

Dated: October 5, 1982.

Douglas D. Campt,  
Director, Registration Division, Office of  
Pesticide Programs.

#### PART 180—[AMENDED]

Therefore, it is proposed that 40 CFR 180.396 be amended by adding and alphabetically inserting the raw agricultural commodity blueberries to read as follows:

#### § 180.396 Hexazinone; tolerances for residues.

Commodities	Parts per million
Blueberries.....	0.2

[FR Doc. 82-28271 Filed 10-19-82; 8:45 am]

BILLING CODE 6560-50-M

#### 40 CFR Part 180

[PP OE2415/P227; PH FRL 2227-4]

#### Dimethyl Phosphate of 3-Hydroxy-N,N-Dimethyl-Cis-Crotonamide; Proposed Tolerance

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

**ACTION:** Proposed rule.

**SUMMARY:** This notice proposes that a tolerance be established for the insecticide dimethyl phosphate of 3-hydroxy-N,N-dimethyl-cis-crotonamide (Dicrotophos) in or on the raw agricultural commodity pecans. This proposed regulation to establish a maximum permissible level for residues of Dicrotophos in or on the commodity was requested pursuant to a petition by the Interregional Research Project No. 4 (IR-4).

**DATE:** Comments must be received on or before November 19, 1982.

**ADDRESS:** Written comments to: Emergency Response Section, Process Coordination Branch, Registration Division (TS-767C), Environmental Protection Agency, Rm. 716-B CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

**FOR FURTHER INFORMATION CONTACT:** Donald Stubbs (703-557-1192) at the above address.

**SUPPLEMENTARY INFORMATION:** The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition number OE2415 to EPA on behalf of the IR-4 Technical Committee and the

Agricultural Experiment Stations of Georgia and Tennessee.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of a tolerance for residues of the insecticide dimethyl phosphate of 3-hydroxy-N,N-dimethyl-cis-crotonamide in or on the raw agricultural commodity pecans at 0.05 part per million (ppm).

The data submitted in the petition and other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought. The toxicological data considered in support of the proposed tolerance included a rabbit teratology study which indicated no fetal toxicity or gross teratogenic effects at 8 mg/kg/day (highest dose tested); a 21-day demyelination study in chickens with no induction of demyelination of the peripheral nerves at 0.74 mg/kg/day; a dominant lethal assay in male mice of the CFI strain, negative at 10 mg/kg (single dose, highest dose tested); and four mutagenic studies (a host-mediated assay and three different *in vitro* studies). Additional toxicological data are needed to supplement or to replace the following studies which were reclassified as Core Supplementary Data during the preparation of the Registration Standard: 2-year feeding/oncogenic (rat); teratology (rat); 2-generation reproduction (rat); and 1-year feeding (dog).

The theoretical maximum residue contribution (TMRC) from existing tolerances for a 1.5 kg daily diet is calculated to be 0.0001 mg/day; the current action will not result in any increase in the TMRC.

Because no detectable residues of either Dicrotophos or its metabolite Azodrin are expected in pecan meats or shells, it is unlikely that there will be any human exposure from primary residues. Moreover, because shells are not ordinarily used as livestock or poultry feed items and because there are no detectable residues in the shells, secondary residues in meat, milk, poultry, or eggs are very unlikely. Therefore, actual human dietary exposure to the pesticide will not be increased from these sources.

The nature of the residues is adequately understood and an adequate analytical method (gas-liquid chromatography using a flame photometric detector) is available for enforcement purposes.

There are presently no actions pending against the continued registration of this chemical. A Registration Standard, which included

an assessment of all available toxicology data for dicrotophos, was completed and released June 30, 1982.

Based on the above information considered by the Agency, the tolerance established by amending 40 CFR 180.299 would protect the public health. It is proposed, therefore, that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this notice in the **Federal Register** (November 19, 1982) that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating both the subject and the petition and document control number, [PP OE2415/P227]. All written comments filed in response to this petition will be available for public inspection in the office of Donald Stubbs from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

(Sec. 408(e), 68 Stat. 514 (21 U.S.C. 346a(e)))

#### List of Subjects in 40 CFR Part 180

Administrative practice and procedures, Agricultural commodities, Pesticides and pests.

Dated: October 6, 1982.

Douglas D. Campt,  
Director, Registration Division, Office of  
Pesticide Programs.

#### PART 180—[AMENDED]

Therefore, it is proposed that 40 CFR 180.299 be revised to read as follows:

**§ 180.299 Dimethyl phosphate of 3-hydroxy-N,N-dimethyl-cis-crotonamide; tolerances for residues.**

Tolerances are established for residues of the insecticide dimethyl phosphate of 3-hydroxy-N,N-dimethyl-cis-crotonamide in or on the following raw agricultural commodities:

Commodities	Parts per million
Cottonseed.....	0.05(N)
Pecans.....	0.05

[FR Doc. 82-28242 Filed 10-19-82; 8:45 am]

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**40 CFR Part 761**

[OPTS 211008; TSH-FRL 2218-7]

**Polychlorinated Biphenyls (PCBs); Denial of Citizen's Petition**

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

**ACTION:** Proposed Rule Related Notice; Denial of Citizen's Petition.

**SUMMARY:** This notice announces the EPA's decision to deny a citizen's petition submitted by the General Electric Company (GE) under section 21 of the Toxic Substances Control Act (TSCA) (15 U.S.C. 2620). GE requested that EPA amend its polychlorinated biphenyl (PCB) regulations (40 CFR Part 761) to exclude monochloro biphenyls (MCBs) and dichloro biphenyls (DCBs).

**ADDRESS:** Copies of the petition and all related information are located in: Document Control Office (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-107, 401 M Street SW., Washington, D.C. 20460.

They are available for reviewing and copying from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** Douglas G. Bannerman, Acting Director, Industry Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-509, 401 M Street SW., Washington, D.C. 20460, Toll free: (800-424-9065), In Washington, D.C.: (554-1404), Outside the USA: (Operator-202-554-1404).

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 14, 1982, GE petitioned the EPA under section 21 of TSCA to exclude MCBs and DCBs from its PCB regulations (40 CFR Part 761, recodified in the Federal Register of May 6, 1982 (47 FR 19526)). EPA defines "PCB" as "any chemical substance that is limited

to the biphenyl molecule that has been chlorinated to varying degrees \* \* \* at 40 CFR 761.3(s) (formerly 40 CFR 761.2(s)). This definition includes MCBs, which contain one chlorine atom, and DCBs, which contain two chlorine atoms.

GE argues that EPA should grant its request for the following reasons:

1. MCBs and DCBs are not persistent in the environment.

2. MCBs and DCBs do not bioaccumulate, since they are rapidly metabolized and eliminated from the body.

3. The health effects of chlorobiphenyls, especially the lesser chlorinated MCBs and DCBs, are minimal.

4. Excluding MCBs and DCBs from the definition of PCBs would be consistent with Congressional intent.

5. Excluding MCBs and DCBs from the definition of PCBs would be consistent with governmental usage, notably the exclusion of MCBs and DCBs from the definition of PCBs by both Canada and the European Economic Community.

6. A decision not to exclude MCBs and DCBs from the PCB regulations would have a significant economic impact on GE.

**Decision**

EPA has reviewed the contents of GE's petition and believes that GE's arguments about the relative risk of MCBs and DCBs may have some technical merit. For the reasons stated below, however, EPA does not intend to "promptly commence an appropriate proceeding," within the meaning of section 21 of TSCA, to amend the PCB regulations to exclude MCBs and DCBs from all the provisions of the PCB regulations. Therefore, GE's petition is being denied.

GE's primary concern seems to be the manufacture of MCBs and DCBs as impurities or byproducts during the production of phenylchlorosilanes, which are made into silicone products for military and industrial applications. EPA believes that it will be dealing with issues related to GE's concern in the context of rulemaking required by an October 30, 1980, decision by the United States Court of Appeals for the District of Columbia Circuit, which overturned portions of the Agency's PCB regulations. See *Environmental Defense Fund v. Environmental Protection Agency*, 636 F.2d 1267 (D.C. Cir. 1980). As a result of this decision, EPA will be conducting a rulemaking dealing with the manufacture, processing, and distribution in commerce of certain PCBs that are produced as byproducts or impurities of various chemical

processes. EPA is required to submit a plan for this rulemaking to the Court by November 1, 1982.

EPA expects that GE's manufacturing processes, which generate MCBs and DCBs as byproducts in the production of other chemical substances, will fall within the scope of this rulemaking. The Agency will consider any relevant information presented by GE during that rulemaking. EPA believes that the rulemaking will provide flexibility for the Agency to evaluate and consider a variety of alternatives leading to promulgation of a rule that will meet the requirements of TSCA, protect human health and the environment, and minimize the burdens on the affected industries.

This rulemaking on PCBs is likely to affect hundreds of companies in addition to GE and will be a major undertaking. Therefore, at this time, to avoid duplication of regulatory efforts, EPA will not initiate a separate action to address GE's concerns. Doing so would be an inefficient use of Agency resources. If the major rulemaking on PCBs does not address all of GE's concerns, GE can resubmit its petition or submit another petition after this major rulemaking is completed. Accordingly, GE's petition for an amendment to the PCB regulations to exclude MCBs and DCBs is denied.

As required by the Regulatory Flexibility Act (5 U.S.C.(b)), EPA hereby certifies that the attached rule will not, if promulgated, have a significant economic impact on a substantial number of businesses.

**Official Record for the Petition**

The following documents constitute the record for this action:

1. GE Petition to the Environmental Protection Agency, dated July 14, 1982.
2. *Environmental Defense Fund v. Environmental Protection Agency*, 636 F.2d 1267 (D.C. Cir. 1980) and subsequent orders issued by the court in this case.

These documents are available in the Document Control Office for viewing and copying from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

**List of Subjects in 40 CFR Part 761**

Hazardous materials, Labeling, Polychlorinated biphenyls, Recordkeeping and reporting requirements, Environmental protection.

Dated: October 8, 1982.

Anne M. Gorsuch,  
Administrator.

[FR Doc. 82-28850 Filed 10-19-82; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### 43 CFR Parts 3200, 3210, and 3240

#### Geothermal Resources Leasing; Noncompetitive Leases

AGENCY: Bureau of Land Management,  
Interior.

ACTION: Proposed rulemaking.

**SUMMARY:** This proposed rulemaking would establish new procedures for the Bureau of Land Management to issue geothermal leases for lands included in canceled, relinquished, expired, or terminated geothermal leases. This would be accomplished by eliminating the regulations for leasing at 43 CFR Subpart 3211 and replacing them with new regulations at 3210. This rulemaking would apply only to those lands that are not within a known geothermal resource area.

**DATE:** Comments by December 20, 1982.

**ADDRESS:** Comments should be sent to: Director (140), Bureau of Land Management, 1800 C Street, NW., Washington, D.C. 20240.

Comments will be available for public inspection in Room 5555 of the above address during regular business hours (7:45 a.m. to 4:15 p.m.) Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Karl F. Duscher, (202) 343-7753.

**SUPPLEMENTARY INFORMATION:** The Bureau of Land Management currently has regulations at 43 CFR Subpart 3211 to allow geothermal leases to be issued for lands previously leased for geothermal resources. However, no application has ever been filed under these regulations. They are considered to be needlessly complicated. With only minor modifications, subpart 3210 can be adapted to allow reoffering of lands for geothermal lease. This proposed rulemaking would make the necessary modifications to subparts 3205 and 3210 and remove subpart 3211 in its entirety.

The principal author of this proposed rulemaking is Karl F. Duscher, Division of Oil and Gas and Geothermal Resources, assisted by the staff of the Office of Legislation and Regulatory Management, Bureau of Land Management.

It is hereby determined that this proposed rulemaking is not a major

Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291. Economic effects of the proposed rulemaking will be negligible; whatever effects there are will likely be in some reduction in the costs of processing an application lease geothermal resources.

Economic impacts are expected to be slight, being confined largely to the reduction in processing and other administrative costs involved in the leasing process. Consequently, the proposed rules will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

The information collection requirements contained in 43 CFR Part 3210 have been approved by the Office of Management and Budget under 44 U.S.C. 3507 and assigned clearance number 1004-0038. No new information collection requirements are contained in this revision.

#### List of Subjects

##### 43 CFR Part 3200

Environmental protection, Geothermal energy, Mineral royalties, Public lands classification, Public lands mineral resources, Surety bonds.

##### 43 CFR Part 3210

Administrative practice and procedure, Geothermal energy, Public lands—mineral resources.

##### 43 CFR Part 3240

Geothermal energy, Mineral royalties, Public lands—mineral resources, Water resources.

Under the authority of the Geothermal Steam Act of 1970 (30 U.S.C. 1001-1025), it is proposed to amend Parts 3200, 3210 and 3240, Group 3200, Subchapter C, Chapter II of Title 43 of the Code of Federal Regulations, as set forth below:

#### PART 3200—[AMENDED]

1. Section 3205.3-1 is amended by removing from the first sentence the words "except an application filed pursuant to Subpart 3211 of this chapter, of this part."

#### PART 3210—[AMENDED]

2. Section 3210.1 is revised to read:

#### § 3210.1 Availability of land.

(a) All lands subject to leasing that are not within a KGRA shall be available for lease application under the provisions of this subpart.

(b) For those particular lands included in canceled, relinquished, expired, or terminated leases, the BLM State Office having jurisdiction shall post a description of such lands on the first working day of a calendar month. Such lands shall then be available for lease applications beginning on the first working day of the calendar month following posting.

#### Subpart 3211—[Removed]

3. Subpart 3211 is removed in its entirety.

#### PART 3240—[AMENDED]

##### § 3244.2-1 [Amended]

4. Section 3244.2-1 is amended by changing the reference to Subpart 3211 in the last sentence to Subpart 3210.

Garrey E. Carruthers,  
Assistant Secretary of the Interior.

September 3, 1982.

[FR Doc. 82-28781 Filed 10-19-82; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[BC Docket No. 82-709; 4187]

#### FM Broadcast Station in Anchorage, Alaska; Proposed Changes in Table of Assignments

AGENCY: Federal Communications  
Commission.

ACTION: Proposed rule.

**SUMMARY:** This action proposes to substitute FM Class C Channel 287 for Channel 288A at Anchorage, Alaska, and to modify the license for Station KNIK-FM, Anchorage, to specify operation on Channel 287 instead of 288A, in response to a petition by Northern Television, Inc.

**DATES:** Comments must be filed on or before November 29, 1982, and reply comments on or before December 14, 1982.

**ADDRESS:** Federal Communications  
Commission, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:**  
Philip S. Cross, Broadcast Bureau, (202)  
632-5414.