

safety finding has been made or a revocation occurs. EPA has reviewed and made the requisite safety finding for the triadimefon/triadimenol tolerances.

EPA is applying the principles of public participation to all pesticides undergoing reregistration and tolerance reassessment. The Agency's Pesticide Tolerance Reassessment and Reregistration; Public Participation Process, published in the **Federal Register** on May 14, 2004, (69 FR 26819)(FRL-7357-9) explains that in conducting these programs, EPA is tailoring its public participation process to be commensurate with the level of risk, extent of use, complexity of issues, and degree of public concern associated with each pesticide. Due to its uses, risks, and other factors, triadimefon/triadimenol was reviewed through a 4-Phase process. Through this process, EPA worked extensively with stakeholders and the public to reach the regulatory decisions for triadimefon/triadimenol.

The reregistration program is being conducted under Congressionally mandated time frames, and EPA recognizes the need both to make timely decisions and to involve the public. The Agency is issuing the triadimefon/triadimenol (RED/TRED) for public comment. This comment period is intended to provide an additional opportunity for public input and a mechanism for initiating any necessary amendments to the (RED/TRED). All comments should be submitted using the methods in **ADDRESSES**, and must be received by EPA on or before the closing date. These comments will become part of the Agency Docket for triadimefon/triadimenol. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

The Agency will carefully consider all comments received by the closing date and will provide a Response to Comments Memorandum in the Docket and regulations.gov. If any comment significantly affects the document, EPA also will publish an amendment to the (RED/TRED) in the **Federal Register**. In the absence of substantive comments requiring changes, the triadimefon/triadimenol (RED/TRED) will be implemented as it is now presented.

B. What is the Agency's Authority for Taking this Action?

Section 4(g)(2) of FIFRA as amended directs that, after submission of all data concerning a pesticide active ingredient, the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration, before calling in product

specific data on individual end-use products and either reregistering products or taking other "appropriate regulatory action."

Section 408(q) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(q), requires EPA to review tolerances and exemptions for pesticide residues in effect as of August 2, 1996, to determine whether the tolerance or exemption meets the requirements of section 408(b)(2) or (c)(2) of FFDCA. This review is to be completed by August 3, 2006.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: August 9, 2006.

Debra Edwards,

Director, Special Review and Reregistration Division, Office of Pesticide Programs.

[FR Doc. E6-14318 Filed 8-29-06; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2006-0684; FRL-8084-4]

Issuance of an Experimental Use Permit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted an experimental use permit (EUP) to the following pesticide applicant. An EUP permits use of a pesticide for experimental or research purposes only in accordance with the limitations in the permit.

FOR FURTHER INFORMATION CONTACT:

Anne Ball, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8717; e-mail address: ball.anne@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to those persons who conduct or sponsor research on pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the information in this action,

consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2006-0684. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr>.

II. EUP

EPA has issued the following EUP: *82761-EUP-1*. Issuance. Montana Microbial Products, 510 East Kent Avenue, Missoula, Montana 59801. This EUP allows the use of 5.82 pounds of the fungicide *Bacillus mycoides* isolate J on 232.25 acres of sugar beets to evaluate the control of *Cercospora* Leaf Spot (*Cercospora beticola*). The program is authorized only in the States of Minnesota, Montana, and North Dakota. The EUP is effective from June 8, 2006 to December 31, 2007.

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

List of Subjects

Environmental protection, Experimental use permits.

Dated: August 21, 2006.

Janet L. Andersen,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. E6-14445 Filed 8-29-06; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8215-1]

Adequacy of Michigan's Municipal Solid Waste Landfill Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Determination of Adequacy of Michigan's Research, Development, and Demonstration (RD&D) Permit Provisions for Municipal Solid Waste Landfills.

SUMMARY: On March 22, 2004, the U.S. EPA issued final regulations allowing research, development, and demonstration (RD&D) permits to be issued to certain municipal solid waste landfills by approved states (40 CFR 258.4). On May 26, 2006 Michigan submitted an application to the U.S. EPA Region 5 seeking Federal approval of its RD&D requirements per the procedures in 40 CFR 239.12. Michigan's RD&D requirements allow the State to issue research, development and demonstration (RD&D) permits to owners and operators of MSWLF units in accordance with state law. Subject to public review and comment, this notice approves Michigan's RD&D permit requirements.

DATES: This determination of RD&D program adequacy for Michigan will become effective October 30, 2006 unless adverse comments are received on or before October 30, 2006. If adverse comments are received, the U.S. EPA will review those comments and publish another FR document responding to those comments and either affirming or revising the U.S. EPA's initial decision.

ADDRESSES: Written comments should be sent to Ramon Mendoza, Waste Management Branch (Mail Code DW-8J), U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, IL 60604, telephone: (312) 886-4314. Comments may also be submitted electronically to mendoza.ramon@epa.gov or by facsimile at (312) 353-4788. You may examine copies of Michigan's application and relevant portions of Michigan's regulations during normal business hours at U.S. EPA Region 5.

FOR FURTHER INFORMATION CONTACT: Ramon Mendoza, Waste Management Branch (mail code DW-8J), U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, telephone (312) 886-4314, mendoza.ramon@epa.gov.

SUPPLEMENTARY INFORMATION:

A. Background

On March 22, 2004, EPA issued a final rule amending the municipal solid waste landfill criteria in 40 CFR part 258 to allow for research, development and demonstration (RD&D) permits (69 FR 13242). This rule allows for variances from specified criteria for a limited period of time, to be implemented through state-issued RD&D permits. RD&D permits are

available only in states with approved MSWLF permit programs that have been modified to incorporate RD&D permit authority. While States are not required to seek approval for this new provision, those States that are interested in providing RD&D permits to owners and operators of MSWLFs must seek approval from EPA before issuing such permits. Approval procedures for new provisions of 40 CFR Part 258 are outlined in 40 CFR 239.12.

Michigan's MSWLF permit program was approved on April 8, 1997 (62 FR 16804). On May 26, 2006, Michigan applied for approval of its RD&D permit provisions. Michigan submitted its amended laws under Part 115 of Act 451 Sections 324.11511b and 324.11514 for review.

B. Decision

After a thorough review, U.S. EPA Region 5 determined that Michigan's RD&D permit provisions as defined under Part 115 of Act 451 Sections 324.11511b and 324.11514 are adequate to ensure compliance with the Federal criteria as defined at 40 CFR 258.4.

Authority: This action is issued under the authority of section 2002, 4005 and 4010(c) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912, 6945 and 6949(a).

Dated: August 15, 2006.

Norman Niedergang,

Acting Regional Administrator, Region 5.

[FR Doc. E6-14453 Filed 8-29-06; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8214-6]

Proposed CERCLA Section 122(h) Administrative Agreement for Recovery of Past Costs for the Feldman Barrel and Drum Superfund Site, Buffalo, Erie County, NY

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.

SUMMARY: In accordance with section 122(I) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(I), notice is hereby given by the U.S. Environmental Protection Agency ("EPA"), Region II, of a proposed administrative agreement pursuant to section 122(h) of CERCLA, 42 U.S.C. 9622(h), with 17 settling parties, for recovery of past response costs concerning the Feldman Barrel

and Drum Superfund Site ("Site") located in Buffalo, Erie County, New York. The settlement requires the settling parties to pay the EPA Hazardous Substance Superfund a total \$346,188. The settlement includes a covenant not to sue the Settling Parties pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a), for EPA's past response costs. For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the settlement. EPA will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations that indicate that the proposed settlement is inappropriate, improper or inadequate. EPA's response to any comments received will be available for public inspection at EPA Region II, 290 Broadway, New York, New York 10007-1866.

DATES: Comments must be submitted on or before September 29, 2006.

ADDRESSES: To request a copy of the proposed settlement agreement, please contact the individual identified below. The proposed settlement is also available for public inspection at EPA Region II offices at 290 Broadway, New York, New York 10007-1866. Comments should reference the Feldman Barrel and Drum Superfund Site, Buffalo, Erie County, New York, Index No. CERCLA-02-2006-2005.

FOR FURTHER INFORMATION CONTACT: Brian Carr, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 290 Broadway—17th Floor, New York, New York 10007-1866. Telephone: 212-637-3170.

Dated: June 29, 2006.

George Pavlou,

Division Director, Emergency Remedial Response Division, Region 2.

[FR Doc. E6-14426 Filed 8-29-06; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8214-7]

Proposed CERCLA Section 122(g) De Minimis Administrative Agreement Regarding the Feldman Barrel and Drum Superfund Site, Located in Buffalo, Erie County, NY

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.