

limited tolerance was originally published in the **Federal Register** of July 10, 1998 (63 FR 37289) (FRL-5798-6).

10. *Myclobutanil*. EPA has authorized under FIFRA section 18 the use of myclobutanil on peppers for control of powdery mildew in California. This regulation extends a time-limited tolerance for combined residues of the fungicide myclobutanil α -butyl- α -(4-chlorophenyl)-1H-1,2,4-triazole-1-propanenitrile and its alcohol metabolite (α -(3-hydroxybutyl)- α -(4-chlorophenyl)-1H-1,2,4-triazole-1-propanenitrile (free and bound) in or on pepper at 1.0 ppm for an additional 2-year period. This tolerance will expire and is revoked on June 30, 2005. A time-limited tolerance was originally published in the **Federal Register** of September 16, 1998 (63 FR 49472) (FRL-6025-1).

11. *Propiconazole*. EPA has authorized under FIFRA section 18 the use of propiconazole on dry beans for control of rust in Colorado, Kansas, Minnesota, Nebraska, and North Dakota. This regulation extends a time-limited tolerances for combined residues of the fungicide propiconazole 1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1H-1,2,4-triazole and its metabolite determined as 2,4-dichlorobenzoic acid in or on dry beans at 0.5 ppm, dry bean forage at 8 ppm, and dry bean hay at 8 ppm for an additional 2-year period. These tolerances will expire and are revoked on December 31, 2005. The time-limited tolerances for dry bean commodities were originally published in the **Federal Register** of June 13, 1997 (62 FR 32224) (FRL-5718-8).

12. *Propiconazole*. EPA has authorized under FIFRA section 18 the use of propiconazole on cranberry for control of cottonball disease in Wisconsin. This regulation extends a time-limited tolerance for combined residues of the fungicide propiconazole, 1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1H-1,2,4-triazole and its metabolites determined as 2,4-dichlorobenzoic acid and expressed as parent compound in or on cranberry at 1.0 ppm for an additional 2-year period. This tolerance will expire and is revoked on December 31, 2005. A time-limited tolerance was originally published in the **Federal Register** of April 11, 1997 (62 FR 17710) (FRL-5600-5).

13. *Propiconazole*. EPA has authorized under FIFRA section 18 the use of propiconazole on grain sorghum for control of sorghum ergot in Kansas, New Mexico and Texas. This regulation extends a time-limited tolerance for

combined residues of the fungicide propiconazole, 1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1H-1,2,4-triazole and its metabolites determined as 2,4-dichlorobenzoic acid and expressed as parent compound in or on grain sorghum, grain at 0.2 ppm; grain sorghum, stover at 1.5 ppm; and sorghum aspirated grain fractions at 20 ppm for an additional 18-month period. These tolerances will expire and are revoked on June 30, 2005. Time-limited tolerances were originally published in the **Federal Register** of August 13, 1997 (62 FR 43284) (FRL-5735-2).

EPA has received objections to tolerances it established for propiconazole on different food commodities. The objections were filed by the Natural Resources Defense Council (NRDC) and raised several issues regarding aggregate exposure estimates and the additional safety factor for the protection of infants and children. Although these objections concern separate rulemaking proceedings under the FFDCA, EPA has considered whether it is appropriate to extend the emergency exemption tolerances for propiconazole while the objections are still pending.

Factors taken into account by EPA included how close the Agency is to concluding the proceedings on the objections, the nature of the current action, whether NRDC's objections raised frivolous issues, and extent to which the issues raised by NRDC had already been considered by EPA. Although NRDC's objections are not frivolous, the other factors all support extending these tolerances at this time. First, the objections proceeding is unlikely to conclude prior to when action is necessary on this petition. NRDC's objections raise complex legal, scientific, policy, and factual matters and EPA initiated a 60 day public comment period on them in the **Federal Register** of June 19, 2002 (67 FR 41628) (FRL-7167-7). That comment period was extended until October 16, 2002 (September 17, 2002 (67 FR 58536) (FRL-7275-3)), and EPA is now examining the extensive comments received. Second, the nature of the current actions are extremely time-sensitive as they address emergency situations. Third, the issues raised by NRDC are not new matters but questions that have been the subject of considerable study by EPA and comment by stakeholders. Accordingly, EPA is proceeding with extending the tolerances for propiconazole.

14. *Pyriproxyfen*. EPA has authorized under FIFRA section 18 the use of pyriproxyfen on beans for control of

whiteflies in Florida. This regulation extends a time-limited tolerance for residues of the insecticide pyriproxyfen, 2-[1-methyl-2-(4-phenoxyphenoxy)ethoxy]pyridine in or on bean, succulent at 0.1 ppm for an additional 2-year period. This tolerance will expire and is revoked on June 30, 2005. A time-limited tolerance was originally published in the **Federal Register** of September 5, 2001 (66 FR 46390) (FRL-6798-6).

15. *Tebuconazole*. EPA has authorized under FIFRA section 18 the use of tebuconazole on garlic for control of rust in California. This regulation extends a time-limited tolerance for residues of the fungicide tebuconazole, (α -[2-(4-chlorophenyl)-ethyl]- α -(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol) in or on garlic at 0.1 ppm for an additional 2-year period. This tolerance will expire and is revoked on December 31, 2005. A time-limited tolerance was originally published in the **Federal Register** of May 26, 1999 (64 FR 28377) (FRL-6079-1).

16. *Tebuconazole*. EPA has authorized under FIFRA section 18 the use of tebuconazole on wheat for control of fusarium head blight in Michigan, Minnesota, North Dakota, and South Dakota. This regulation extends a time-limited tolerance for residues of the fungicide tebuconazole (α -[2-(4-chlorophenyl)-ethyl]- α -(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol) in or on wheat hay at 15.0 ppm and wheat straw at 2.0 ppm for an additional 18-month period. These tolerances will expire and are revoked on June 30, 2005. Time-limited tolerances were originally published in the **Federal Register** of June 20, 1997 (62 FR 33550) (FRL-5725-7).

17. *Tebuconazole*. EPA has authorized under FIFRA section 18 the use of tebuconazole on barley for control of fusarium head blight in Minnesota, North Dakota, and South Dakota. This regulation extends time-limited tolerances for residues of the fungicide tebuconazole (α -[2-(4-chlorophenyl)-ethyl]- α -(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol) in or on barley grain at 2.0 ppm, barley hay at 20.0 ppm, and barley straw at 20.0 ppm for an additional 18-month period. These tolerances will expire and are revoked on June 30, 2005. Time-limited tolerance were originally published in the **Federal Register** of June 20, 1997 (62 FR 33550) (FRL-5725-7).

18. *Terbacil*. EPA has authorized under FIFRA section 18 the use of terbacil on watermelon for control of morningglory and other annual broadleaf weeds in Virginia. This