

consumer and environmental/public interest groups, including representatives from the general public; academia; and the public health community. The Committee was formed to foster communication and understanding among the parties represented on the Committee and with OPP, and to provide advice and guidance to the Agency regarding pesticide regulatory, policy, and implementation issues.

PPDC meetings are open to the public. Outside statements by observers are welcome. Oral statements will be limited to three to five minutes, and it is preferred that only one person per organization present the statement. Any person who wishes to file a written statement can do so before or after a Committee meeting. These statements will become part of the permanent file and will be provided to the Committee members for their information. Materials will be available for public review at the following address: U.S. Environmental Protection Agency, Rm. 119, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703) 305-5805.

An agenda and background information are being developed and will be posted on the Agency's website December 30, 1998, at: <http://www.epa.gov/pesticides>.

To date, topics planned for discussion at the January 7-8, 1999 meeting will include: Inerts strategy, FQPA implementation activities, ecological standards, and BT resistance management.

List of Subjects

Environmental protection.

Dated: December 11, 1998.

Marcia E. Mulkey

Director, Office of Pesticide Programs.

[FR Doc. 98-33833 Filed 12-22-98; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

[OPP-34159; FRL-6053-6]

Initiation of Aluminum and Magnesium Phosphide Stakeholder Process; Notice of Availability of the Aluminum and Magnesium Phosphide Reregistration Eligibility Decision Document; and Proposed Risk Mitigation Measures for Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of and starts a 90-day public comment period on the Reregistration Eligibility Decision (RED) document for the active ingredients aluminum and magnesium phosphide. The RED for these chemicals is the Agency's assessment of the health and environmental risks of the subject chemicals and presents the Agency's determination regarding which pesticidal uses are eligible for reregistration. The RED contains a listing of possible mitigation measures that the Agency is considering for these chemicals. The main focus of the comment period is to collect input on these proposed mitigation measures, their potential impacts, and alternative mitigation measures that would accomplish the necessary risk reduction. This notice also announces two national stakeholder meetings in Kansas City, MO, and Sacramento, CA. The Agency specifically is asking for input regarding the need for additional meetings in other parts of the country and is seeking letters of interest regarding participating in a stakeholder meeting.

DATES: Written comments on the RED must be submitted by March 23, 1999. The stakeholder meeting(s) are expected to be held in May and June of 1999.

ADDRESSES: Three copies of comments identified with the docket control number "OPP-34159" and the case number (noted below) should be submitted to: By mail: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to the docket on the first floor (Room 119), Crystal Mall 2 (CM #2), 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically to opp-docket@epamail.epa.gov. Please see Unit III. of this notice for additional instructions for electronic submissions. No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted as a comment in response to 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 submitted for inclusion in the public docket. Information not marked confidential

will be included in the public docket without prior notice (including comments and data submitted electronically). The public docket and docket index, including printed paper versions of electronic comments, which does not include any information claimed as CBI will be available for public inspection on the first floor (Room 119) at the address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT:

Technical questions on the RED document or regarding the aluminum and magnesium phosphide stakeholder meetings as described above should be directed to Mark Hartman at (703) 308-0734 or Hartman.Mark@epamail.epa.gov.

To request a copy of the above listed RED document, a listing of the proposed risk mitigation measures or a RED Fact Sheet, contact the OPP Pesticide Docket, Public Information and Records Integrity Branch, first floor (Room 119), at the address given above or call (703) 305-5805.

SUPPLEMENTARY INFORMATION:

I. Electronic Availability

Electronic copies of this document and various support documents are available from the EPA home page at the Federal Register-Environmental Documents entry for this document under "Laws and Regulations" (<http://www.epa.gov/fedrgstr/>).

Electronic copies of the REDs and RED fact sheets can be downloaded from the Pesticide Reregistration Eligibility Decisions (REDs) home page at: <http://www.epa.gov/REDs>.

II. Background

The Agency has issued a Reregistration Eligibility Decision (RED) document for the pesticidal active ingredients listed above. Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended in 1988 and 1996, EPA is conducting a reregistration program to reevaluate the databases of existing pesticides to make sure they meet current scientific and regulatory standards. The data base to support the reregistration of each of the chemicals listed above is substantially complete.

All registrants of products containing one or more of the above listed active ingredients have been sent the appropriate RED documents and must respond to product specific data requirements (if applicable) within 3 months of receipt. Any requirements for revision of labeling and use practices

will be determined at the conclusion of the stakeholder process. When final risk mitigation measures are determined, registrants must make the needed label changes within 8 months. Products containing other active ingredients will not be reregistered until those other active ingredients are determined to be eligible for reregistration.

The reregistration program is being conducted under congressionally mandated time frames, and EPA recognizes both the need to make timely reregistration decisions and to involve the public. Therefore, EPA is issuing this RED as a final document with a 90-day comment period. Although the 90-day public comment period does not affect the registrant's response due date, it is intended to provide an opportunity for public input and a mechanism for initiating amendments to the RED. All comments will be carefully considered by the Agency.

A. National Aluminum and Magnesium Phosphide Stakeholder Meeting(s)

Given the high toxicity of aluminum and magnesium phosphide and potential risks posed to applicators, and occupational and residential bystanders (people in work areas not directly involved in fumigation/aeration and people in nearby residential areas), the Agency has developed a number of mitigation measures which it proposes in order to reduce the risks outlined in the RED. However, since aluminum and magnesium phosphide have significant benefits and there are few, if any, viable alternatives, one of which is methyl bromide, the Agency believes that it is important that a broad stakeholder process be conducted to discuss these measures and/or to develop other workable mitigation measures that adequately protect occupational and residential bystanders.

Therefore, the Agency is planning to conduct a public comment and stakeholder process to accomplish this objective.

During the public comment period, commencing with the publishing of this notice, comments and suggestions will be collected and reviewed concerning these measures. Based upon this input, the proposed measures will be revised as needed. These revised mitigation measures will be discussed at stakeholder meetings that will be held in Kansas City, Missouri and Sacramento, California within 9 months from the issuance of the RED.

The Agency is requesting input on whether there is a need for additional meetings at other locations. Any input on this question should be provided to the Agency no later than January 22,

1999. These meetings will be open to the public and will also include a focused group discussion regarding the proposed mitigation measures. The Agency is requesting letters of interest from stakeholders who would like to participate in such a group discussion. These letters should be provided to the Agency no later than February 8, 1999. For these meetings to be most efficient and successful, all interested parties and viewpoints will be welcomed and considered.

Following the conclusion of this process, the Agency will make a final determination on the mitigation measures that must be adopted in order for products containing aluminum and magnesium phosphide to be eligible for reregistration. The outcome of this public comment and stakeholder process will affect all aluminum and magnesium phosphide products.

B. Consultation with United States Department of Agriculture Phosphine Task Force

EPA has initiated work with a task force of experts on pest management in stored commodities. The Phosphine Task Force was assembled by the United States Department of Agriculture (USDA) and is made up of scientists from the Land Grant Universities and the USDA Agricultural Research Service. The Phosphine Task Force will work closely with the EPA during the public comment period and the stakeholder meetings to provide input on the proposed risk mitigation strategy. The Phosphine Task Force will help refine the proposed risk mitigation measures, examine implementation issues, and suggest alternative measures.

C. Proposed Risk Mitigation Measures

The following is a summary list of the mitigation measures that are proposed for all aluminum and magnesium phosphide products. These measures are to be discussed as part of the public review and stakeholder meeting process mentioned above. Please refer to Unit III. of the RED document if you would like a complete version of the risk mitigation proposals.

1. *Notification of authorities and on-site workers.* The Agency is proposing that applicators would be required to ensure that the local authorities (fire departments, police departments etc.) are notified of the date, time, and location of planned fumigation events at least 24 hours in advance of beginning operations. The Agency is also proposing that the applicators would be required to notify any worker or other person who might be expected to be in

the proximity of the fumigation/aeration, prior to fumigation.

2. *Requirement for certified applicators.* The Agency is proposing to require that all persons who conduct fumigation/aeration activities be a certified applicator or that certified applicators supervising the activity be within 50 feet of the operation and within clear sight-line of the persons conducting the operation. Current labels allow for non-certified fumigators and aerators to conduct activities under the direct supervision and physical presence of a certified applicator. However, it is possible under this current language for the certified applicator to be a significant distance away from the actual operation, impeding his/her ability to adequately oversee the operations.

3. *Prohibit aeration of railcars, railroad boxcars, other vehicles, and containers en-route.* The Agency is proposing that aeration of fumigated railcars, railroad boxcars, shipping containers, and other vehicles while in transit would be prohibited. Labels would be required to include this prohibition.

4. *Placarding fumigated structures, containers, and vehicles.* The Agency is proposing as a possible requirement that placards, or some other documentation that accompanies the structure/container/vehicle, clearly state that prior to entering the structure/container/vehicle a certified applicator or trained person under the supervision of a certified applicator must monitor the concentration of phosphine therein. Unloading where exposure to workers or bystanders is possible, or entry must not occur until the measured concentrations are below the pertinent standard unless appropriate PPE is worn. These placards must also contain information for reporting incidents which is consistent with the incident reporting program developed by the registrants.

5. *Establish an incident reporting program.* The Agency is proposing that registrants would be required to establish programs for the comprehensive reporting of incidents to the Agency on an annual basis.

6. *Personal protective equipment.* The Agency is proposing to require that all persons involved in fumigation/aeration operations wear respiratory protection during those operations unless it can be verified via monitoring that the concentrations of phosphine are at or below the established standard. Personal protective equipment (PPE) would be required to be worn by any person conducting monitoring activities until concentrations are known to be

below the established limit. In the event of a spill or leak, a self-contained breathing apparatus (SCBA) or supplied air would be required to be worn until the spill has been cleaned or the leak has been repaired.

7. *Require two-man operation for any activity that would involve entry into a fumigated structure.* The Agency is proposing that a minimum of two qualified persons would be needed to carry out any fumigation requiring entry into a structure. By implementing a two-man rule, if an applicator is unable to remove oneself from a dangerous exposure situation the second person can then assist in the safe removal of that person from danger. One person would be required to be a certified applicator and one person would need to be trained in the use of monitoring equipment and the health effects of phosphine gas.

8. *Establish 500 foot buffer zone and restricted area around all fumigated structures.* The Agency is proposing to prohibit the fumigation and aeration of structures that are within 500 feet of residential areas. Further, a 500 foot restricted area would be implemented for all areas/structures undergoing fumigation/aeration. These steps would be taken primarily to prevent exposure to residential bystanders. Prior to entry to this area monitoring would need to be conducted to ensure that the concentration of phosphine in the atmosphere is less than the 0.03 ppm standard or the limit of detection of the best available technology. Entry would not be allowed above that concentration unless appropriate PPE is worn. Placarding would be required to occur around the perimeter of the 500 foot restricted zone. Efforts would need to be made to request permission for placarding where placarding of the perimeter would involve other people's property.

9. *Institute more thorough monitoring around the commodity.* The Agency is proposing to require stringent monitoring when unloading or otherwise disturbing a commodity that has been fumigated, since the level of phosphine gas may be higher at the core of the commodity than in the surrounding air. Monitoring at the door or hatch is insufficient in some cases. Therefore, concentrations would be required to be monitored at the top, middle, and bottom levels of the commodity/storage facility, where feasible.

10. *Require seal/leak testing for fumigated structures.* The Agency is proposing that, prior to fumigation, the structure would undergo seal/leak testing using established methods to

ensure that leakage during fumigation will not occur or is significantly minimized. Record of seal/leak tests must be retained by the certified applicator. Leaks would need to be repaired prior to fumigation. Fumigation would be prohibited in cases where substantial leaks are discovered and cannot be sealed.

11. *Establish a minimum distance from residences for burrow use and PPE for applicators during these applications.* The Agency is proposing that treatment of burrows for rodent control be prohibited within 100 feet of a residence. Note that current labels have a restriction of 15 feet, which may not be protective if burrow tunnels extend toward residences (basements). Applicators involved in the fumigation of animal burrows would be required to wear respiratory protection during the course of the operation. These actions would eliminate the residential uses of aluminum and magnesium phosphide but would allow for rodent control to continue under other circumstances. In cases of public health, where no other alternatives can be found, exceptions to this item may be made.

12. *Notification of local residents.* The Agency is proposing to require notification so that residents in adjoining properties can make decisions regarding temporarily leaving their property during fumigation. Such notification would also be required for commercial and industrial sites that are near a planned fumigation operation. The Agency proposes that the certified applicator would be required to ensure that all residents are notified within 750 feet of the fumigated structure.

13. *Requirement for improved training for certified applicators.* The Agency is proposing to require that the registrants work with the appropriate personnel in the Agency and in the States to develop a fumigator-specific certification program that adequately addresses all risks associated with the use of these chemicals. These programs would stress the highly toxic nature of the chemicals, fumigation/aeration-specific issues, and the importance of understanding and following label language exactly. Also, those requirements that result from the outcomes of the stakeholder meetings, must be emphasized. This effort would also include consideration of the most effective method of delivering this training.

14. *Monitoring methods to minimize exposure.* The Agency is proposing to require additional monitoring of areas around fumigated structures in order to reduce the potential for occupational and residential bystander exposure to phosphine. The Agency is further

proposing to require that no fumigated structure be entered until it can be verified that the concentrations of phosphine present are at or below the 0.03 ppm standard unless appropriate PPE is worn. A certified applicator or other competent person (industrial hygienist etc.) would be required to conduct the monitoring. All fumigation/aeration operations would be covered by this requirement including outdoor operations.

The Agency recognizes that current technology may not be capable of detecting phosphine at the 0.03 ppm level. Therefore, the best available technology would be used with the limit of detection acting as the standard until new technology becomes available at which time the 0.03 ppm standard would be required.

The Agency is aware of a "real-time" direct-read device technologies with a limit of detection of 0.05 ppm that are currently available. These devices can be equipped with audible alarms and data loggers.

15. *Establish and define applicable exposure limits for the label.* The Agency is proposing to require that all applicable safety standards appear on the label.

III. Public Record and Electronic Submissions

The official record for this notice, as well as the public version, has been established under docket control number "OPP-34159" (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 official record is located at the address in "ADDRESSES" at the beginning of this document.

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. Comment and data will also be accepted on disks in Wordperfect 5.1/6.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket control number (OPP-34159). Electronic comments on this notice may be filed online at many Federal Depository Libraries.

List of Subjects

Environmental protection, Fumigation

Dated: December 18, 1998.

Jack E. Housenger,

Director, Special Review and Reregistration Division, Office of Pesticide Programs.

[FR Doc. 98-34049 Filed 12-22-98; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

[PF-849; FRL-6047-7]

Notice of Filing of Pesticide Petitions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the initial filing of pesticide petitions proposing the establishment of regulations for residues of certain

pesticide chemicals in or on various food commodities.

DATES: Comments, identified by the docket control number PF-849, must be received on or before January 22, 1999.

ADDRESSES: By mail submit written comments to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticides Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person bring comments to: Rm. 119, CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically to: opp-docket@epamail.epa.gov. Follow the instructions under "SUPPLEMENTARY INFORMATION." No confidential business information should be submitted through e-mail.

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). 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: The product manager listed in the table below:

Product Manager	Office location/telephone number	Address
James Tompkins	Rm. 239, CM #2, 703-305-5697, e-mail:tompkins.jimepamail.epa.gov.	1921 Jefferson Davis Hwy, Arlington, VA
Amelia M. Acierto	Rm. 707A, CM #2, 703-308-8377, e-mail:acierto.ameliaepamail.epa.gov.	Do.

SUPPLEMENTARY INFORMATION: EPA has received pesticide petitions as follows proposing the establishment and/or amendment of regulations for residues of certain pesticide chemicals in or on various food commodities under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that these petitions contain 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 petition. Additional data may be needed before EPA rules on the petition.

The official record for this notice of filing, as well as the public version, has been established for this notice of filing under docket control number [PF-849] (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 official record is located at the address in "ADDRESSES" at the beginning of this document.

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. 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 [PF-849] and appropriate petition number. Electronic comments on notice may be filed online at many Federal Depository Libraries.

List of Subjects

Environmental protection, Agricultural commodities, Food additives, Feed additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: December 15, 1998.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

Summaries of Petitions

Petitioner summaries of the pesticide petitions are printed below as required by section 408(d)(3) of the FFDCA. The summaries of the petitions were prepared by the petitioners and represent the views of the petitioners. EPA is publishing the petition summaries verbatim without editing them in any way. The petition summary announces the availability of a description of the analytical methods

available to EPA for the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed.

1. Monsanto Company

PP 7F4840

EPA has received a pesticide petition (PP 7F4840) from Monsanto Company, 600 13th Street, N.W., Suite 600, Washington, D.C., proposing pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing a tolerance for residues of sulfosulfuron; 1-(4,6-dimethoxypyrimidin-2-yl)-3-(2-ethanesulfonyl-imidazo 1,2-a pyridine-3-yl)sulfonylurea, and its metabolites converted to 2-(ethylsulfonyl)-imidaazol 1,2-a pyridine and calculated as sulfosulfuron in or on the following raw agricultural commodities and animal products:

Commodity	Part per million (ppm)
Wheat.	
Grain	0.02
Straw	0.1
Hay	0.3
Forage	4.0
Animal Products.	
Milk	0.006