

- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### *B. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](http://regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

#### **II. What Action is the Agency Taking?**

EPA is printing a summary of a pesticide petition received under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, proposing the establishment or amendment of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities. EPA has determined that this pesticide petition contains data or information regarding the elements set forth in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petition. Additional data may be needed before EPA rules on this pesticide petition.

Pursuant to 40 CFR 180.7(f), a summary of the petition included in this notice, prepared by the petitioner along with a description of the analytical method available for the detection and measurement of the pesticide chemical residues is available on EPA's Electronic Docket at <http://www.regulations.gov>. To locate this information on the home page of EPA's Electronic Docket, select "Quick Search" and type the OPP docket ID number. Once the search has located the docket, clicking on the "Docket ID" will bring up a list of all documents in the docket for the pesticide including the petition summary.

#### **New Tolerance**

*PP 6F7023.* Syngenta Crop Protection, P.O. Box 18300, Greensboro, NC 27409, proposes to establish tolerances for residues of the herbicide mesotrione in or on food/feed commodities flax, meal/seed at 0.01 parts per million (ppm); millet, forage/grain at 0.01 ppm; millet, hay/straw at 0.02 ppm; Berry group and cranberry at 0.01 ppm. Practical and specific analytical method RAM 366/01 (MRID 45651803) is available for detecting and measuring the level of mesotrione in or on one various crop commodities.

#### **List of Subjects**

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

Dated: April 13, 2006.

**Donald R. Stubbs,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. E6-6298 Filed 4-25-06; 8:45 am]

**BILLING CODE 6560-50-S**

#### **ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPP-2006-0308; FRL-8063-6]

#### **Pronamide; Receipt of Application for Emergency Exemption, Solicitation of Public Comment**

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

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Massachusetts Department of Agricultural Resources to use the pesticide pronamide (CAS No. 23950-58-5) to treat up to 8,000 acres of cranberries to control dodder. The applicant proposes a use which has been requested in 3 or more previous years, and a petition for tolerance has not yet been submitted to the Agency. Due to the urgent nature of the emergency and the very narrow and extremely limited use being requested, EPA has eliminated the public comment period. Nonetheless, interested parties may still contact the Agency with comments about this notice and treatment program.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2006-0308, by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- **Mail:** Office of Pesticide Programs (OPP) Regulatory Public Docket (7502C), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.
- **Hand Delivery:** OPP Regulatory Public Docket, Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket telephone number is (703) 305-5805.

• **Important Note:** OPP will be moving to a new location the first week of May 2006. As a result, from Friday, April 28 to Friday, May 5, 2006, the OPP Regulatory Public Docket will NOT be accepting any deliveries at the

Crystal Mall #2 address and this facility will be closed to the public. Beginning on May 8, 2006, the OPP Regulatory Public Docket will reopen at 8:30 a.m. and deliveries will be accepted in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive, Arlington, VA 22202. The mail code for the mailing address will change to (7502P), but will otherwise remain the same. The OPP Regulatory Public Docket telephone number and hours of operation will remain the same after the move.

*Instructions:* Direct your comments to docket ID number EPA-HQ-OPP-2006-0308. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>.

*www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The Federal [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the docket index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket at the location identified under "Delivery"

and "Important Note." The hours of operation for this docket facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** Andrew Ertman, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-9367; fax number: (703) 308-5433; e-mail address: [Sec-18-Mailbox@epa.gov](mailto:Sec-18-Mailbox@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

###### *A. Does this Action Apply to Me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111)
- Animal production (NAICS code 112)
- Food manufacturing (NAICS code 311)
- Pesticide manufacturing (NAICS code 32532)

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accordance with procedures set forth in 40 CFR part 2.

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- vi. Provide specific examples to illustrate your concerns, and suggest alternatives.
- vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- viii. Make sure to submit your comments by the comment period deadline identified.

##### **II. Background**

###### *A. What Action is the Agency Taking?*

Under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), at the discretion of the Administrator, a Federal or State agency may be exempted from any provision of FIFRA if the Administrator determines that emergency conditions exist which require the exemption. The Massachusetts Department of Agricultural Resources has requested the Administrator to issue a specific exemption for the use of pronamide on cranberries to control dodder. Information in accordance with 40 CFR part 166 was submitted as part of this request.

As part of this request, the applicant asserts that with the widespread adoption of water harvesting, dodder infestations have become practically ubiquitous in the Massachusetts cranberry production area. The detrimental impact of dodder infestations on cranberry yields have been reported widely in scientific journals, extension publications and internal memorandum. Yield losses can range from 12% in slight infestations up to 100% in severe infestations. Currently registered herbicides have not been totally effective, leading to a steady increase in dodder infestations.

The Applicant proposes to make no more than two pre-emergence broadcast applications at a rate of 1.0–2.0 lbs of product per acre (0.5–1.0 lbs acre (a.i.) on 8,000 acres of cranberries. No more than 2.0 lbs of product/acre/season 1.0 lbs a.i. may be made as a result of single or split application.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 of FIFRA require publication of a notice of receipt of an application for a specific exemption proposing a use which has been requested in 3 or more previous years, and a petition for tolerance has not yet been submitted to the Agency.

As noted above, the Agency is eliminating the comment period due to the urgent nature of an emergency situation and the very narrow and extremely limited use being requested. Nonetheless, interested parties may still contact the Agency with comments about this notice and treatment program.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: April 17, 2006.

**Donald R. Stubbs,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. E6–6288 Filed 4–25–06; 8:45 am]

BILLING CODE 6560–50–S

## ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2003–0017; FRL–8162–2]

### Protection of Stratospheric Ozone: Request for Critical Use Exemption Applications for the Years 2008 and 2009

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

**ACTION:** Notice of solicitation of applications and information on alternatives.

**SUMMARY:** EPA is soliciting applications for the critical use exemption from the phaseout of methyl bromide for 2009 and beyond. In addition, those applicants who missed last year's deadline to apply for a critical use exemption for the year 2008 may file a supplemental application in response to the notice. This exemption is an annual exemption and all entities interested in obtaining a critical use exemption must provide EPA with technical and economic information to support a "critical use" claim, and must do so by

the deadline specified in this notice even if they have previously applied for an exemption. This notice also invites interested parties to provide EPA with new data on the technical and economic feasibility of methyl bromide alternatives.

**DATES:** Applications for the critical use exemption must be postmarked on or before July 10, 2006. Applications for an exemption are due one month earlier to EPA this year to reflect the compressed schedule for review of applications in 2007.

**ADDRESSES:** Applications for the methyl bromide critical use exemption should be submitted in duplicate (two copies) by mail to: U.S. Environmental Protection Agency, Office of Air and Radiation, Stratospheric Protection Division, Attention: Marta Montoro/ Methyl Bromide Review Team, Mail Code 6205J, 1200 Pennsylvania Ave., NW., Washington, DC 20460 or by courier delivery (other than U.S. Post Office overnight) to: U.S. Environmental Protection Agency, Office of Air and Radiation, Stratospheric Protection Division, Attention: Marta Montoro/ Methyl Bromide Review Team, 1310 L St., NW., Room 827L, Washington, DC 20005. EPA also encourages users to submit their applications electronically to Marta Montoro, Stratospheric Protection Division, at [montoro.marta@epa.gov](mailto:montoro.marta@epa.gov). If the application is submitted electronically, applicants are requested to fax a signed copy of Worksheet 1 to Marta Montoro at (202) 343–2338 by the application deadline.

#### FOR FURTHER INFORMATION CONTACT:

*General Information:* U.S. EPA Stratospheric Ozone Information Hotline, 1–800–296–1996; also <http://www.epa.gov/ozone/mbr>.

*Technical Information:* Colwell Cook, U.S. Environmental Protection Agency, Office of Pesticide Programs (7503C), 1200 Pennsylvania Ave., NW., Washington, DC 20460, (703) 308–8146. E-mail: [cook.colwell@epa.gov](mailto:cook.colwell@epa.gov).

*Economic Information:* Elisa Rim, U.S. Environmental Protection Agency, Office of Pesticide Programs (7503C), 1200 Pennsylvania Ave., NW., Washington, DC 20460, (703) 308–8123. E-mail: [rim.elisa@epa.gov](mailto:rim.elisa@epa.gov).

*Regulatory Information:* Marta Montoro, U.S. Environmental Protection Agency, Stratospheric Protection Division (6205J), 1200 Pennsylvania Ave., NW., Washington, DC 20460, (202) 343–9321. E-mail: [Montoro.marta@epa.gov](mailto:Montoro.marta@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Applications are due one month earlier

to EPA due to the compressed review schedule for critical use exemptions in the year 2007. The 19th Meeting of the Parties is scheduled to be held in September 2007, almost two months earlier than previous meetings of the parties which typically occur in November or December. The EPA will submit a nomination for critical uses earlier than the end of January and will shorten its own review process by one month. In addition, in this notice, EPA is notifying applicants that their application process is being shortened by one month with July 10th as the deadline for applications. EPA also renewed the Information Collection Request (ICR) for the applications on August 31, 2005. The ICR is now valid through August 31, 2008. As a result of the ICR renewal, the format and numbering of the application worksheets changed minimally.

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#### I. What do I need to know to respond to this request for applications?

*A. Who can respond to this request for information?*

Entities interested in obtaining a critical use exemption must fill out the application form available at <http://www.epa.gov/ozone/mbr>