2104; FRL-4932-4]

RIN 2070-AB78

#### 1,4-Dimethylnaphthalene; Exemption from the Requirement of a Tolerance

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** EPA establishes an exemption from the requirement for a tolerance for residues of the potato sprout inhibitor 1,4-dimethylnaphthalene from the postharvest application to potatoes. D-I-1-4, Inc., requested this exemption.

**EFFECTIVE DATE:** This regulation becomes effective February 8, 1995.

**ADDRESSES:** Written objections and hearing requests, identified by the document control number, [PP 4F4314/R2104], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. A copy of any objections and hearing request filed with the Hearing Clerk should be identified by the document control number and submitted to: Public Response and Program Resources Branch, Field Operations Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington DC 20450. In Person, bring copy of objections and hearing request to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Fees accompanying objections shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251.

**FOR FURTHER INFORMATION CONTACT:** By mail: Cynthia Giles-Parker, Product Manager (PM) 22, Registration Division, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

Office location and telephone number: Rm. 229, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703) 305-5540.

**SUPPLEMENTARY INFORMATION:** EPA issued a notice, published in the **Federal Register** of March 30, 1994 (59 FR 14854), which announced that D-I-1-4, Inc., 15401 Cartwright Rd., Boise, ID 83703, had submitted pesticide petition (PP) 4F4314 to EPA requesting that the Administrator, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), establish an exemption from the requirement of a tolerance for the plant growth regulator 1,4-dimethylnaphthalene for use on potatoes (post-harvest).

There were no comments received in response to this notice of filing. The data submitted in the petition and all other relevant material have been evaluated. The toxicological data considered in support of the exemption from the requirement of a tolerance include:

1. A rat acute oral study with an LD<sub>50</sub> of 2,730 milligrams (mg)/kilogram (kg).
2. A rabbit acute dermal study with an LD<sub>50</sub> greater than 2 grams (g)/kg.
3. A rat acute inhalation study with an LD<sub>50</sub> greater than 4.16 mg/Liter (L).
4. A rabbit primary eye irritation study with moderate irritation that dissipated by day 14.
5. A rabbit primary dermal irritation study with moderate irritation that dissipated by day 14.
6. A guinea pig dermal sensitization study with no apparent sensitization.
7. An Ames mutagenicity study that was negative in the presence and absence of metabolic activation homogenate.
8. An in vitro test for unscheduled DNA synthesis in rat liver primary cell culture that was negative.
9. A in vivo micronucleus assay that was negative.
10. No hypersensitivity Incidents were reported.

1,4-Dimethylnaphthalene has been classified as a biochemical as defined by 40 CFR 158.65. Biochemical pesticides

are distinguished by their unique nontoxic mode of action, low use volume, target specificity, and natural occurrence. 1,4-Dimethylnaphthalene is naturally occurring in potatoes at levels between 1 and 10 ppm. When conditions are right for sprouting, the potato metabolizes 1,4-dimethylnaphthalene to a low enough level so that sprouting can occur. 1,4-Dimethylnaphthalene is applied to potatoes at a 2.5 ppm level up to 4 applications as a plant growth regulator during the storage season, which generally runs from October to August, to keep 1,4-dimethylnaphthalene at a sufficient concentration in the potato to continue to inhibit sprouting.

The results of the toxicity studies provided, the low-volume use pattern, and the fact that use of the product will not increase levels of 1,4-dimethylnaphthalene above levels normally found in potatoes are sufficient to demonstrate that there are no foreseeable human health hazards likely to arise from the use of the product as a potato sprout inhibitor. Because no enforcement residue level is established by this exemption, the requirement for an analytical method for enforcement purposes is not applicable to this exemption request.

1,4-Dimethylnaphthalene is considered useful for the purposes for which the exemption is sought. Based on the information and data considered, the Agency concludes that the establishment of a tolerance is not necessary to protect the public health. Therefore, the exemption from requirement of a tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the **Federal Register**, file written objections and/or request a hearing with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of the objections and/or hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the