

plementation Plan (SIP) revisions for review and comment. The revisions were approved by the Governor on January 23, 1979, to fulfill the requirements of the Clean Air Act amendments of 1977.

DATES: Interested persons are invited to submit comments on the New Mexico SIP revisions on or before April 11, 1979.

ADDRESSES: Written comments may be submitted to the address below.

Environmental Protection Agency, Region 6, Air Program Branch, 1201 Elm Street, Dallas, Texas 75270.

Copies of the New Mexico SIP revisions are available for inspection during normal business hours at the EPA Regional Office above and at the following addresses:

Environmental Protection Agency, Public Information Reference Unit, Room 2922, EPA Library, 401 M Street, S.W., Washington, D.C. 20460.

New Mexico Environmental Improvement Division, Health and Environment Department, P.O. Box 968, Crown Building, Santa Fe, New Mexico 87503.

Middle Rio Grande Council of Governments, Suite 1320, 505 Marquette Avenue, Albuquerque, New Mexico 87102.

FOR FURTHER INFORMATION CONTACT:

Jerry Stubberfield, Environmental Protection Agency, Region 6, Air Program Branch, 1201 Elm Street, Dallas, Texas 75270, (214) 767-2742.

SUPPLEMENTAL INFORMATION:

The revisions to the New Mexico SIP were adopted and submitted in accordance with the requirements of 40 CFR 51.4 and 51.6. The SIP revisions are intended to provide attainment and maintenance of the national ambient air quality standards in the non-attainment areas of New Mexico identified under Section 107 of the Act (43 FR 9016). The pollutants and areas involved are shown below.

Pollutant	Area
Particulate Matter	Grant County, Albuquerque, Eddy County, Lee County.
Sulfur Dioxide	Grant County, San Juan County.
Oxidants (Ozone)	Bernalillo County.
Carbon Monoxide	Farmington, Santa Fe, Las Cruces, Bernalillo County.

The part of the SIP concerning attainment and maintenance of standards in Bernalillo County (Urban Implementation Plan) was developed under the direction of the Middle Rio Grande Council of Governments. The remainder of the SIP was developed by the New Mexico Environmental Improvement Division of the Health and Environment Department.

The EPA is currently reviewing the revisions to New Mexico's SIP. The Agency's intended action regarding approval of the revision will be proposed in the FEDERAL REGISTER at a later date. An additional public comment period of at least 30 days will be provided at that time.

This notice is issued under the authority of section 110 (a) of the Clean Air Act, as amended, 42 U.S.C. 7410(a).

Date: February 27, 1979.

ADLENE HARRISON,
Regional Administrator.

[FR Doc. 79-7392 Filed 3-9-79; 8:45 am]

[6560-01-M]

[FRL 1071-7; OPP-66044C]

PESTICIDE PROGRAMS

Order of Cancellation of Registration of Certain Pesticide Products; Amendment

On June 30, 1978, the Agency published in the FEDERAL REGISTER (43 FR 28774) a notice of intent to cancel the registrations of pesticide products for which appropriate applications for amended registration had not been submitted in accordance with the Agency's optional procedures for classification of pesticide uses by regulation (40 CFR 162.30 and 162.31).

On November 6, 1978, the Agency published in the FEDERAL REGISTER (43 FR 51708) an order of cancellation which identified the registrations which had been cancelled by operation of law (at the expiration of 30 days from receipt of the notice of intent to cancel by the registrant, or from publication of the notice, whichever occurred later). The order also stated that, for administrative purposes, the effective date of cancellation for all the identified registrations would be the date of the order, October 30, 1978.

On September 30, 1978, the Federal Insecticide, Fungicide, and Rodenticide Act, as amended ("FIFRA"), was amended by the Federal Pesticide Act of 1978 (Pub. L. 95-396). In particular, a new subsection 19(c) was added, which states: "Notification of cancellation of any pesticide shall include specific provisions for the disposal of the unused quantities of such pesticide."

Accordingly, the November 6, 1978 order of cancellation is amended by the addition of the following:

"Existing stocks of products whose registrations have been cancelled, and which are already in the hands of users, may be used and disposed of in accordance with the directions on the existing labels. Existing stocks of products whose registrations have been cancelled, and which are in distribution channels but not yet in the hands

of users, may not be sold or distributed unless and until they are relabeled for restricted use in accordance with 40 CFR 162.30. Relabeling can be accomplished by affixing to the existing label an adhesive sticker containing the following restricted use statement:

RESTRICTED USE PESTICIDE

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification."

Dated: March 5, 1979.

STEVEN D. JELLINEK,
Assistant Administrator
for Toxic Substances.

[FR Doc. 79-7393 Filed 3-9-79; 8:45 am]

[6560-01-M]

[FRL 1071-5]

SOLID WASTE DISPOSAL PRACTICES

Availability of Study on Mining Waste

AGENCY: United States Environmental Protection Agency.

ACTION: Notice of Availability of draft report on mining waste.

SUMMARY: EPA is today making available to the public a draft report entitled "Study of Adverse Effects of Solid Waste from All Mining Activities on the Environment" by PEDCo Environmental. The study was prepared in response to the requirements of Section 8002(f) of the Resource Conservation and Recovery Act (RCRA) and includes a description of waste generated, current disposal practices, health and environmental impacts of current disposal methods, alternatives to current disposal methods, and potential for use of the waste as a secondary source of the mine product. The study does not include information on the costs of alternative disposal methods.

The report is in draft form and has not been approved by EPA. The study is available for public inspection and copying at the EPA Library, Room 2404, 401 M Street, S.W., Washington, D.C. and at all EPA regional office libraries.

DATE: Public comments on the accuracy of the report are due (30 days after date of publication).

ADDRESS: All comments should be addressed to Jon R. Perry, Office of Solid Waste (WH-564), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT:

Jon R. Perry at the above address (202-755-9120).

Dated: March 6, 1979.

THOMAS C. JORLING,
Assistant Administrator.

[FR Doc. 79-7394 Filed 3-9-79; 8:45 am]

[6560-01-M]

[FRL 1073-1]

**DISPOSAL OF PCB CONTAMINATED SOIL AND
DEBRIS: CITIZENS' PETITION**

Request for Comments

AGENCY: Environmental Protection Agency.

ACTION: Request for comments on citizen's petition.

SUMMARY: The Environmental Protection Agency (EPA) requests comments from interested persons regarding a citizens' petition filed by the State of North Carolina requesting an amendment of the PCB Marking and Disposal Rule (40 CFR 761, 43 FR 7150-7164, February 17, 1978) to provide EPA Regional Administrators the discretion to approve additional disposal methods for soil and debris contaminated with PCBs. Currently, the regulations only authorize EPA-approved high temperature incineration or chemical waste landfills for disposal of such materials. Comments will aid the Agency in responding to this petition. The complete petition is included in the SUPPLEMENTARY INFORMATION, below.

DATE: Comments should be submitted by April 11, 1979.

ADDRESS: Comments on the petition should be sent to: Office of Toxic Substances, TS-794, United States Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460. Attention: Harold J. Snyder, Jr. (Re: North Carolina Petition).

FOR FURTHER INFORMATION CONTACT:

Harold J. Snyder, Jr., address as above, Phone: (202) 755-8023.

SUPPLEMENTARY INFORMATION: On February 6, 1979, the State of North Carolina submitted to the EPA a "Petition for Amendment of a Rule under TOSCA" pursuant to section 21 of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2620. Under TSCA, EPA has 90 days to respond to this citizen's petition. This petition is related to the current controversy in North Carolina over disposal of soil and debris contaminated by a PCB dumping incident which occurred along more than 200 miles of highway.

All comments filed in response to this notice will be available for viewing and copying from 9 a.m. to 4 p.m., Monday through Friday (excluding holidays) in Room 709, East Tower,

United States Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, telephone: (202) 755-6956.

The petition reads as follows:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, OFFICE OF THE ADMINISTRATOR

PETITION FOR AMENDMENT OF A RULE UNDER TOSCA

To: Douglas M. Costle, Administrator, United States Environmental Protection Agency.

Pursuant to Section 21 of the Toxic Substances Control Act, P.L. 94-469, (hereinafter TOSCA) the State of North Carolina hereby petitions the Administrator to amend 40 CFR 761.10(b) to allow the Regional Administrators discretion to approve additional methods of disposal for soil and debris which have been contaminated by PCB's as a result of a spill.

NECESSITY FOR AMENDMENT

The current rule regarding soil and debris contaminated with PCB's restricts the methods of disposal to incineration or chemical waste landfill. On the other hand dredge spoils and municipal sewage treatment sludge may be disposed of by incineration, landfilling, or by a method to be determined by a Regional Administrator upon a finding that one of the specifically authorized methods is not reasonable or appropriate.

It is the contention of the State of North Carolina that the Regional Administrators should be given the same latitude to approve alternate methods of disposal for PCB contaminated soil and debris. It is North Carolina's view that in certain circumstances disposal of soil and debris by incineration or landfill is inappropriate and unreasonable for technical, environmental or economic reasons.

The Environmental Protection Agency modified its proposed regulations for PCB disposal during the hearing and comment phase of the rulemaking to allow discretion to Regional Administrators to approve alternate methods of disposal of municipal sewage treatment sludge and dredge spoil. In the explanation of its modification Environmental Protection Agency stated:

"These changes respond to comments that the proposed disposal requirements lacked necessary flexibility and would be impossible to comply with where * * * very large quantities of material contaminated at a low level with PCB's were concerned." FEDERAL REGISTER, Vol. 43, No. 34, p. 7152. North Carolina believes that alternate methods of disposal for large volumes of soil and debris contaminated at low levels should be reviewed in the same light as dredge spoil and sewage sludge.

PROPOSED AMENDMENTS

North Carolina proposes that the Environmental Protection Agency adopt one of the following amendments to 40 CFR 761.10(b) or any similar amendment which will give the Regional Administrator discretion to approve additional methods of disposal of large quantities of soil and debris contaminated at low levels with PCB's.

(1) Amend 40 CFR 761.10(b)(3) to add a new sub subdivision (iii) as follows:

"(iii) Upon application, a disposal method to be determined by the Agency's Regional

Administrator in the EPA Region in which the PCB mixture is located. Applications for disposal in a manner other than prescribed in (i) or (ii) above must be made in writing to the Regional Administrator. The application must contain information that disposal in an incinerator or chemical waste landfill is not reasonable and appropriate, based on technical, environmental or economic considerations and information that the alternate disposal method will provide adequate protection to health and the environment. The Regional Administrator may request other information he or she believes to be necessary for evaluation of the alternate disposal method(s). Any approvals by the Regional Administrator shall be in writing and may contain any appropriate limitations on the approved alternate method for disposal. In addition to these regulations to ensure that the discharges of soil and debris which can be defined as PCB mixtures are adequately controlled to protect the environment from all contaminants contained therein. The person to whom such approval is issued must comply with all limitations contained in the approval."

(2) Amend 40 CFR 761.10(b)(4) by rewriting the portion thereof that precedes sub subdivision (i) as follows:

"(4) All dredge spoils and municipal sewage treatment sludges, that are PCB mixtures and all soil and debris of more than 10 thousand cubic yards which have been contaminated with PCB's as a result of a spill or series of spills shall be disposed of."

CONCLUSION

The petitioner requests the Administrator to promptly commence an appropriate proceeding in accordance with section 8 of the Toxic Substances Control Act to amend 40 CFR 761.10(b) as proposed herein.

This the 2d day of February, 1979.

Respectfully submitted,

JAMES B. HUNT, Jr.,
Governor.

RUFUS L. EDMISTEN,
Attorney General.

HERBERT L. HYDE,
Secretary of
Crime Control and Public Safety.

W. A. RANEY, Jr.,
Special Deputy Attorney General,
North Carolina Department of Justice,
Post Office Box 629, Raleigh,
North Carolina 27602, (919) 733-5725.

EPA invites comment from all interested parties.

Dated: March 7, 1979.

STEVEN JELLINEK,
Assistant Administrator for
Toxic Substances.

[FR Doc. 79-7395 Filed 3-9-79; 8:45 am]

[6560-01-M]

[FRL 1073-4; PP 8G2060/T181]

PESTICIDE PROGRAMS

**Notice of Establishment of a Temporary
Tolerance; Glyphosate**

Monsanto Agricultural Products Co.,
800 N. Lindbergh Blvd., St. Louis, MO

63166, has submitted a pesticide petition (PP 8G2060) to the Environmental Protection Agency (EPA). This petition requests that a temporary tolerance be established for combined residues of glyphosate (*N*-(phosphonomethyl)glycine) and its metabolite aminomethylphosphonic acid in or on the raw agricultural commodity sugarcane at 2 parts per million (ppm), resulting from the preharvest application of the plant growth regulator sodium sesqui salt or glyphosate. (A related document establishing food and feed additive regulations for residues of glyphosate in sugarcane molasses appears elsewhere in today's FEDERAL REGISTER.)

Establishment of this temporary tolerance will permit the marketing of the above raw agricultural commodity when treated in accordance with an experimental use permit (524-EUP-45) that is being issued concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended in 1972, 1975, and 1978 (92 Stat. 819; 7 U.S.C. 136).

An evaluation of the scientific data reported and other relevant material has shown that the requested tolerance is adequate to cover residues resulting from the proposed experimental use, and it has been determined that the temporary tolerance will protect the public health. *N*-nitrosoglyphosate appears in the formulations as a contaminant. However, no residues of the compound are present at detectable levels in the sugarcane. The temporary tolerance is being established for the plant growth regulator, therefore, with the following provisions:

1. The total amount of the plant growth regulator to be used must not exceed the quantity authorized by the experimental use permit.

2. Monsanto Co. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The firm must also keep the records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

This temporary tolerance expires March 5, 1981. Residues not in excess of 2 ppm remaining in or on sugarcane after this expiration date will not be considered actionable if the plant growth regulator is legally applied during the term of and in accordance with the provisions of the experimental use permit and temporary tolerance. This temporary tolerance may be revoked if the experimental use permit is revoked or if any scientific data or experience with this plant growth regulator indicates such revocation is necessary to protect the public health. Inquiries concerning

this notice may be directed to Mr. Robert Taylor, Product Manager 25, Registration Division (TS-767), Office of Pesticide Programs, East Tower, 401 M St., SW, Washington, DC 20460 (202/755-7013).

(Section 408(j) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 346a(j)]).

Dated: March 7, 1979.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc. 79-7396 Filed 3-9-79; 8:45 am]

[6560-01-M]

[FRL 1073-6]

ENVIRONMENTAL IMPACT STATEMENTS

Notice of Availability

AGENCY: Office of Federal Activities, Environmental Protection Agency.

PURPOSE: This Notice lists the Environmental Impact Statements which have been officially filed with the EPA and distributed to Federal Agencies and interested groups, organizations and individuals for review pursuant to the Council on Environmental Quality's Regulations (40 CFR Part 1506.9).

PERIOD COVERED: This Notice includes EIS's filed during the week of February 26 to March 2, 1979.

REVIEW PERIODS: The 45-day review period for draft EIS's listed in this Notice is calculated from March 9, 1979 and will end on April 23, 1979. The 30-day wait period for final EIS's will be computed from the date of receipt by EPA and commenting parties.

EIS AVAILABILITY: To obtain a copy of an EIS listed in this Notice you should contact the Federal agency which prepared the EIS. This Notice will give a contact person for each Federal agency which has filed an EIS during the period covered by the Notice. If a Federal agency does not have the EIS available upon request you may contact the Office of Federal Activities, EPA for further information.

BACK COPIES OF EIS'S: Copies of EIS's previously filed with EPA or CEQ which are no longer available from the originating agency are available at 10 cents per page from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

FOR FURTHER INFORMATION CONTACT:

Kathi Weaver Wilson, Office of Federal Activities, A-104, Environmental

Protection Agency, 401 M Street, SW., Washington, D.C. 20460. (202) 755-0780.

SUMMARY OF NOTICE: Appendix I sets forth a list of EIS's filed with EPA during the week of February 26 to March 2, 1979, the Federal agency filing the EIS, the name, address, and telephone number of the Federal agency contact for copies of the EIS, the filing status of the EIS, the actual date the EIS was filed with EPA, the title of the EIS, the State(s) and County(ies) of the proposed action and a brief summary of the proposed Federal action and the Federal agency EIS number if available. Commenting entities on draft EIS's are listed for final EIS's.

Appendix II sets forth the EIS's which agencies have granted an extended review period or a waiver from the prescribed review period. The Appendix II includes the Federal agency responsible for the EIS, the name, address, and telephone number of the Federal agency contact, the title, State(s) and County(ies) of the EIS, the date EPA announced availability of the EIS in the FEDERAL REGISTER and the extended date for comments.

Appendix III sets forth a list of EIS's which have been withdrawn by a Federal agency.

Appendix IV sets forth a list of EIS retractions concerning previous Notices of Availability which have been made because of procedural noncompliance with NEPA or the CEQ regulations by the originating Federal agencies.

Appendix V sets forth a list of reports or additional supplemental information on previously filed EIS's which have been made available to EPA by Federal agencies.

Appendix VI sets forth official corrections which have been called to EPA's attention.

Dated: March 7, 1979.

JOSEPH M. McCABE,
Acting Director,
Office of Federal Activities.

APPENDIX I

EIS'S FILED WITH EPA DURING THE WEEK OF
FEBRUARY 26 TO MARCH 2, 1979

DEPARTMENT OF AGRICULTURE

Contact: Mr. Barry Flamm, Coordinator, Environmental Quality Activities, U.S. Department of Agriculture, Room 412A, Washington, D.C. 20250, (202) 447-3965.

Draft

Essential agricultural uses of natural gas, regulatory, February 26: Proposed is the determination of essential agricultural uses of natural gas by the Secretary of Agriculture under Section 401(c) of the Natural Gas Policy Act of 1978 (NGPA). This decision will determine exactly which users of natural gas will be allowed priority use under the NGPA after application for such au-