

salesmen and regularly requests investigation of any alleged improper activity which comes to the Legal Department's attention. Through these efforts all levels of management and the sales force are made aware of the Company's strong policy against any improper sales practices.

The result of these efforts is that General has found that the great majority of sales personnel shopped have done adequate to excellent jobs in their sales presentations. Disciplinary action has been instituted in cases where abuses were found and the program appears to be accomplishing what it was set up to do in controlling improper oral sales presentations.

Carol M. Thomas,

Secretary.

[FR Doc. 82-23383 Filed 8-24-82; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 286b

[OSD Admin. Inst. No. 81]

Privacy Act of 1974; Personal Privacy and Rights of Individuals Regarding Their Personal Records

AGENCY: Defense Department.

ACTION: Proposed rule.

SUMMARY: The Office of the Secretary of Defense proposes to amend its rule regarding the implementation of the Privacy Act of 1974 by deleting the exemption rule for one system of records and adding a specific exemption rule for a new system of records.

DATE: Comments must be received on or before September 24, 1982.

ADDRESS: Forward any comments to: OSD Privacy Act Officer, Office of the Deputy Assistant Secretary of Defense (Administration), Washington, D.C. 20301.

FOR FURTHER INFORMATION CONTACT: Norma Cook, telephone: 202-697-2501.

SUPPLEMENTARY INFORMATION: System of records DGC 03, entitled: "General Administrative Files" was deleted by FR Doc. 81-20404 (46 FR 35963), July 13, 1981. System of records DMRA&L 02.0 entitled: "Educator Applicant Files" was identified in FR Doc. 81-28992 (46 FR 49179), October 6, 1981 and amended Parts of system DMRA&L 02.0 which fall within 5 U.S.C. 552a(k)(5) are proposed to be exempted from Subsections (c) (3) and (d) of 5 U.S.C. 552a. In FR Doc. 80-19461, (45 FR 43409) June 27, 1980, the Office of the Secretary of Defense

published its final rule exemption rules (32 CFR 286b.11). The Office of the Secretary of Defense proposes to amend these rules by revising § 286b.11 to delete the present entry for 286b.11(c)(5)-SYSID-DGC 03, SYSNAME, General Administrative File; and to insert a new specific exemption for system DMRA&L 02.0, SYSNAME, Educator Application Files which will read as follows.

List of Subjects in 32 CFR Part 286b Privacy.

PART 286b—PERSONAL PRIVACY AND RIGHTS OF INDIVIDUALS REGARDING THEIR PERSONAL RECORDS

§ 286b.11 Exemptions.

* * * * *
(c) Specific exemptions.
* * * * *

(5) SYSID-DMRA&L 02.0, SYSNAME, Educator Application Files.

Exemption—All portions of this system which fall within 5 U.S.C. 552a(k)(5) may be exempt from the following provisions of Title 5 U.S.C. 552a: (c)(3); (d).

Authority: 5 U.S.C. 552a(k)(5).

Reasons—It is imperative that the confidential nature of evaluation and investigatory material on teacher application files furnished the Department of Defense Dependent Schools (DoDDS) under promises of confidentiality be exempt from disclosure to the individual to insure the candid presentation of information necessary to make determinations involving applicants suitability for DoDDS teaching positions.

M. S. Healy,

*OSD Federal Register Liaison Officer,
Department of Defense.*

August 18, 1982.

[FR Doc. 82-23239 Filed 8-24-82; 8:45 am]

BILLING CODE 3810-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[OPTS-00035; TSH-FRL 2194-6]

Administrator's Toxic Substances Advisory Committee; Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule related notice.

SUMMARY: There will be a meeting of the Administrator's Toxic Substances Advisory Committee (ATSAC) to discuss matters related to EPA's

implementation of the Toxic Substances Control Act Pub. L. 94-569). The meeting will be open to the public.

DATE: The meeting will begin at 10:30 a.m. and adjourn by 4 p.m. on Thursday, September 9, 1982.

ADDRESS: The meeting will be held in: Rm. 3906-3908, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Phyllis B. Hetrick-Bennett, Executive Secretary, Administrator's Toxic Substances Advisory Committee (TS-779), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-228, 401 M St., SW., Washington, D.C. 20460, (202-382-3721).

SUPPLEMENTARY INFORMATION Dr. John A. Todhunter, Assistant Administrator for the Office of Pesticides and Toxic Substances, will discuss accomplishments of the Office of Toxic Substances since the last meeting. The Committee will present its thinking on the implementation plan for TSCA section 8(c). During the afternoon session, Mr. A. E. Conroy II, Director of the Pesticides and Toxic Substances Enforcement Division, will speak about enforcement issues.

The meeting will be open to the public. Time will be set aside for public comments concerning the work of the Committee. Any member of the public wishing to present a formal oral or written statement relating to the Committee's work should contact Dr. Phyllis Hetrick-Bennett at the address or phone number listed above.

Dated: August 18, 1982.

Don R. Clay

Acting Assistant Administrator for Pesticides and Toxic Substances.

[FR Doc. 82-23273 Filed 8-24-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PP 2E2584/P244; PH-FRL 2193-8]

Chlorpyrifos; Proposed Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes that a tolerance be established for the combined residues of the insecticide chlorpyrifos and its metabolite 3,5,6-trichloro-2-pyridinol in or on the raw agricultural commodity grapes. The proposed amendment to establish a maximum permissible level for residues of the insecticide in or on the commodity

was submitted by the Interregional Research Project No. 4 (IR-4).

DATE: Comments must be received on or before September 24, 1982.

ADDRESS: Written comments to: Emergency Response Section (TS-767C), Process Coordination Branch, Registration Division, Office of Pesticide Programs, Environmental Protection Agency, 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 Experimental Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition number 2E2584 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Alabama, Arkansas, Georgia, Missouri, North Carolina, and South Carolina.

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 the combined residues of the insecticide chlorpyrifos (*O,O*-diethyl *O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate and its metabolite 3,5,6-trichloro-2-pyridinol in or on the raw agricultural commodity grapes at 0.5 part per million (ppm). In addition IR-4 has submitted a related Feed Additive Petition (2H5344) proposing to amend 21 CFR 561.98 by establishing a regulation permitting residues of the insecticide in dried grape pomace at 2.0 ppm, resulting from application to the growing crop.

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 2-year rat feeding study with a red blood cell (RBC) acetylcholinesterase (AChE) no-observed-effect level (NOEL) of 0.1 milligram (mg)/kilogram (kg)/day, a systemic NOEL of 3.0 mg/kg/day (highest dose tested) and negative oncogenicity; a 2-year dog feeding study with an RBC AChE NOEL of 0.1 mg/kg/day and a systemic NOEL of 3.0 mg/kg/day (highest dose tested); a 2-year mouse oncogenicity study which was negative at 15 ppm (highest dose tested); a 3-generation rat reproduction study with a NOEL for reproductive effects at 1.0 mg/kg/day (highest dose tested); an acute delayed neurotoxicity (hen) study which was negative for neurotoxic potential at 100 mg/kg; and a mouse

teratogenicity study with no teratogenic effects up to 25 mg/kg/day (highest dose tested).

The acceptable daily intake (ADI), based on the 2-year rat feeding study (AChE NOEL of 0.1 mg/kg/day) and using a 10-fold safety factor, is calculated to be 0.01 mg/kg of body weight (bw)/day. The maximum permitted intake (MPI) for a 60-kg human is calculated to be 0.6 mg/day. The theoretical maximum residue contribution (TMRC) from existing tolerances for a 1.5 kg daily diet is calculated to be 0.4753 mg/day; the current action will utilize 1.5 percent of the ADI.

The nature of the residues is adequately understood and an adequate analytical method (gas chromatography with a flame photometric detector in the phosphorus mode) is available for enforcement purposes. All residue data are from tests conducted in New York and South Carolina. There are presently no actions pending against the continued registration of this chemical.

Based on the above information considered by the Agency and the fact that currently established tolerances for meat and milk are adequate to cover any residues resulting from grapes or dried grape pomace used as animal feed, the tolerance established by amending 40 CFR Part 180 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* 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 the document control number, "[PP2E2584/P244]". All written comments filed in response to this petition will be available in the Emergency Response Section (TS-767C), at the address given above, 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 of 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: August 13, 1982

Douglas D. Campit,

Director, Registration Division, Office of Pesticide Programs.

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Therefore, it is proposed that 40 CFR 180.342 be amended by adding and alphabetically inserting the raw agricultural commodity grapes to read as follows:

§ 180.342 Chlorpyrifos; tolerances for residues.

	Commodities	Parts per million
Grapes	0.5

[FR Doc. 82-23150 Filed 8-24-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PP OE2278/P245; PH-FRL 2194-2]

2-Chloro-N-isopropylacetanilide; Proposed Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes that tolerances be established for the combined residues of the herbicide 2-chloro-N-isopropylacetanilide and its metabolites (calculated as 2-chloro-N-isopropylacetanilide) in or on the raw agricultural commodities flax seed and straw. The proposed amendment to establish a maximum permissible level for residues of the herbicide in or on the named commodities was submitted by the Interregional Research Project No. 4 (IR-4).

DATE: Comments must be received on or before September 24, 1982.

ADDRESS: Written comments to: Emergency Response Section (TS-767C), Process Coordination Branch, Registration Division, Office of Pesticide Programs, Environmental Protection Agency, 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 OE2278 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Minnesota, North Dakota and South Dakota.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of tolerances for the combined residues of the herbicide 2-chloro-N-isopropylacetanilide and its metabolites (calculated as 2-chloro-N-isopropylacetanilide) in or on the raw agricultural commodities flax seed at 3.0 parts per million (ppm) and straw at 11 ppm. The petition was later amended decreasing the tolerance level for flax straw to 10 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 tolerances included a rat acute oral LD₅₀ of 1.2 grams (gm)/kilograms (kg); a rabbit acute dermal LD₅₀ of 380 milligrams (mg)/kg; subacute 90-day feeding studies (dog and rat) with a no-observed-effect level (NOEL) of 13.3 mg/kg.

The acceptable daily intake (ADI), based on the 90-day rat feeding study (NOEL of 13.3 mg/kg/day) and using a 2000-fold safety factor, is calculated to be 0.0067 mg/kg of body weight (bw)/day. The maximum permitted intake (MPI) for a 60-kg human is calculated to be 0.3990 mg/day. The theoretical maximum residue contribution (TMRC) from existing tolerances for a 1.5 kg daily diet is calculated to be 0.0198 mg/day. The current action will increase the TMRC by 0.0014 mg/day. Published tolerances utilize 4.96 percent of the ADI; the current action will utilize an additional 0.30 percent. Thus the tolerances that will be established by this proposed rule are considered to

pose a negligible increment in risk since dietary exposure will not be significantly increased.

The nature of the residues is adequately understood and an adequate analytical method, gas-liquid chromatography with hydrogen flame detector, is available for enforcement purposes. There are presently no actions pending against the continued registration of this chemical.

Based on the above information considered by the Agency and the fact that currently established tolerances for meat and milk are adequate to cover any residues resulting from flax seed and straw used as animal feed, the tolerances established by amending 40 CFR Part 180 would protect the public health. It is proposed, therefore, that the tolerances 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 on or before September 24, 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 the document control number, "[PP OE2278/P245]". All written comments filed in response to this petition will be available in the Emergency Response Section (TS-757C), at the address given above, 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 procedure, Agricultural commodities, Pesticides and pests.

Dated: August 13, 1982.

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

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Therefore, it is proposed that 40 CFR 180.211 be amended by adding and alphabetically inserting the raw agricultural commodities flax seed and straw to read as follows:

§ 180.211 2-Chloro-N-isopropylacetanilide; tolerance for residues.

Commodities	Parts per million
Flax, seed.....	3.0
Flax, straw.....	10.0

[FR Doc. 82-23147 Filed 8-24-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 761

[OPTS 211006 TSH-FRL 2180-8]

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 Dow Chemical Company (Dow) under section 21 of the Toxic Substances Control Act (TSCA) (15 U.S.C. 2620). Dow requested that EPA amend its polychlorinated biphenyl (PCB) regulations (40 CFR Part 761) to exclude monochlorobiphenyls (MCBs).

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

They are available for viewing 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 St., 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 May 13, 1982, EPA received a citizen's petition under section 21 of TSCA, from the Dow Chemical Company, Midland, Michigan, requesting that EPA amend its PCB regulations to exclude MCBs (40 CFR Part 761, recodified in the Federal Register of May 6, 1982 (47 FR 19526)). Section 761.3(s) (formerly § 761.2(s)) defines "PCB" as "any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees. * * *

Dow requests that EPA change this definition to exclude MCBs. Dow argues that MCBs pose less hazard to human health and the environment than PCBs with higher degrees of chlorination, and that the Congress did not intend to regulate MCBs under TSCA.

This petition is the most recent in a series of administrative and judicial actions involving Dow and EPA concerning the control of MCBs under EPA's regulations. On May 13, 1980, the Director of EPA's Pesticides and Toxic Substances Enforcement Division issued an administrative complaint against Dow for violations of the marking and recordkeeping provisions of the PCB regulations under 40 CFR 761.20, 761.45 (now §§ 761.40, 761.180). The subject of the complaint was a Dow product, Dowtherm G, which contained MCBs. Dow raised the affirmative defense that MCBs are not PCBs under TSCA or its regulations. According to Dow, since Dowtherm G does not contain other chlorinated biphenyls in concentrations greater than 50 ppm, the company did not violate the law by selling its product.

On September 22, 1980, the late Herbert L. Perlman, EPA's Chief Administrative Law Judge, found that (1) MCBs are PCBs under EPA's PCB regulations issued pursuant to section 6(e) of TSCA, and (2) MCBs are PCBs as a matter of law under section 6(e) of TSCA. Dow subsequently appealed this decision to the EPA Judicial Officer. On July 28, 1982, the Judicial Officer dismissed Dow's appeal on the basis that Dow cannot challenge the validity of a regulation in an administrative civil penalty hearing. In this Federal Register notice, EPA has not addressed issues regarding the Agency's authority and available discretion in regulating MCBs.

Decision

EPA has reviewed the contents of Dow's petition and believes that Dow's views concerning the relative risk of MCBs and other chlorinated

biphenyls may have some technical merit. However, for the reasons stated below, EPA does not intend to (in the language of section 21 of TSCA) "promptly commence an appropriate proceeding" to amend the PCB regulations to exclude MCBs from all the provisions of the regulations. Because EPA is not commencing a rulemaking to consider granting the relief specifically requested by Dow, the petition is being denied. However, the Agency does plan to undertake a forthcoming rulemaking that would deal with the situation that appears to have motivated Dow to submit this petition.

EPA understands Dow's primary concern to be the manufacture of MCBs as byproducts during the production of other substances in Dow's manufacturing processes. EPA believes it will be dealing with issues related to this concern in the context of rulemaking required by an October 30, 1980 decision by the U.S. 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.

Dow's manufacturing processes, which generate MCBs as a byproduct in the production of other chemical substances, will fall within the scope of this rulemaking. The Agency will consider any relevant information presented by Dow during that rulemaking proceeding. 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 will affect hundreds of companies in addition to Dow 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 Dow's concerns. Doing so would be an inefficient use of Agency resources. If the major rulemaking on PCBs does not address all of Dow's concerns, Dow can resubmit its petition or submit another petition after this major rulemaking is completed.

Accordingly, Dow's petition for an amendment of the PCB regulations to exclude MCBs is denied.

Official Record for the Petition

The following documents constitute the record for this action.

1. Dow Petition to the Environmental Protection Agency, dated May 13, 1982.
2. *In the Matter of The Dow Chemical Company*, Decision of EPA Judicial Officer McCallum, Docket No. TSCA (16(a))-1, July 28, 1982.
3. *In re Dow Chemical Company*, Decision of EPA Chief Administrative Law Judge Perlman, Docket No. TSCA (16(a))-1, September 22, 1980.
4. *In re Dow Chemical Company*, Order of Certification of Appeal, Docket No. TSCA (16(a))-1, September 28, 1980.
5. *Environmental Defense Fund v. EPA*, 598 F. 2d 62 (D.C. Cir. 1978).
6. *Dow Chemical Co. v. Costle*, 484 F. Supp. 101, (D. Del. 1980) (appeal pending).
7. *Environmental Defense Fund v. EPA*, 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: August 18, 1982.

John W. Hernandez, Jr.,
Acting Administrator.

[FR Doc. 82-23272 Filed 8-24-82; 8:45 am]
BILLING CODE 6560-50-M

GENERAL SERVICES ADMINISTRATION

National Archives and Records Service

41 CFR Part 105-61

[ADM 7900.2 CHGE]

Public Use of Records, Donated Historical Materials, and Facilities in the National Archives and Records Service Restrictions on the Use of Records

AGENCY: National Archives and Records Service, GSA.

ACTION: Proposed rule.

SUMMARY: This proposed rule revises the statement of "general restrictions" on access to records accessioned by the National Archives and Records Service (NARS). This revision is necessitated by