habilitation program will involve the pruning of coffee trees and their treatment with appropriate fungicides and insecticides. The same pesticides will be required to protect the new plantations. The program is scheduled to start in mid-September of 1977 at the end of the coffee picking season and AID is in the process of making arrangements for the air shipment of the required pesticides and equipment to arrive as soon as possible.

The proposed pesticides are not registered with the Environmental Protection Agency ("EPA") for the planned uses as required under AID's Interim Pesticide Procedures published in the FEDERAL REGISTER ON JANUARY 7, 1976

(41 FR 1297). The Current concept of use registration by EPA involves identification of the pesticide, the crop on which it will be used and the specific pest against which the pesticide will be used. Because coffee is not grown in the United States, EPA-registered labels of pesticide products do not provide for application to coffee. Therefore, the proposed pesticides are not considered to be registered in the United States under the provisions of AID's Interim Pesticide Procedures.

The following table sets forth the proposed pesticides and the primary pests and diseases of coffee for which they will be used in Bolivia:

Crop	Pesticide	Pests .	D
Coffee	Copper oxychloride and copper sulfate, (approxi- mately 3,000 kg each). Fenitrothion, (approximately 3,000 kg).	Moerris clinicolor, Collectichions sp., Catespers sp., Rhizocionis sp. Aphilos, Grub worms, Crickets, Gracuboppers.	B Gas the

In addition AID will provide twenty (20) motorized backpack mist blowers and six (6) motorized trailer-mounted sprayers having a 300 gallon capacity.

Bases for determination. Both Copper Oxychloride and Copper Sulfate are registered for general use by EPA, i.e., use by the general public, and the environmental impact of their use in the United States is considered by EPA to be minimal. Furthermore, they are of a very low order of acute toxicity to humans and hence there are no significant problems associated with their use in the United States. Although the climate and sociological conditions under which these pesticides will be used in Bolivia differ radically from U.S. conditions, the fungicides have been widely used throughout coffee growing areas of Latin America for the control of coffee diseases, and there are no known instances of any toxicological or environmental problems associated with their use. This statement is supported by the ANACAFE in Guatemala, an institute which for many years has enjoyed a scientific reputation of the highest order among the coffee growers of Latin America.

Fenitrothion is currently registered with EPA only for forestry use on fir and spruce against the spruce budworm. However, it is widely used through the rest of the world for controlling chewing and sucking insects on rice, orchard fruits, vegetables, cereals, and cotton and in public health programs for controlling insect vectors of human disease. It has an acute oral LD₅₀ (rat) of 500 mg./kg., and a dermal LD₅₀ (rat) of 1300 mg./kg. By EPA standards this places fenitrothion in the category of pesticides re-quiring the signal word "WARNING" on the label (in contrast to more hazardous compounds which require the signal words "DANGER" and "POISON"). Fenitrothion has been widely used under climate and sociological conditions similar to those obtained in Bolivia without evidence of significant adverse environmental or human health effects, e.g., in the Sahelian Zone of Africa. AID considered less toxic insecticides, but these

would be ineffective or have long term residual effects.

Coffee trees in Bolivia are affected by a variety of fungi such as Myceria citricolor. Collatotrichium sp. and Cercospora sp., pink disease caused by Rhizoctomia sp., and chewing and sucking insects such as aphids, grub worms, crickets and grasshoppers. Experience in Bolivia and elsewhere in the coffee growing areas of Latin America indicates that unless these pests and disease are controlled with such insecticides and fungicides as are being proposed in this project, productivity remains marginal, and the use of such pesticides is therefore essential for the production of an economically profitable crop. Use of these pesticides can be expected to appreciably increase the income of small farmers producing coffee and in the long run hopefully demonstrate that coffee may be an economically substitutable crop for coca. Hence, the risks associated with the use of these pesticides can be considered to be negligible and are outweighed by the benefits of using them on coffee.

The Associate Director for Science of the EPA Registration Division has been consulted and concurs in this determination.

Because of the urgency of supplying the pesticides and pesticide equipment to the Government of Bolivia so that the program can be started soon after mid-September, the end of the coffee picking season, there was not sufficient time for the publication of a FEDERAL REGISTER Notice of intent to make this determination.

Determination. For the reasons set forth above, I hereby approve under Section (a) of AID's Interim Pesticide Procedures the financing by AID of Copper Oxychloride, Copper Sulfate, and Fenitrothion for the uses indicated above and determine that the benefits of using these pesticides for the purposes intended outweigh the potential adverse effects and that no preferable alternative is available. This determination has been made Dated: September 23, 1977.

ROBERT H. NOOTER. Deputy Administrator, Agency for International Development.

[FR Doc.77-30966 Filed 10-21-77:8:45 am]

[4910-60]

DEPARTMENT OF TRANSPORTATION

Materials Transportation Bureau [Dockst No. OPSO-37]

BOSTON GAS CO.

enial of Petition for Reconsideration

y letter of August 2, 1977, the Boston Co., petitioned for reconsideration of the final rulemaking action, Amend-ment 192-28 (42 FR 35653, July 11, 1977), which established a new § 192.455(f) governing corrosion control of metal allow fittings in plastic pipelines. After reviewing the petition and other relevant considerations, the Materials Transportation Bureau (MTB) finds that sufficlent information or arguments have not been presented to justify granting the petition. Therefore, for the reasons set forth below, the petition is hereby denied.

Boston Gas made the following arguments in support of its petition:

1. The regulation should not require that a metal alloy fitting meet the provisions of both paragraph (f) (1) and paragraph (f) (2), as compliance with either one will provide safe service to the consumer.

2. The final rule is more restrictive than the Notice of Proposed Rulemaking (41 FR 42221, September 27, 1976), because paragraph (f) (3) was not-included in the Notice for public comment.

3. The requirements of paragraph (f) (3) are not similar to § 192.491, which requires an operator to know the location of cathodically protected piping, since § 192.455(f) allows metal fittings to be installed without cathodic protection.

Boston Gas' first argument was the subject of comments on the Notice of Proposed Rulemaking and was considered by MTB in developing the final rule. As stated in the preamble to Amendment 192-28, MTB believes that in view of the lack of performance data available for the alloy fittings which might be used, the variable corrosivity conditions in which fittings might be installed, and the imprecise corrosivity measurement techniques available, an initial determination of protection afforded by alloyage under paragraph (f) (1) may not provide a sufficient longterm safeguard against corrosion. As an additional safety factor, MTB believes that as proposed the fitting must also be "designed" to prevent any leakage that may be caused by localized corrosion. The petition did not contain any new in consultation with the EPA as required facts or arguments to counter this view.

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To illustrate its point, Boston Gas referred to a brass curb valve, stating that it should be permitted in a plastic. pipeline under paragraph (f) (1) but that. it is not "designed to prevent leakage. caused by localized corrosion pitting" as. required by paragraph (f) (2). MTB. does not necessarily agree that such afitting could not qualify for use since the design of a metal fitting to prevent. leakage caused by localized corrosion pitting requires an engineering judg-ment. A proper design may be accomplished in several ways, including selection of materials, wall thickness of the fitting, or separation of the structural housing of the fitting from the gas carrying parts. MTB does not believe that paragraph (f) (2) unreasonably restricts the type of fitting that can be used for compliance with § 192.455(f).

Regarding the second argument that the final rule is more restrictive than the Notice of Proposed Rulemaking, MTB is of the opinion that although the terms of paragraph (f) (3) were not included in the Notice, its adoption is nevertheless valid because the reason for adoption, the issue of long-term protection by alloyage alone, was discussed in the Notice. Also of importance is that the Notice proposed to relax an existing requirement, not to impose an additional

one. Thus, even though § 192.455(f) may be more restrictive than proposed in terms of an operator's permissible activity, it is still fair to say that the final rule is not more restrictive in terms of imposing a greater regulatory burden on anyone than previously existed.

In light of the variety of ways which an operator might use to comply with paragraph (f) (3), such as adding notations to a pipeline map, review of work orders, or marking normally kept service cards, MTB does not believe that an operator should have difficulty in compliance. In addition, since the purpose of the requirement is to provide for possible future inspection or repair, an operator need not know the exact location of a fitting, but only the general location, so that it can be dug up if a problem arises in the future.

As to the third argument, although paragraph (f) (3) applies to fittings installed without cathodic protection, it is consistent with § 192.491 in that both requirements call for knowing the location of piping protected against corrosion. Also in the absence of § 192.455(f), an operator who installs a metal fitting in a plastic pipeline with cathodic protection as required by § 192.455(a) would have to record the fitting under § 192.491. Thus, paragraph (f) is no more onerous than § 192.491. (49 U.S.C. 1672, 49 CFR 1.53(a).) Issued in Washington, D.C., on October 17, 1977.

JOHN F. FEARNSIDES, Acting Director, Materials Transportation Burcau. [FR Doc.77-30753 Filed 10-21-77;8:45 am]

[4910-60]

APPLICATION GRANTS AND DENIALS Hazardous Materials Regulations;

Exemptions

AGENCY: Materials Transportation Eureau, DOT.

ACTION: Notice of Grants and Denials of Applications for Exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given of the exemptions granted September 1977. The modes of transportation involved are identified by a numthe "Nature of Exemption ber in Thereof" portion of the table below as vehicle. follows: 1—Motor 2-Rail freight, 3—Cargo vessel, 4—Cargo-only aircraft, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Exemptions.

Applica- tion No.	Exemption No.	- Applicant	Regulation(s) Affected	Nature of Exemption Thereof
<u></u>			EENEWALS	
1862-X	DOT-E 1862	Greer Hydraulics, Inc., Los Angeles,	49 CFR 173.302(a)(1), 175.3	To ship nitrogen in a single trip non-DOT hydrculic accumulator. (Modes
3305-X	DOT-E 3305	Reichhold. Cliemicals, Inc., White	49 CFR 173.154(a)(14)	To ship certain oxidizers in DOT specification 12B fiberbeard boxes.
3307-P	DOT-E 3307.	Ireco. Chemicals. Salt Lake City, Utah; R. L. Forther, Inc., Den-	49 CFR 173.154, 173.182	(Modes 1 and 2.) To become a party to exemption 3307. (See application No. 3307-X. (Modes 1, 4, and 3.)
3330-X	DOT-E 3330	Babcock and Wilcox Co., Lynchburg, Va.; Teledyne Walr Chang, Albany Corp., Albany, Oreg.; General Elec- tric Schonestedy, N. V.	49 CFR 173.214(d)	To ship flammable solids in insulated containers overpacked in a DOT specification 17C, 17H, or 37A metal drum. (Modes 1 and 2.)
3744-P	DOT-E 3744	McKesson Chemical, San Francisco, Calif.; Thompson-Hayward Chem-	49 CFR 173.266(b)(7)	To become a party to excluption 3744. (See application No. 3741-X.) (Modes I and 2.)
3941-X	DOT-E 3941	Aerojet Solid Propulsion Co., Sacra- mento, Calif.; Kerr-McGee Chemi-	49 CRF 173.239a(a)(2)	To ship ammonium perchierate in r.cn-DOT specification aluminum perta- ble tanks. (Modes 1 and 2).
3992-P	DOT-E 3992	Diamond Shamrock Corp., Cleve-	49 CFR 173.314	To become a party to exemption 3992. (See application No. 3992-X.) (Mode \mathcal{T}
4052-X	DOT-E 4052	The Boeing Co., Seattle, Wash.; Northwest Airlines, Inc., St. Paul,	49 CFR 173.34(d), 173.305, 175.3.	To ship an aerosol formulation in DOT specification 30 scamless aluminum cylinders. (Modes 1, 2, 4, and 5.)
4105-P	DOT-E 4108	Purity Cylinder Gases, Inc., Grand	49 CFR 173.315(a)	. To become a party to exemption 4105. (See Application No. 4108-X.) (Mode 1.)
4338-X	DOT-E 4338	Stauffer Chemical Co., Westport,	49 CFR 173.245(a), 173.247 (a), 173.247a.	To ship certain corrosiveliquids in DOT specification 2E1800 and 3AA2018 ovlinders, and DOT-51 portable tanks. (Modes 1, 2, and 3.)
4453-P	DOT-E 4453	Explosives Inc., Pittsfield, Ill.	49 CEB.173.182(c)	To become a party to exemption 4453. (See Application No. 4453-X.) (Mode 1.)
4459-P	DOT-E 4459	Dow Chemical Co., Midland, Mich	49 CFH. 173.302(a)(1), 173.304(a)(1), 173.328(a) (2), 173.353(a)(3), 178.37.	To become a party to exemption 4469. (See application 4469-X) (Modes 1, 2, and 4.)
4763-P	DOT-E 4763	Worth Chemical Corp., Greensboro,	49 CFR-173.234(a)(2)	To become a party to exemption 4763. (See application No. 4763-X.) (Modes 1, 2, and 3.)
5778-X	DOT-B 5778	Lif-O-Gen, Cambridge, Md	49 CFR 173.302(a)(4), 173.304(a)(1)(i).	To ship certain flammable gases in DOT specification 39 steel cylinders. (Modes 1 and 2.)
1 923-X	DOT-E 5923	Union Carbide Corp., Tarrytown,	49 CFR 173.314	To ship certain flammable and nonflammable gases in DOT specification 106A500X and 110A500-W multiunit tank car tanks. (Modes 1 and 2.)
6007-X	DOT-E 6007	Nuclear Products Co., El Monte, Calif.; Pennwalt Corp., Holmdel, N.J.; National Warehouse, Inc.,	49 CFR 173.391 (b) (5) to be applied as transport group. IU; 175.3.	To ship radioactive devices in accordance with 49 CFR 173.391 (Modes 1, 2, 3; 4, and 5.)
C016- P	DOT-E 6016	Greco Welding Supplies, Inc., Taren- tum, Pa.: Livingston Oxygen Co.,	49 CFR 173.315(a)	To become a party to Exemption 6010. (See Application No. 6010-X), (mode 1).
6071-X	DOT-E 6071	Walter, Kidde & Co., Inc., Belleville; N.J.; The Boeing Co., Seattle, Washi; Northwest Airlines, Inc., St Paul Minr.	49 CFR 173.304, 173.305, 175.3.	To ship nonflammable compressed gases in non-DOT specification stainless steel pressure vessel complying with DOT Specification 4DA with certain exceptions. (modes 1, 2, 4, 6.)
6116-X	DOT-E GIIC	AAL Corp., Baltimore, Md.; Federal.	49 CFR 173.385(b), 175.3	To slip tear gas grenades in compliance with 49 CF R-173.385(a)(1). (modes 1, 2, 3, 4)
6228-X	DOT-E 6228	Airco Welding Products, Springfield, N.J.	49 CFR 173.301(d)(4)	To ship acetylene in a manifolded unit consisting of DOT Specification 8 or DOT Specification 8AL cylinders: (mode 1.)

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