

otherwise communicate with commenters but not have those discussions or communications sent to EPA and included in the EPA rulemaking record should conduct those discussions and communications outside the RIN-2070-AC69 ListServe or the EPA Bulletin Board.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically in the RIN-2070-AC69 ListServe or the EPA Bulletin Board, in accordance with the instructions for electronic submission, into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. All the electronic comments will be available to everyone who obtains access to the RIN-2070-AC69 ListServe or the EPA Bulletin Board; however, the official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document. (Comments submitted only in written form will not be transferred into electronic form and thus may be accessed only by reviewing them in the Public Response and Program Resources Branch as described above.)

Because the electronic comment process is still experimental, EPA cannot guarantee that all electronic comments will be accurately converted to printed, paper form. If EPA becomes aware, in transferring an electronic comment to printed, paper form, of a problem or error that results in an obviously garbled comment, EPA will attempt to contact the comment submitter and advise the submitter to resubmit the comment either in electronic or written form. Some commenters may choose to submit identical comments in both electronic and written form to ensure accuracy. In that case, EPA requests that commenters clearly note in both the electronic and written submissions that the comments are duplicated in the other medium. This will assist EPA in processing and filing the comments in the rulemaking record.

As with ordinary written comments, at the time of receipt, EPA will not attempt to verify the identities of electronic commenters nor to review the accuracy of electronic comments. Electronic and written comments will be placed in the rulemaking record without any editing or change by EPA except to the extent changes occur in the process of converting electronic comments to printed, paper form.

If it chooses to respond officially to electronic comments on this proposed rule, EPA will do so either in a notice in the **Federal Register** or in a response to comments document placed in the rulemaking record for this proposed rule. EPA will not respond to commenters electronically other than to seek clarification of electronic comments that may be garbled in transmission or conversion to printed, paper form as discussed above. Any communications from EPA employees to electronic commenters, other than those described in this paragraph, either through Internet or otherwise are not official responses from EPA.

VII. Agency Decision on Proposed Exception

EPA will publish in the **Federal Register** its decision whether to grant the requests for exception, as well as its final decision on a national exception. EPA will base its decision on whether the benefits of the exceptions outweigh the costs, including the value of the health risks attributable to the exception. An exception may be withdrawn by the Agency at any time if the Agency receives poisoning information or other data that indicate that the health risks imposed by the early-entry exception are unacceptable or if the Agency receives other information that indicates that the exception is no longer necessary or prudent.

List of Subjects

Administrative practice and procedure, Labeling, Occupational safety and health, Pesticides and pests.

Dated: January 3, 1995.

Lynn R. Goldman,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

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40 CFR Part 170

[OPP-250101; FRL-4930-4]

Exceptions to Worker Protection Standard Early Entry Restrictions; Limited Contact Activities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed exceptions to rule; request for comment.

SUMMARY: EPA is proposing an exception to the Worker Protection Standard for Agricultural Pesticides (WPS), that would allow, under

specified conditions, workers to perform early entry limited contact tasks for up to 3 hours per day during a restricted entry interval (REI). Early entry is entry into a pesticide-treated area before the expiration of the REI.

DATES: Comments, data, or evidence should be submitted on or before February 27, 1995. EPA does not intend to extend this comment period.

ADDRESSES: Comments identified by the document control number OPP-250101 should be submitted in triplicate by mail to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. All written comments filed pursuant to this notice will be available for public inspection in Room 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, (703) 305-5805, from 8:00 a.m. to 4:30 p.m. Monday thru Friday except legal holidays.

Comments and data may also be submitted electronically by any of three different mechanisms: by sending electronic mail (e-mail) to: Docket-OPPTS@epamail.epa.gov; by sending a "Subscribe" message to listserv@unixmail.rtpnc.epa.gov and once subscribed, send your comments to RIN-2070-AC69; or through the EPA Electronic Bulletin Board by dialing 202-488-3671, enter selection "DMAIL," user name "BB-USER" or 919-541-4642, enter selection "MAIL," user name "BB-USER." Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. All comments and data in electronic form must be identified by the docket number OPP-250101 since all five documents in this separate part provide the same electronic address. No CBI should be submitted through e-mail. Electronic comments on this proposed rule, but not the record, may be viewed or new comments filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in unit VI. of this document.

FOR FURTHER INFORMATION CONTACT: Cathy Kronopolus, Certification, Training and Occupational Safety Branch (7506C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, (703) 305-7371.