27. *FAP 4H5692.* Monsanto Co., Suite 1100, 700 14th St., NW., Washington, DC 20005, proposes to amend 40 CFR 186.3500 by establishing a feed additive regulation to permit the combined residues of the herbicide glyphosate, *N*-(phosphonomethyl)(glycine), and its metabolite aminomethylphosphonic acid (AMPA) in alfalfa meal at 400 ppm. (PM-25)

28. *FAP 4H5693.* Merck & Co., Inc., P.O. Box 450, Three Bridges, NJ 08887-0450, proposes to amend 40 CFR 186.300 by establishing a feed additive regulation to permit combined residues of abamectin and its delta 8,9 isomer in or on apples, wet pomace at 0.10 ppm. (PM-13)

Withdrawn Petition

29. *FAP 9H5575.* Notice appeared in the **Federal Register** of March 23, 1989 (54 FR 12010), that Mobay Corp., (now Miles, Inc.), P.O. Box 4913, Kansas City, MO 64120-0013, proposed to amend 40 CFR parts 185 and 186 by establishing a regulation to permit the residues of the fungicide terbuconazole (*α*-[2-(4-chlorophenyl)ethyl[-*α*-(1,1-dimethylethyl)-1*H*-1,2,4-triazole-1-ethanol) in or on barley milled fractions (except flour) at 1.0 ppm, wheat milled fractions (except flour) at 1.0 ppm, grape pomace (dry) at 12.0 ppm, and raisin waste at 6.0 ppm. Miles, Inc., has requested that the petition be withdrawn without prejudice to future filing. (PM 21)

List of Subjects

Environmental protection, Administrative practice and procedure, Agricultural commodities, Food and feed additives, Pesticides and pests.

Authority: 7 U.S.C. 136a.

Dated: June 27, 1994.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 94-16861 Filed 7-12-94; 8:45 am]
BILLING CODE 6560-50-F

[OPPTS-41041; FRL-4870-4]

Thirty-Fourth Report of the TSCA Interagency Testing Committee to the Administrator; Receipt of Report and Request for Comments

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The TSCA Interagency Testing Committee (ITC), established under section 4(e) of the Toxic Substances Control Act (TSCA), transmitted its Thirty-Fourth Report to the Administrator of EPA on May 17, 1994. As noted in this Report, which is included with this notice, the ITC revised the *Priority Testing List* by: (1) changing a recommendation for one chemical, white phosphorus, to a designation, (2) recommending two chemicals, ethyl tert-butyl ether and tert-amyl methyl ether, and (3) removing eight chemicals from the *List*. The eight chemicals being removed from the *List* are: methyl methacrylate, diethyl phthalate, *N*-phenyl-1-naphthylamine, acetophenone, phenol, *N,N*-dimethylaniline, ethyl acetate, and 2,6-dimethylphenol. The Report states the reasons for the removal of these chemicals from the *List*. EPA invites interested persons to submit written comments on the Report.

In addition, EPA is soliciting interested parties for participation in or monitoring of a TSCA section 4 testing consent agreement development process for white phosphorus that was designated for amphibian, reptile, wild mammal, and aquatic plant acute toxicity testing; and terrestrial plant uptake and translocation testing. EPA is also inviting manufacturers and/or processors of white phosphorus who wish to participate in testing negotiations for white phosphorus to develop and submit testing agreement proposals to EPA.

EPA has already solicited interested parties in developing testing agreements for ethyl tert-butyl ether and tert-amyl methyl ether (59 FR 18399, April 18, 1994).

DATES: Written comments on the 34th ITC Report should be submitted by August 12, 1994. Written testing proposals must be received by September 12, 1994. Written notice of interest in being designated an "interested party" to the development or monitoring of a consent agreement for white phosphorus must be received by September 12, 1994. Those submitting written testing proposals will be considered "interested parties" and do not have to submit separate written notice. EPA will contact all "interested parties" and advise them of meeting dates.

ADDRESSES: Send six copies of written submissions to: TSCA Public Docket Office (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. B-607 NEM, 401 M St., SW., Washington, DC 20460. Submissions should bear the document control number (OPPTS-41041; FRL-4870-4).

The public record supporting this action, including comments, is available for public inspection in Rm. B-607 NEM at the address noted above from 12 noon to 4 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. E-543B, Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551.

SUPPLEMENTARY INFORMATION: EPA has received the TSCA Interagency Testing Committee's Thirty-Fourth Report to the Administrator.

I. Background

TSCA (Pub. L. 94-469, 90 Stat. 2003 et seq; 15 U.S.C. 2601 et seq.) authorizes the Administrator of EPA to promulgate regulations under section 4(a) requiring testing of chemicals and chemical groups in order to develop data relevant to determining the risks that such chemicals and chemical groups may present to health or the environment. Section 4(e) of TSCA established the Interagency Testing Committee to recommend chemicals and chemical groups to the Administrator of EPA for priority testing consideration. Section 4(e) directs the ITC to revise the TSCA section 4(e) *Priority Testing List* at least every 6 months. The most recent revisions to this *List* are included in the ITC's Thirty-Fourth Report. The Report was received by the Administrator on May 17, 1994, and is included in this Notice. The Report changes a recommendation for one chemical, recommends two chemicals, and removes eight chemicals from the TSCA section 4(e) *Priority Testing List*.

II. Written and Oral Comments

EPA invites interested persons to submit detailed comments on the ITC's Report. All submissions should bear the identifying docket number (OPPTS-41041).

EPA invites interested persons to submit detailed comments on the ITC's new recommendations. The Agency is interested in receiving information concerning additional or ongoing health and safety studies on the subject chemicals as well as information relating to the human and environmental exposure to these chemicals.

A notice will be published at a later date in the **Federal Register** adding the substances recommended in the ITC's ThirtyFourth Report to the TSCA section 8(d) Health and Safety Data Reporting Rule (40 CFR part 716), which requires the reporting of unpublished

health and safety studies on the listed chemicals.

III. Status of List

The ITC's Thirty-Fourth Report notes the change of a recommendation for one chemical to a designation, the recommendation of two chemicals, and the removal of eight chemicals from the *Priority Testing List*. The current TSCA section 4(e) *Priority Testing List* contains 12 chemicals and 12 chemical groups, with 2 chemical groups and 3 chemicals designated for testing.

IV. Testing Consent Agreements

1. *Solicitation of interested parties.* EPA's procedures for requiring the testing of chemical substances under section 4 of TSCA include the adoption of enforceable consent agreements and the promulgation of test rules. These processes are found at 40 CFR 790.20. EPA has on numerous occasions been approached by chemical companies interested in negotiating consent agreements for testing ITC chemicals or chemical groups. As a result of these requests, EPA is now inviting persons interested in participating in or monitoring negotiations on the chemical designated in the Thirty-Fourth ITC Report to notify EPA in writing. Those who respond to this solicitation by the deadline established in this notice will have the status of "interested parties" and will be afforded opportunities to participate in the negotiation process. These "interested parties" will not incur any obligations by being designated "interested parties."

2. *Solicitation of testing proposals for consent agreement negotiations.* EPA is also now soliciting testing proposals for a consent agreement to perform amphibian, reptile, wild mammal, and aquatic plant acute toxicity testing; and terrestrial plant uptake and translocation testing on white phosphorus. Following publication of this notice, manufacturers and/or processors have 60 days to develop and submit testing proposals that they wish EPA to consider as candidates for consent agreement negotiations for white phosphorus. Testing guidelines for the designated tests include: (1) Lemna Acute Toxicity Test at 40 CFR 797.1160, (2) Plant Uptake and Translocation Test at 40 CFR 797.2850, (3) Amphibian Acute Toxicity Test, (4) Reptilian Acute Toxicity Test, (5) Wild Mammal Acute Toxicity Test. These guidelines are available to the public through the TSCA Public Docket Office and the Environmental Assistance Division listed above. These guidelines should be reviewed before submitting any testing proposals in response to this notice.

For additional technical information on these testing guidelines contact Dr. Barnett Rattner, Department of The Interior, (301) 497–5671.

All testing proposals submitted should describe the testing to be performed and explain any deviations from the test protocols.

EPA will review the submissions and select the most promising submissions as candidates for negotiation. Submissions that fully address the ITC's concerns will have a higher chance of success than those that do not fully address all data needs.

3. *Negotiation of testing program and development of a testing consent agreement.* EPA will follow the negotiation procedures under 40 CFR 790.22, and to the extent feasible, the timetable outlined in 40 CFR part 790, appendix A to subpart B.

For additional information about process or negotiations contact Frank Kover, Chief, Chemical Testing and Information Branch, (202) 260–8130.

Authority: 15 U.S.C. 2603.

Dated: June 30, 1994.

Charles M. Auer,

Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

Thirty-Fourth Report of the TSCA Interagency Testing Committee to the Administrator, U.S. Environmental Protection Agency

SUMMARY: This is the 34th Report of the TSCA Interagency Testing Committee (ITC) to the Administrator of the U.S. Environmental Protection Agency (EPA). The ITC is revising its *Priority Testing List* by changing a recommendation for one chemical, white phosphorus, to a designation for action by the Administrator within 12 months, recommending two chemicals, ethyl *tert*-butyl ether and *tert*-amyl methyl ether and by removing eight chemicals. White phosphorus is being designated to meet the data needs of the Department of Interior (DOI); discussions are ongoing with the Agency for Toxic Substances and Disease Registry (ATSDR), the Department of Defense (DOD), and EPA to coordinate their data needs with those of DOI. Ethyl *tert*-butyl ether and *tert*-amyl methyl ether are being recommended for health effects testing because EPA needs these data for ongoing assessments. Methyl methacrylate and diethyl phthalate are being removed from the *List* because dermal absorption rate data are available that are likely to satisfy the data needs of the Occupational Health and Safety Administration (OSHA). *N*-Phenyl-1-naphthylamine is being removed from the *List* because studies reviewed by the ITC did not increase concerns for cancer and the ITC's priorities do not include designating the chemical at this time. Acetophenone, phenol, N,*N*-dimethylaniline, ethyl acetate and 2,6-dimethylphenol are being removed from the *List* because EPA proposed the testing designated by the ITC in its 27th Report in a test rule that was published on November 22, 1993 (58 FR 61654).

I. Background

The TSCA Interagency Testing Committee (ITC) was established by section 4(e) of the Toxic Substances Control Act (TSCA):

> ...to make recommendations to the Administrator respecting the chemical substances and mixtures to which the Administrator should give priority consideration for the promulgation of a rule for testing under section 4(a).... At least every six months..., the Committee shall make such revisions in the *List* as it determines to be necessary and to transmit them to the Administrator together with the Committee's reasons for the revisions...
>
> (Public Law 94–469, 90 Stat. 2003 et seq., 15 U.S.C. 2601 et seq.).

Since its creation in 1976, the ITC has submitted 33 semi-annual Reports to the EPA Administrator transmitting the *Priority Testing List* and its revisions. These Reports have been published in the **Federal Register** (FR) and are available from the ITC. The ITC meets monthly and produces its revisions with the help of staff and technical contract support provided by EPA. ITC membership and support personnel are listed at the end of this Report.

Following receipt of the ITC's Report and the addition of chemicals to the *Priority Testing List*, the EPA's Office of Pollution Prevention and Toxics adds these chemicals to TSCA section 8(a) and 8(d) rules that require manufacturers, processors, and/or distributors of these chemicals to submit production and exposure data (8a), and health and safety studies (8d), within 2 months of the rules' effective date. The submissions are indexed and maintained by EPA. The ITC reviews the 8(a) and 8(d) information and other available data on chemicals and chemical groups (e.g., TSCA section 8(e) "substantial risk" studies, "For Your Information" (FYI) submissions to EPA and published papers) to determine if revisions to the *Priority Testing List* are necessary. Revisions can include changing a recommendation to a designation for action by the Administrator within 12 months, modifying the recommended testing, or

removing the chemical or chemical group from the *List*.

II. Revisions to the TSCA Section 4(e) Priority Testing List

The ITC's revisions to its TSCA Section 4(e) *Priority Testing List* are summarized in the following Table 1.

TABLE 1. CHEMICALS DESIGNATED, RECOMMENDED AND REMOVED FROM THE TSCA SECTION 4(E) PRIORITY TESTING LIST

CAS No.	Chemical/Group	Action	Date
7723–14–0	White phosphorus	Designate Previously Recommended Chemical for Amphibian, Reptile, Wild Mammal, and Aquatic Plant Acute Toxicity Testing; and Terrestrial Plant Uptake and Translocation Testing.	5/94
637–92–3	Ethyl *tert*-butyl ether	Recommend for health effects testing	5/94
994–05–8	Tert-amyl methyl ether	Recommend for health effects testing	5/94
80–62–6	Methyl methacrylate	Remove Previously Recommended Chemical	5/94
84–66–2	Diethyl phthalate	Remove Previously Recommended Chemical	5/94
90–30–2	*N*-Phenyl-1-naphthylamine	Remove Previously Recommended Chemical	5/94
98–86–2	Acetophenone	Remove Previously Designated Chemical	5/94
108–95–2	Phenol	Remove Previously Designated Chemical	5/94
121–69–7	*N,N*-Dimethylaniline	Remove Previously Designated Chemical	5/94
141–78–6	Ethyl acetate	Remove Previously Designated Chemical	5/94
576–26–1	2,6–Dimethylphenol	Remove Previously Designated Chemical	5/94

III. Rationale for the revisions

A. ITC's Activities During this Reporting Period

During the 6 months covered by this Report, November 1993 through April 1994, the ITC reviewed the TSCA section 8(a) and section 8(d) submissions and other available data for white phosphorus and *N*-phenyl-1-naphthylamine and dermal absorption data for diethyl phthalate and methyl methacrylate, and made decisions with respect to their dispositions on the *Priority Testing List*.

B. Specific Rationales

1. *Designated chemical — White phosphorus*—a. *Background*. Thousands of ducks in wetlands at an artillery impact area have been poisoned by white phosphorus. The Department of Interior (DOI) is concerned about the persistence of white phosphorus in wetland sediments, the adverse effects of white phosphorus on wildlife, and the indirect effects of white phosphorus on endangered species that feed on carcasses of white phosphorus-poisoned wildlife.

In November 1991, based on DOI's data needs, the ITC recommended testing to determine the persistence of white phosphorus in surface waters and sediments and the toxicity to migratory birds and other wildlife (see the ITC's 29th Report in 56 FR 67424, December 30, 1991). Since that recommendation, the DOI has considered these and other data needs. Discussions at ITC meetings, are ongoing with the Agency for Toxic Substances and Disease Registry (ATSDR), the Department of Defense (DOD), and the U.S. Environmental Protection Agency (EPA) to coordinate their data needs with those of DOI. Several Federal Government organizations have past and ongoing activities that could result in the identification of additional data needs for white phosphorus and more ITC testing designations. Some of these activities are described below.

ATSDR is drafting a toxicological profile on white phosphorus. DOD is supporting studies on white phosphorus because it is detected in wetlands on DOD munitions testing sites. In 1990, EPA published a Drinking Water Health Advisory for white phosphorus (Ref. 20). In 1992 and 1993, EPA obtained 1991 and 1992 data under the Toxics Release Inventory (TRI), indicating that during each of these years about 300,000 pounds of white phosphorus were released to land (Ref. 17). These releases are an order of magnitude lower than reported for previous years (56 FR 67424) and reflect, in part, more accurate record keeping by white phosphorus manufacturers. In 1993, EPA and DOD conducted 4 seminars on "technologies for remediating sites contaminated with explosive and radioactive wastes" (Ref. 21). In 1993, EPA also prepared a handbook entitled "Approaches for the Remediation of Federal Sites Contaminated with Explosive and Radioactive Wastes" (Ref. 22). White phosphorus was extensively discussed in the seminars and the handbook. EPA is making a determination of whether there are health effects data needed for white phosphorus under Title III of the Clean Air Act. ITC will coordinate ATSDR, DOD and EPA data needs with those of DOI and determine if additional testing needs to be designated in a future ITC report.

The Chemical Abstracts Service (CAS) has two Registry numbers for white phosphorus: 7723–14–0, as a general number for white, yellow, black and red phosphorus, and 12185–10–3 specifically for white phosphorus. The ITC used CAS No. 7723–14–0 in the 29th Report, because it is the most commonly used for white phosphorus. It is used to record production volume and environmental release data as well as most published and unpublished studies. In response to the ITC's 29th Report testing recommendations, EPA promulgated TSCA section 8(a) and 8(d) rules for CAS No. 7723–14–0 on March 12, 1993, and for CAS No. 12185–10–3 on December 27, 1993. The manufacturers, processors and distributors of white phosphorus submitted section 8(a) reports and section 8(d) studies only for 7723–14–0.

Therefore, the ITC is only designating white phosphorus as CAS No. 7723–14–0 and requesting that EPA remove CAS No. 12185–10–3 from the TSCA section 8(d) rule.

b. *Designated testing.* To meet the data needs of DOI, the ITC is designating white phosphorus for amphibian, reptile, wild mammal and aquatic plant acute toxicity testing, and terrestrial plant uptake and translocation testing.

c. *Rationale for designation.* DOI reviewed the submitted section 8(a) and 8(d) data as well as TSCA section 8(e), FYI, and published papers for white phosphorus. It continues to be concerned about the persistence of white phosphorus in wetland sediments, adverse effects on wildlife that feed on white phosphorus-contaminated sediments, and the potential adverse effects on endangered species that feed on carcasses of wildlife that die from white phosphorus poisoning. Although DOI is working with DOD to conduct and coordinate testing and field investigations of white phosphorus, DOI has data needs that are not included in this coordinated, government-funded program. These additional data are needed by DOI to assess the ecological risks posed by white phosphorus.

d. *Supporting information.* DOI nominated white phosphorus to the ITC in 1991 because persistence and ecotoxicity data were needed to assess the ecological risks posed by white phosphorus. The results of studies submitted under TSCA section 8(d) and section 8(e), other relevant data, and ongoing activities are presented below along with the specific rationales for the designated tests.

(1) *Exposure information—production/use/disposal/exposure/release.* In 1990, approximately 700 million pounds of white phosphorus were produced (Ref. 2). Based on 1991 and 1992 TRI data, about 300,000 pounds are released annually from production facilities (Ref. 17). The amounts of white phosphorus released during munitions testing, pesticides manufacturing and other uses is unknown to the ITC.

Every year since 1980, up to 3,000 waterfowl (dabbling ducks), 50 swans, and an undetermined number of shorebirds appear to have died from white phosphorus poisoning at an artillery impact area in the estuarine wetlands of Eagle River Flats, Cook Inlet, Alaska. This wildlife mortality continues despite the fact that on September 10, 1991, the Assistant Secretary of the Army (Installations, Logistics, and Environment) suspended the Army's firing of white phosphorus munitions in wetland areas.

White phosphorus has been detected in water samples (0.013–0.069 µg/L) from Eagle River Flats (Ref. 10). White phosphorus particles have been visually identified and chemically-confirmed at concentrations of 10 ppm in sediments (Refs. 11 and 23). White phosphorus has been isolated from the gizzards of dead mallard ducks, *Anas platyrhynchos* (Ref. 11). Exposure of at least a dozen avian species has been documented through chemical detection of white phosphorus in gizzard, liver, muscle, fat or skin (Refs. 11, 13, and 23).

White phosphorus contamination at artillery impact areas is currently being investigated by Simmers et al. (Ref. 14). Sampling results from 21 of the 23 DOD installations indicate that white phosphorus was detected (detection limit of 1 µg/kg) at seven of the installations (Ref. 3).

(2) *Chemical fate information.* Degradation rates of white phosphorus solutions have been characterized in an aqueous *in vitro* test system (Ref. 4), and appear to be dependent on dissolved oxygen, pH and temperature. Under aerobic conditions, solutions of white phosphorus are rapidly oxidized (or possibly hydrolyzed or volatilized; Ref. 15) and its concentration decreases monotonically with time (282 to 1762 µg/L yielded a half-life of 3 hours for the initial 24 hour period). However, degradation rates are reduced at temperatures below 22 °C and in closed (non-aerated) test systems. Under such conditions, white phosphorus half-life increases from hours to weeks. When sediments were tested in a modified aqueous *in vitro* test system, degradation rates of white phosphorus were slower in sediment than in water (Ref. 5).

White phosphorus in sediments at the estuarine wetlands of Eagle River Flats, Alaska is often found as particulates, ranging in diameter from 0.15 to 3.5 mm (corresponding to the size range of food items and gizzard material selected by many species of waterfowl), and at sediment depths of up to 30 cm (Ref. 10). White phosphorus particles appear to be quite persistent in the saturated saline sediments of Eagle River Flats, but volatilize as sediments dry below 20 percent moisture (Ref. 23). Factors that affect persistence of white phosphorus in sediments include sediment porosity, moisture content and temperature, all of which interact to determine the rate of sublimation. Oxygen may slow sublimation by the formation of oxidation products around the particles that impose a diffusion barrier to white phosphorus vapor. Using data on the dissolution rate of white phosphorus particles in water (Ref. 15), Walsh (Ref. 23) estimated the dissolution of a 1 mm diameter white phosphorus sphere to be 8 years. The extent of particulate white phosphorus contamination in the United States remains largely unknown.

The rate of oxidation of white phosphorus particles in aerated-soil is highly variable depending on environmental conditions (Refs. 1, 12 and 24). Using a model to estimate the fate of white phosphorus particles in soil, Spanggord et al. estimated that particles buried in soil could persist for several years, and if an "oxidized coat" were formed, particles could persist for thousands of years (Ref. 15).

These data demonstrate the persistence of white phosphorus in sediments. Therefore, the ITC is not designating further chemical fate testing of white phosphorus at this time.

(3) *Health effects information.* The ITC's 29th Report summarized available health effects data for white phosphorus. These data indicate that white phosphorus is highly toxic to humans and laboratory animals (56 FR 67424; December 30, 1991). As noted in the summary of this 34th Report, discussions are ongoing with ATSDR, DOD and EPA to coordinate their data needs with those of DOI. The ITC is not designating further health effects testing at this time because those discussions have not been completed.

(4) *Ecological effects information—Acute and subchronic effects (short-term).* The ITC's 29th Report summarized laboratory and field studies for white phosphorus. These studies indicated that white phosphorus is highly toxic to aquatic organisms (56 FR 67424, December 30, 1991).

Thirty-day bioassays are currently being conducted by the U.S. Army Environmental Hygiene Agency to measure the toxicity of white phosphorus contaminated sediments from Eagle River Flats to the crustacean, *Hyallela azteca* and the midge larve, *Chironomus riparius* (Ref. 10).

The median lethal dose for adult male and juvenile mallard ducks gavaged with white phosphorus dissolved in corn oil vehicle was 6.5 mg/kg (Ref. 10). Signs of toxicity include slow rhythmic lateral head shaking, and lethargy, followed by convulsions. Birds often succumb within 1 to 2 hours, but in other instances may linger for up to 55 hours prior to death. Concentrations of white phosphorus in dosed mallards exceed 0.25 µg/g in fat, skin and liver (Refs. 10 and 11).

The acute median lethal dose of white phosphorus in female mallards is being estimated by Sparling (Ref. 16). The

females appear to be slightly more tolerant than male and juvenile birds (LD50>10 mg/kg) (Ref. 16). An estimation of the lowest observable effect level (LOEL) will be determined by Sparling (Ref. 16) using white phosphorus pellets without vehicle, because a corn oil vehicle may affect absorption and toxicity.

Increasing evidence suggests the potential for widespread white phosphorus pollution in wetlands. While white phosphorus toxicity data have been or are being developed for aquatic and avian species that inhabit wetlands. There are no white phosphorus toxicity data for amphibians, reptiles, and wild mammals that frequent temperate zone wetland habitats. In addition, some mammals, including furbearers (e.g., mink), frequent wetlands and are known to be far more sensitive to certain environmental pollutants (e.g., PCBs) than laboratory rodents. For these reasons, DOI needs amphibian, reptile, and wild mammal acute toxicity test data for its white phosphorus risk assessment.

Based on limited available data and DOI's data needs, the ITC is designating white phosphorus for amphibian, reptile, and wild mammal acute toxicity testing.

Chronic (long-term) effects. The ITC's 29th Report described laboratory studies that demonstrated the chronic toxicity of white phosphorus to aquatic organisms (56 FR 67424, December 30, 1991).

Based on these data and ongoing DOI studies, the ITC is not designating further chronic aquatic toxicity testing at this time.

Metabolism and pharmacokinetics. Data for laboratory mammals were summarized in the ITC's 29th Report (56 FR 67424, December 30, 1991). Recent studies suggest that acute white phosphorus toxicity in warm-blooded animals may be due to the nonenzymatic metabolism of white phosphorus to phosphine (Ref. 8).

A recent publication described the uptake and loss of white phosphorus in American kestrels or sparrow hawks (Falco sparverius) (Ref. 9). This study indicated that although uptake of white phosphorus was rapid, bioaccumulation is limited in American kestrels because of chemical or enzymatic degradation.

Uptake and depuration studies of white phosphorus administered to mallards below the LD50 will be studied by Sparling (Ref. 16). Pharmacokinetics will be studied by Sparling (Ref. 16) at various intervals for a 10-day period in breast muscle, gizzard, abdominal fat, skin, liver, pancreas and blood. Sparling (Ref. 16) will also study histopathological and biochemical biomarkers of exposure.

Based on these data and ongoing DOI studies, the ITC is not designating further metabolism and pharmacokinetic testing at this time.

Reproductive effects. In rats, 75 µg/kg/day of white phosphorus reduced pregnancy rates (Ref. 6), increased death rates of females in late gestation (Ref. 7), increased parturition-related difficulties (Ref. 18), and increased the number of dead pups at birth (Ref. 19). The birth defects caused by white phosphorus, and the presence of white phosphorus in herring gull eggs collected in Eagle River Flats (Ref. 8), suggest the need for reproductive effects studies in birds. DOI is planning preliminary studies to investigate fertility rates of male and female mallards repeatedly gavaged (chronic exposure) with low doses of white phosphorus (Ref. 16).

Based on the studies conducted by Monsanto and planned DOI studies, the ITC is not designating further reproductive effects testing at this time.

Other ecological effects. Predation of ducks poisoned by white phosphorus was systematically monitored at Eagle River Flats in the spring and fall of 1991 (Ref. 13). Twenty-four instances of predation of sick or dead dabbling ducks by bald eagles (*Haliaetus leucocephalus*), herring gulls (*Larus argentatus*) and common ravens (*Corvus carax*) were observed. Other predators, including northern harrier (*Circus cyaneus*) and coyotes (*Canis latrans*) have been observed to hunt over the Flats. Many decaying bald eagle carcasses have been found at or near Eagle River Flats, and the single carcass tested was positive for white phosphorus in fatty tissues (Refs. 10 and 13). Based on these observations, and the risk assessment of Roebuck et al. (Ref. 13), there is considerable potential for secondary poisoning of predators, including endangered species.

DOI will investigate secondary poisoning of predators (raptors and other scavengers) using captive American kestrels fed northern bobwhite quail chicks (Colinus virginianus) that had been gavaged with 1 mg/kg pelletized white phosphorus for a 10-day period (Ref. 16). Mortality, biochemical and histopathological biomarkers of toxicity, and white phosphorus burdens in kestrels will be studied (Ref. 16).

Based on data published by Racine (Ref. 10) and Roebuck (Ref. 13) and planned DOI studies, the ITC is not designating other ecological effects testing at this time.

Bioconcentration and food chain transport. The 29th ITC Report noted that bioconcentration of white phosphorus was studied in three species of fish, six species of invertebrates and in two species of seaweed (56 FR 67424; December 30, 1991). Fish and invertebrates have been collected at Eagle River Flats by Racine for determination of white phosphorus uptake (Ref. 10).

A recent study suggested that large predators such as bald eagles, that have the ability to ingest whole gizzards of prey birds, could bioaccumulate white phosphorus because the amount ingested could exceed the degradation capacity (Ref. 9).

Few data are available on bioconcentration and food chain transport of white phosphorus by plants. This data need concerns DOI because white phosphorus has been detected in or on the roots of salt marsh plants at Eagle River Flats (Ref. 10), and because many herbivorous wildlife species could be exposed to, and be adversely affected by, white phosphorus as a result of uptake and bioconcentration by plants.

Based on DOI's data needs, the ITC is designating white phosphorus for aquatic plant toxicity and terrestrial plant uptake and translocation testing.

2. *Recommended chemicals — Ethyl tert-butyl ether and tert-amyl methyl ether*— a. *Background.* The ITC designated methyl *tert*-butyl ether (MTBE) for health effects testing in its 20th Report because of concerns for widespread human exposure to low level fugitive emissions of MTBE at gasoline pumps and the need for chronic health effects data (52 FR 19020; May 20, 1987). In response to the ITC's designation, EPA and MTBE manufacturers negotiated a TSCA section 4 enforceable consent agreement to develop pharmacokinetics, genotoxicity, subchronic toxicity, reproductive effects, developmental toxicity, neurotoxicity, and oncogenicity data (53 FR 10391, March 31, 1988). EPA is evaluating the data from the completed MTBE testing program.

EPA needs health effects data for two other fuel oxygenates, ethyl *tert*-butyl ether (ETBE) and *tert*-amyl methyl ether (TAME) and is soliciting interest in developing testing agreements for these chemicals (59 FR 18399, April 18, 1994).

b. *Recommended testing.* Ethyl *tert*-butyl ether and *tert*-amyl methyl ether are being recommended for health effects testing because EPA needs these data for ongoing assessments.

c. *Rationale for recommendation.* The use of ETBE and TAME to augment or

substitute for MTBE as fuel oxygenates and the health effects data needs of ETBE and TAME are of concern to EPA and the ITC. Therefore, the ITC is recommending testing to obtain TSCA section 8(d) health and safety data on ETBE and TAME to support EPA's ongoing assessments of the potential hazards/risks posed by these two chemical substances. The ITC will share the data with EPA and other interested U.S. Government organizations represented on the ITC and will review these data to determine whether ETBE and TAME should be designated for testing or removed from the *Priority Testing List*. The ITC is also requesting data on acute toxicity of gasoline mixtures containing ETBE and/or TAME. The ITC's process of recommending ETBE and TAME and then making decisions following data review is consistent with the process used for MTBE. MTBE was recommended in ITC's 19th Report (51 FR 41417, November 14, 1986) and designated in ITC's 20th Report, following ITC's review of voluntarily submitted and TSCA section 8(d) data.

d. *Supporting information.* EPA's recent **Federal Register** notice provides supporting information (59 FR 18399, April 18, 1994).

The requirements of the Clean Air Act (CAA), 42 U.S.C. 7401–7671q, along with reports of adverse human health effects associated with the use of MTBE in winter-blend gasoline, have contributed to the need for health effects testing of ETBE and TAME.

MTBE, ETBE, and TAME are fuel oxygenates which may be used to satisfy the following requirements under the CAA. Under section 211(m) of the CAA, 42 U.S.C. 7545, States which have certain attainment areas for carbon monoxide (CO) must require that any gasoline sold or dispensed to ultimate customers in a specified portion of the nonattainment area be blended, during wintertime, to contain not less than 2.7 percent oxygen by weight (or applicable percentage to meet the national primary air quality standard for CO by the established attainment date). Under section 211(k), reformulated gasoline must be used in nonattainment areas in nine major metropolitan areas that are designated as ozone nonattainment areas as well as various nonattainment "opt-in" areas by 1995 and the oxygen content of this gasoline must be equal to or exceed 2 percent by weight. See Final Rule, Regulation of Fuels and Fuel Additives: Standards for Reformulated and Conventional Gasoline, February 16, 1994 (59 FR 7716). In addition, a proposed regulation [by EPA's Office of Air and Radiation] would require that at least 30 percent of the oxygen content of reformulated gasoline come from renewable oxygenates, which would include ETBE. See OAR/EPA Notice of Proposed Rulemaking, regulation of Fuels and Additives: Renewable Oxygenate Requirement for Reformulated Gasoline, December 27, 1993 (58 FR 68343).

Recently, there have been reports from the State of Alaska and several areas in the lower 48 states of adverse human health effects [(e.g., headache, nausea, general malaise)] associated with the use of MTBE in winter-blend gasoline. (See Assessment of Potential Health Risks of Gasoline Oxygenated with MTBE, Office of Research and Development, U.S. EPA, November 1993.)

EPA believes that additional health effects test data on fuel oxygenates are needed to allow government agencies and industry to compare the health risks associated with the use of these substances to augment or substitute for MTBE as a fuel oxygenate....

(1) *Exposure information—production/use/disposal/exposure/release.* Estimates published in 1991 indicate that by 1995, annual production volumes of ETBE and TAME are expected to exceed 26 million pounds (Refs. 29 and 30) and 6 billion pounds (Ref. 35), respectively. Estimates published in 1994 indicate that by 1995, about 335,000 barrels per day (32 billion pounds per year) of oxygenates will be needed to meet oxygenated-and reformulated-fuel mandates (Ref. 28). Consumer, occupational or environmental exposures to ETBE or TAME could be substantial based on their use as fuel oxygenates.

(2) *Physical and chemical information.* ETBE has a molecular weight of 102.18, a melting point of -97 °C (Ref. 26), a boiling point of 72 to 73 °C (Ref. 26), a log octanol/water partition coefficient of 1.58 (Ref. 31), a water solubility of 12,000 mg/L at 20 °C (Ref. 32), a vapor pressure of 130 mm Hg at 25 °C (Ref. 32), and a Henry's Law constant of 1.45×10^{-3} atm-m^3/mole at 25 °C (Ref. 34).

TAME has a molecular weight of 102.18, a boiling point of 85 to 86 °C (Ref. 25), a log octanol/water partition coefficient of 1.58 (Ref. 31), a water solubility of 11,500 mg/L at 20 °C (Ref. 32), a vapor pressure of 75 mm Hg at 25 °C (Ref. 32), and a Henry's Law Constant of 9.15×10^{-1} atm-m^3/mole at 25 °C (Ref. 10).

(3) *Chemical fate information.* The estimated atmospheric half-life of ETBE is 1.9 /days based on a hydroxyl radical concentration of 5×10^5 OH/cm^3 and a rate constant of 8.5×10^{-12} atm-m^3/molecule-sec developed by Japar et al. (Ref. 29). The estimated atmospheric half-life of TAME is 2.3 days based on a hydroxyl radical concentration of 5×10^5 OH/cm^3 and a rate constant of 7.91×10^{-12} atm-m^3/molecule-sec estimated by Atkinson (Ref. 27).

The ITC is not recommending chemical fate testing, because it is not a high priority data need at this time.

(4) *Health effects information.* The ITC is recommending health effects testing to meet EPA's data needs.

(5) *Ecological effects information.* The ITC is not recommending ecological effects testing, because it is not a high priority data need at this time.

3. *Removal of chemicals from the Priority Testing List—* a.*Methyl methacrylate and diethyl phthalate.* In its 32nd Report, the ITC designated methyl methacrylate (CAS No. 80–62–6) and diethyl phthalate (CAS No. 84–66–2) for dermal absorption testing to meet the data needs of the Occupational Safety and Health Administration (OSHA) (58 FR 38490, July 16, 1993). These chemicals were added to the *Priority Testing List* as members of a 34-chemical group that had inadequate dermal absorption rate data. OSHA nominated these chemicals to the ITC to obtain data for OSHA to determine whether skin notations should be assigned to these chemicals.

The ITC obtained dermal absorption rate data for methyl methacrylate (Ref. 37) and diethyl phthalate (Ref. 36) that are likely to meet OSHA's data needs. As a result, the ITC is removing methyl methacrylate and diethyl phthalate from the *Priority Testing List* and making the data publicly available by including the references in the EPA docket for this 34th Report and transmitting the data to OSHA and other interested U.S. Government organizations. As a result of finding that these data are likely to meet OSHA's data needs, the ITC requested EPA to remove these chemicals from its TSCA section 8(a) and/or section 8(d) rules before the May 10, 1994 reporting deadline. EPA removed methyl methacrylate and diethyl phthalate from these TSCA section 8 rules on May 2, 1994 (59 FR 22519, May 2, 1994).

b. *N*-Phenyl-1-naphthylamine. In its 27th Report, the ITC recommended *N*-phenyl-1-naphthylamine (CAS No. 90–30–2) for carcinogenicity testing to meet the data needs of OSHA and for chemical fate and ecological effects testing, because of ITC concerns for environmental persistence and aquatic toxicity (56 FR 9534, March 6, 1991).

OSHA was concerned about potential occupational exposures to *N*-phenyl-1-naphthylamine in hydraulic fluids and other mixtures, and the potential carcinogenicity of this *N*-substituted aromatic amine. As noted in ITC's 27th Report, OSHA's exposure concerns were based on 1981–1983 National Occupational Exposure Survey estimates that 96,478 workers were potentially exposed to *N*-phenyl-1-naphthylamine almost exclusively through trade name products. After

reviewing the TSCA section 8(a) production and exposure data, ITC Members met with the U.S. manufacturer of *N*-phenyl-1-naphthylamine. At the meeting and during subsequent discussions, the ITC Members were provided with estimates that 800 to 900 workers were exposed to technical grade *N*-phenyl-1-naphthylamine during manufacturing and processing, and specifications showing that concentrations of *N*-phenyl-1-naphthylamine in formulated lubricants were generally less than four percent (Ref. 39).

ITC Members also reviewed the TSCA section 8(d) health and safety studies and other toxicity data on *N*-phenyl-1-naphthylamine that were obtained after the 27th Report was published. Most of these studies were conducted on formulated products that did not specify the amount of technical grade *N*-phenyl-1-naphthylamine in the product. The aquatic toxicity studies indicated that formulated products containing *N*-phenyl-1-naphthylamine were several orders of magnitude less toxic than pure *N*-phenyl-1-naphthylamine, which, as reported in ITC's 27th Report, was highly toxic to aquatic organisms and teratogenic to frogs (56 FR 9534, March 6, 1991). The biodegradation studies on formulated products containing *N*-phenyl-1-naphthylamine confirmed its potential environmental persistence. The health effects studies on formulated products containing *N*-phenyl-1-naphthylamine did not suggest concerns for carcinogenicity. The results from testing a structurally-related chemical, *N*-phenyl-2-naphthylamine (CAS No. 135-88-6) by the National Toxicology Program (NTP) showed it to be noncarcinogenic in rats and mice (Ref. 40). Based on the available health effects data and structure-activity considerations, there is no reason to believe that *N*-phenyl-1-naphthylamine would have a greater carcinogenic potential than *N*- phenyl-2-naphthylamine.

The ITC is removing *N*-phenyl-1-naphthylamine from the *Priority Testing List* because the available data did not increase concern for carcinogenicity, and the changing priorities of the ITC do not warrant designating the chemical for testing at this time. This decision is consistent with the April 1993 decision by the German Advisory Committee on Existing Chemicals of Environmental Relevance (BUA) to not conduct priority carcinogenicity investigations of *N*-phenyl-1-naphthylamine (Ref. 38).

The ITC has completed its review of TSCA section 8(d) information for *N*-phenyl-1-naphthylamine, and requests that EPA remove it from the TSCA section 8(d) rule.

c. Acetophenone, phenol, N,N-dimethylaniline, ethyl acetate and 2,6-dimethylphenol. In its 27th Report, the ITC designated acetophenone, phenol, N,*N*-dimethylaniline, ethyl acetate and 2,6-dimethylphenol to meet EPA's data needs (56 FR 9534, March 6, 1991). The ITC is removing these chemicals from the *Priority Testing List* because EPA proposed a test rule on November 22, 1993 to implement the testing (58 FR 61654, November 22, 1993).

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IV. The TSCA Section 4(e) Priority Testing List, as Revised (May 1994)

THE TSCA SECTION 4(e) Priority Testing List (May 1994)

Report	Date	Chemical/Group	Action
23	November 1988	Butyraldehyde	Recommended
23	November 1988	Tetrakis(2-chloroethyl)ethylene diphosphate	Recommended with intent-to-designate
		Tris(1,3-dichloro-2-propyl) phosphate.	
		Tris(1-chloro-2-propyl) phosphate.	
		Tris(2-chloro-1-propyl) phosphate.	
		Tris(2-chloroethyl)-phosphate.	
26	May 1990	Isocyanates	Recommended with intent-to-designate
27	November 1990	Aldehydes	Recommended with intent-to-designate
27	November 1990	Sulfones	Recommended
27	November 1990	Substantially produced chemicals in need of subchronic toxicity testing.	Recommended
28	May 1991	Acetone	Designated
28	May 1991	Thiophenol	Designated
28	May 1991	*m*-Dinitrobenzene	Recommended
28	May 1991	Cyanoacrylates	Recommended
29	November 1991	Alkyl-, bromo-, chloro-, hydroxymethyl diaryl ethers	Recommended
30	May 1992	Siloxanes	Recommended
30	May 1992	Chloroalkyl phosphates	Recommended
31	January 1993	OSHA chemicals with no dermal toxicity data	Designated
31	January 1993	Propylene glycol ethers and esters (revised)	Recommended
31	January 1993	Methyl ethylene glycol ethers and esters (revised)	Recommended
32	May 1993	OSHA chemicals with insufficient dermal absorption data	Designated
34	May 1994	White phosphorus	Designated
34	May 1994	Ethyl *tert*-butyl ether	Recommended
34	May 1994	Tert-amyl methyl ether	Recommended

The following table list the members of the TSCA Interagency Testing Committee.

Statutory Organizations and Their Representatives

Council on Environmental Quality
Elisabeth Blaug, Member

Department of Commerce
Edward White, Member
Willie E. May, Alternate

Environmental Protection Agency
David R. Williams, Member
Lois Dicker, Alternate

National Cancer Institute
Thomas P. Cameron, Member
Richard Adamson, Alternate

National Institute of Environmental Health Sciences
Errol Zeiger, Member

National Institute for Occupational Safety and Health
Robert W. Mason, Member
Henryka Nagy, Alternate

National Science Foundation
Linda Duguay, Member

Occupational Safety and Health Administration
Christine Whittaker, Member, Chair

Liaison Organizations and Their Representatives

Agency for Toxic Substances and Disease Registry
William Cibulas, Member

Consumer Product Safety Commission
Val Schaeffer, Member
Lakshmi C. Mishra, Alternate

Department of Agriculture
Donald Derr, Member
Clifford Rice, Alternate

Department of Defense
David A. Macys, Member
James N. McDougal, Alternate

Department of the Interior
Barnett A. Rattner, Member

Food and Drug Administration
Edwin J. Matthews, Member
Raju Kammula, Alternate

National Library of Medicine
Vera Hudson, Member

National Toxicology Program
Victor A. Fung, Member

Counsel
Mary Ellen Levine, Office of General Counsel, EPA

Technical Support Contractor
Syracuse Research Corporation

Committee Staff
John D. Walker, Executive Director
Norma S.L. Williams, Executive Assistant, TSCA Interagency Testing Committee U.S. EPA/OPPT (MC/7401) 401 M St., SW., Washington, DC 20460, (202) 260–1825, Fax (202) 260–1764

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FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

July 11, 1994.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857–3800. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632–0276. Persons wishing to comment on this information collection should contact Timothy Fain, Office of Management and Budget, Room 10236 NEOB, Washington, DC 20503, (202) 395–3561.

Note: The Commission requested expedited review of this item by July 11, 1994, under the provisions of 5 CFR 1320.18.

OMB Number: None.

Title: Voluntary Customer Survey for Private Land Mobile Radio Users.

Action: New collection.

Respondents: Individuals or households, state or local governments, federal agencies or employers, non-profit institutions, and businesses or other for-profit (including small businesses).

Frequency of Response: One time survey.

Estimated Annual Burden: 30 responses; 2 hours average burden per response; 60 hours total annual burden.

Needs and Uses: The FCC will conduct a voluntary customer survey to improve customer service to Private Land Mobile Radio applicants and licensees. The FCC will conduct focus groups as well as administering written questionnaires. Focus groups will provide the Commission with preliminary data which will be used to develop questions for the written questionnaire. Licensees, frequency coordinators, law firms, vendors, and license groups from the Metropolitan area will be invited to participate in the focus groups. Three two-hour focus groups will be conducted whereby participants will be asked nine open-ended questions. Participants will respond verbally. Participants will not be given these questions in advance. Out-of-pocket expenses that result from focus group participation will not be reimbursed. During the focus groups, data will be gathered on (1) problems, (2) suggestions to improve services, (3) services customers would like, and (4) services customers do not want. This data will be used to develop customer service standards.

Federal Communications Commission.
William F. Caton,
Acting Secretary.

Language for Customer Segment

Hello, my name is _____ and I am calling from the FCC.

The Federal Communications Commission is conducting a survey of their customers to determine the kind and quality of services they want and their level of satisfaction with existing services. You've been identified as having recently been through the FCC's licensure application process. Is this correct? (If yes, continue, if no, indicate we are only looking for people who have been through the licensure process and thank them for their time.)

As a customer of the Private Radio Bureau within the FCC, we would like to share your comments and ideas at a focus group. We are inviting various types of customers, like yourself, that have recently gone through the licensure process at FCC. We've hired the consulting firm of Booz, Allen & Hamilton to conduct these focus groups. We hope that you will come and comment on the experiences you have had while obtaining a license from the FCC and to describe the kind of quality of services you need from the Private Radio Bureau. We will use the results of the focus groups to set customer service standards and to develop a customer service plan.

We will be holding the focus groups at the Booz, Allen & Hamilton offices in Bethesda, MD on the following dates _____. During the focus groups, you will be asked a series of questions relating to the licensure application process at the FCC, your particular experiences with the FCC and what types of improvements you would recommend. We expect the focus groups to last approximately two hours. Will you be able to attend? Which date is best for you? We will send you a confirmation letter that includes directions to the Booz, Allen & Hamilton offices. Thank you for your time. We look forward to hearing your suggestions.

June _____, 1994.

Dear _____

Thank you for agreeing to participate in the FCC Customer Service Focus Group to be held on July _____, 1994. As we mentioned during our phone call, FCC is conducting a survey of their customers to determine the kind and quality of services they need and their level of satisfaction with existing services. We have hired the consulting firm of Booz, Allen & Hamilton to conduct the focus groups. The focus group will begin at _____ at the Booz, Allen & Hamilton offices located at 4330 East-West Highway, Bethesda, Maryland. We have enclosed directions for your convenience.

Please go to the North tower of East-West Towers and report to the receptionist located on the 10th floor. We look forward to hearing your suggestions.

Sincerely,

Focus Groups Questions for Five PRB Customer Groups

(Licensees, Frequency Coordinators, Law Firms, Vendors, and Licensee Representatives)

Introduction

Why FCC is surveying customers:
—National Performance Review
—Executive Order #12862
—Align services with customer needs

What this surveying entails:
—Talking with customers directly to assess their customer service needs
—Obtaining customer evaluation of current FCC services provided
—Developing customer service standards to ensure appropriate level of service to customers

Question 1: What services have you required from the FCC?

Question 2: During what points of the license application process did you interact directly with the FCC?