

preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The Clean Air Act forbids USEPA to base its actions concerning SIPS on such grounds. *Union Electric Co. v. USEPA*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

Under Section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by March 20, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Reporting and recordkeeping requirements, Sulfur oxides.

Note.—Incorporation by reference of the State Implementation Plan for the State of Minnesota was approved by the Director of the Federal Register on July 1, 1982.

Dated: December 16, 1994.

Valdas V. Adamkus,
Regional Administrator.

Title 40 of the Code of Federal Regulations, chapter I, part 52, is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

2. Section 52.1220 is amended by adding paragraph (c)(38) to read as follows:

§ 52.1220 Identification of plan.

* * * * *

(c) * * *

(38) On December 22, 1992 and September 30, 1994, the State of Minnesota submitted revisions to its State Implementation Plans (SIPs) for sulfur dioxide for the St. Paul Park area of Air Quality Control Region (AQCR) 131.

(i) Incorporation by reference.

(A) For Ashland Petroleum Company, located in St. Paul Park, Minnesota:

(1) An administrative order, dated and effective December 15, 1992, submitted December 22, 1992.

(2) Amendment One to the administrative order, dated and effective September 30, 1994, submitted September 30, 1994.

(ii) Additional material.

(A) A letter from Charles Williams to Valdas Adamkus dated December 22, 1992, with enclosures providing technical support (e.g., computer modeling) for the revision to the administrative order for Ashland Petroleum Company.

(B) A letter from Charles Williams to Valdas Adamkus dated September 30, 1994, with enclosures, submitting Amendment One to the administrative order for Ashland Petroleum Company.

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40 CFR Part 180

[PP 2E4057/R2099; FRL-4929-9]

RIN 2070-AB78

Pesticide Tolerance for Glufosinate Ammonium

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes a time-limited tolerance for combined residues of the herbicide glufosinate ammonium, monoammonium 2-amino-4-(hydroxymethylphosphinyl)butanoate, and its metabolite, 3-methylphosphinicopropionic acid expressed as 2-amino-4-(hydroxymethylphosphinyl)butanoic acid equivalents, in or on the imported raw agricultural commodity bananas at 0.3 part per million. (Not more than 0.2 ppm shall be present in the pulp after the peel is removed.) Hoechst Celanese Corp. (now AgrEVO Corp.) petitioned for this regulation to establish a maximum permissible level for combined residues of the herbicide.

EFFECTIVE DATE: This regulation becomes effective January 18, 1995.

ADDRESSES: Written objections, identified by the document control number, [PP 2E4057/R2099], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the document control number and submitted 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. In person, bring copy of objections and hearing requests to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Fees accompanying objections shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251.

FOR FURTHER INFORMATION CONTACT: By mail: Joanne I. Miller, Product Manager (PM) 23, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 237, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703) 305-7830.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of November 14, 1994 (59 FR 56452), EPA issued a proposed rule that gave notice that the AgrEVO Corp., Little Falls Center One, 2711 Centerville Rd., Wilmington, DE 19808, had submitted pesticide petition (PP) 2E4057 to EPA. The petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), establish a tolerance for combined residues of the herbicide glufosinate ammonium (monoammonium 2-amino-4-(hydroxymethylphosphinyl) butanoate) and its metabolite, 3-methylphosphinicopropionic acid, in or on the imported raw agricultural commodity bananas at 0.2 ppm. The petition was subsequently amended to raise the tolerance level to 0.3 ppm.

There were no comments or requests for referral to an advisory committee received in response to the proposed rule.

The data submitted on the proposal and other relevant material have been evaluated and discussed in the proposed rule. Based on the data and information considered, the Agency concludes that the time-limited tolerance will protect the public health. Therefore, the time-limited tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the **Federal Register**, file written objections and/or request a hearing with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of the objections and/or hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the

regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

Under Executive Order 12866 (58 FR 51735, Oct. 4, 1993), the Agency must determine whether the regulatory action is "significant" and therefore subject to review by the Office of Management and Budget (OMB) and the requirements of the Executive Order. Under section 3(f), the order defines a "significant regulatory action" as an action that is likely to result in a rule (1) having an annual effect on the economy of \$100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities (also referred to as "economically significant"); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of the Executive Order, EPA has determined that this rule is not "significant" and is therefore not subject to OMB review.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification

statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: January 5, 1995.

Steven L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. In § 180.473, by revising paragraph (b), to read as follows:

§ 180.473 Glufosinate ammonium; tolerances for residues.

* * * *

(b)(1) A tolerance, to expire on January 18, 2000, is established as follows for combined residues of glufosinate ammonium (monoammonium 2-amino-4-(hydroxymethylphosphinyl) butanoate) and its metabolite 3-methylphosphinicopropionic acid, expressed as 2-amino-4-(hydroxymethylphosphinyl)butanoic acid equivalents.

Commodity	Parts per million
Bananas	0.3 (Not more than 0.2 ppm shall be present in the pulp after peel is removed).

(2) There are no U.S. registrations as of August 24, 1994, for bananas.

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GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-37

[FPMR Amendment G-109]

RIN 3090-AF43

Government Aviation Administration and Coordination

AGENCY: Federal Supply Service, GSA.

ACTION: Final rule.

SUMMARY: This regulation updates policies and procedures concerning the documentation, approval, and use of Government aircraft. Specifically, the rule places definitions in a single subpart for ease of reference, reconciles the standard aircraft program cost elements with those contained in the revised Office of Management and Budget (OMB) Circular A-126 (May 22, 1992), updates subparts on cost recovery methods and aviation program cost effectiveness, and clarifies agency Federal Aviation Management Information System (FAMIS) reporting requirements. This action is necessary for compliance with the provisions of OMB Circular A-126. Implementation of this rule will minimize the cost and improve the management and use of Government aviation resources.

EFFECTIVE DATE: January 18, 1995.

FOR FURTHER INFORMATION CONTACT: Larry Godwin, Aircraft Management Division (FBA), Federal Supply Service, General Services Administration, Washington, DC 20406 (703-305-6399).

SUPPLEMENTARY INFORMATION: The General Services Administration (GSA) has determined that this rule is not a significant rule for the purposes of Executive Order 12866. The OMB Circular A-126 requires the Administrator of GSA to establish a single coordinating office for aircraft management to improve the management of Government-owned and operated aircraft. The responsibilities of this Office include: (1) Coordinating the development of effectiveness measures and standards, policy, recommendation, and guidance for the procurement, operation, safety, and disposal of civilian agency aircraft; (2) operating a Government-wide aircraft management information system; (3) identifying and advising agencies and OMB of opportunities to share, transfer, or dispose of underutilized aircraft; to reduce excessive aircraft operations and maintenance costs; and to replace obsolete aircraft; (4) providing technical assistance to agencies in establishing automated aircraft information and cost accounting systems and in conducting cost analysis; (5) developing generic aircraft information system standards and software; (6) reviewing proposed agency internal aircraft policies for compliance with OMB guidance and notifying OMB of any discrepancies; and (7) conducting an annual study of the variable and fixed costs of operating the different categories of Government aircraft and disseminating the results for use in making the cost comparisons and reporting the trip costs.