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**Item ID Number** 05195  **Not Scanned**

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**Corporate Author** United States Environmental Protection Agency

**Report/Article Title** Order Fixing Parties and Certificate of Service, October 3, 1973

**Journal/Book Title**

**Year** 0000

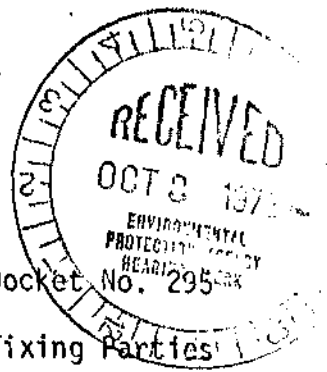
**Month/Day**

**Color**

**Number of Images** 0

**Description Notes** In re: 2,4,5-Trichlorophenoxyacetic Acid (2,4,5-T); FIFRA Docket No. 295

ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR



In re

2,4,5-Trichlorophenoxyacetic Acid  
(2,4,5-T)

} FIFRA Docket No. 295-888  
} Order Fixing Parties

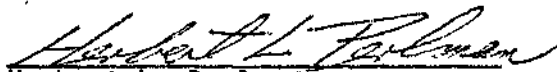
By notice dated July 19, 1973, and published in the Federal Register on July 24, 1973 (38 F.R. 19860), the Assistant Administrator, Environmental Protection Agency, under authority of section 6(b)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.), as amended by the Federal Environmental Pesticide Control Act of 1972 (86 Stat. 973), gave notice of his intention to hold a hearing on all registered uses of 2,4,5-Trichlorophenoxyacetic Acid (2,4,5-T), other than on the use for rice which was canceled on May 1, 1970 (USDA-PRD 70-13), as reaffirmed by order of August 6, 1971 (36 F.R. 1477, Aug. 11, 1971), with the further intention that the public hearing concerning the use on rice (I.F.&R. Dockets No. 42, 44, 45 and 48) be consolidated with the hearing called for all other uses. Under said notice, any person who wished to become a party to the hearing was required to file by August 23, 1973, a response to the statement of issues which accompanied the notice and which was published therewith.

Pursuant to section 164.8 of the rules of practice for the conduct of these hearings (38 F.R. 19371, July 20, 1973), notice is hereby given that the following firms, associations, and governmental units which have filed timely responses to the notice of July 19, 1973, are parties to the proceeding:

1. Amchem Products, Inc.  
R. J. Otten  
Manager/Regulatory Affairs  
Ambler, Pennsylvania 19002
2. Association of American Railroads  
Harry J. Breithaupt, Jr., Esquire  
General Counsel  
Law Department  
American Railroads Building  
Washington, DC. 20036
3. Dow Chemical Company, The  
Milton R. Wessel, Esquire  
Kaye, Scholer, Fierman, Hays & Handler  
425 Park Avenue  
New York, New York 10022
4. National Forest Products Association  
Robert S. Bassman, Esquire  
Environmental Counsel  
1619 Massachusetts Avenue, NW.  
Washington, DC. 20036
5. Thompson-Hayward Chemical Company  
Lindley S. DeAtley  
Senior Vice President and  
Director of Research & Development  
P.O. Box 2383  
Kansas City, Kansas 66110
6. Transvaal, Inc.  
J. Robert Hasness  
Director of Technical Services  
P.O. Box 69  
Jacksonville, Arkansas 72076
7. United States Department of Agriculture  
Alfred R. Nolting, Esquire  
Raymond W. Fullerton, Esquire  
Office of the General Counsel  
14th & Independence Avenue, SW.  
Washington, DC. 20250
8. United States Department of Transportation  
J. Thomas Tidd, Esquire  
General Counsel  
Washington, DC. 20590

In addition, Respondent Assistant Administrator of the Office of Hazardous Materials Control, Environmental Protection Agency, is represented by Anson M. Keller, Esquire, Office of General Counsel, Environmental Protection Agency, Room 511 Waterside Mall, West Tower, 401 M Street, SW., Washington, DC. 20460.

Certain persons, firms and associations have indicated their desire to become parties but have failed to file adequate or timely responses and it is hereby determined that they are not parties herein. (See section 164.5 of the above-mentioned rules of practice.) Any person not included in the above list of parties may show cause before me, in writing, not later than October 19, 1973, why he should be added as a party to this proceeding. In addition, for those who wish to intervene in this proceeding attention is called to section 164.31 and the requirements of section 164.24 of the above-mentioned rules of practice. Persons who have filed notices of their desire to testify in this proceeding should communicate with appropriate party-participants.

  
Herbert L. Perlman  
Chief Administrative Law Judge

October 3, 1973

## CERTIFICATE OF SERVICE

I hereby certify that I sent by certified mail this date a copy of the attached Order Fixing Parties to each of the parties named in Order Fixing Parties.

I further certify that I sent by certified mail this date a copy of said Order to the following persons who filed inadequate or untimely responses:

1. American National Cattlemen's Association  
C. W. McMillan  
Executive Vice President  
1015 National Press Building  
Washington, DC. 20004
2. Arkansas Farm Bureau Federation  
Jack Justus, Director  
Legislative Affairs  
Farm Bureau Building  
Seventh at High Street  
Little Rock, Arkansas 72203
3. Honorof, Ida  
Consumer Advocate  
P.O. Box 5449  
Sherman Oaks, California 91403
4. Indiana Farm Bureau Cooperative Ass'n, Inc.  
L. M. Leach, Manager  
Plant Food Department  
47 South Pennsylvania Street  
Indianapolis, Indiana 46204
5. Indiana Farm Bureau, Inc.  
Acord Cantwell, Director  
Department of Natural Resources  
130 East Washington Street  
Indianapolis, Indiana 46204
6. Indiana Plant Food and Agricultural Chemicals  
Association, Inc., The  
Walter J. Weber, Chairman  
Legislative Committee  
505 Board of Trade Building  
Indianapolis, Indiana 46204
7. Millar's  
Donald M. Millar  
641 Thompson Avenue, NE.  
Salem, Oregon 97301

8. Mountain Lake Right-of-Way Management Council, Inc.  
W. E. Chappell  
Technical Adviser  
P.O. Box 32  
Blacksburg, Virginia 24060

I further certify that I sent by certified mail this date a copy of said Order to the following persons who indicated a desire to testify or present evidence:

1. Chesapeake and Ohio Railway Company, The  
Baltimore and Ohio Railroad Company, The  
J. J. Dwyer  
Engineer Environmental Control  
P.O. Box 907  
Huntington, West Virginia 25712
2. Council for Agricultural Science and Technology  
Charles A. Black, President  
Agronomy Department  
Iowa State University  
Ames, Iowa 50010
3. Hunt, Lee O.  
Star Route, Box 216-C  
Winston, Oregon 97496
4. Iowa State University  
E. P. Sylwester  
Extension Botanist and  
Plant Pathologist  
Professor of Botany  
Weed Control Specialist  
Ames, Iowa 50010  
D. W. Staniforth  
Weed Control Research  
Professor of Botany and Plant  
Pathology, and Agronomy  
Ames, Iowa 50010
5. Ohio Farm Bureau Federation, Inc.  
Curt Dunham, Director  
Local Activities  
245 North High Street  
Columbus, Ohio 43216
6. Oregon State University  
Carl H. Stoltenberg, Dean  
School of Forestry  
Corvallis, Oregon 97331
7. Society of American Foresters  
H. R. Glascock, Jr.  
Executive Vice President  
1010 Sixteenth Street, NW.  
Washington, DC. 20036

8. Texas Brush Control and Range Improvement Association  
Texas and Southwestern Cattle Raisers Association  
John A. Matthews, Chairman  
P.O. Box 176  
Abilene, Texas 79604
9. University of Montana  
M. Chessin, Professor  
Department of Botany  
Missoula, Montana 59801
10. Utility Arborist Association  
Irvin O. Bauer  
President Elect  
Baltimore Gas and Electric Company  
Gas and Electric Building  
Baltimore, Maryland 21203

Also enclosed is a copy of the rules of practice issued pursuant to the act (38 F.R. 19371-19378, July 20, 1973).

  
Betty J. Billings  
Hearing Clerk

October 3, 1973