

Nationwide Food Consumption Survey (NFCS) and accumulates exposure to the chemical for each commodity. Each analysis assumes uniform distribution of chlorpyrifos in the commodity. Since the toxicological endpoint to which exposure is being compared in this analysis is neurotoxicity, four human population subgroups (infants, less than 1 year old; children, 1-12 years old; females, 13 years old and older; males, 13 years old and older), as well as the overall population, are of interest.

The Margin of Exposure (MOE) is the ratio of the NOEL to the exposure (NOEL/exposure = MOE). For neurotoxicity, the Agency is generally not concerned unless the MOE is below 10 when the NOEL is based on human data. Using refined exposure estimates generated in the preparation of the Reregistration Eligibility Document (RED) for chlorpyrifos, MOEs are greater than 10 for all population subgroups evaluated except for children 1 through 6 years. Although the Agency has concerns when low MOEs are calculated, this tolerance action does not raise risk concerns. The MOEs are not affected by the rule because any incremental change in exposure resulting from the tolerances for pears, nectarines, peaches, and plums is negligible. Thus MOEs are not changed by the tolerances for these commodities, much less by the raising of the tolerance from 0.01 ppm to 0.05 ppm. It should also be noted that the Agency will reassess chlorpyrifos tolerances in general as part of the reregistration process. The RED is scheduled to be issued in 1996.

A record has been established for this rulemaking under docket number [PP 4E4288 and 4E4289/R2198] (including any objections and hearing requests submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources

Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

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 any copies of objections and hearing requests received electronically 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. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

Under Executive Order 12866 (58 FR 51735, October 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 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 this 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 24, 1996.

Stephen 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 § 180.342, by revising paragraph (e), to read as follows:

**§ 180.342 Chlorpyrifos; tolerances for residues.**

\* \* \* \* \*

(e) Tolerances are established as follows for residues of the insecticide chlorpyrifos [*O,O*-diethyl *O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate] in or on the following raw agricultural commodities:

Commodity	Parts per million
Nectarines .....	0.05
Peaches .....	0.05
Pears .....	0.05
Plums .....	0.05

\* \* \* \* \*

[FR Doc. 96-1905 Filed 1-26-96; 2:55 pm]

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[FRL-5406-7]

**40 CFR Part 300****National Oil and Hazardous Substances Contingency Plan; National Priorities List Update****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of Deletion of the Ossineke Groundwater Contamination Superfund Site from the National Priorities List (NPL).

**SUMMARY:** The Environmental Protection Agency (EPA) announces the deletion of the Ossineke Groundwater Contamination site in Michigan from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of Michigan have determined that all appropriate Fund-financed responses under CERCLA have been implemented and that no further response by responsible parties under CERCLA is appropriate. The site is being addressed under the Subtitle I provisions of RCRA.

**EFFECTIVE DATE:** January 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Rita Garner-Davis at (312) 886-2440, Associate Remedial Project Manager, Office of Superfund, U.S. EPA—Region V, 77 West Jackson Blvd., Chicago, IL 60604. Information on the site is available at: EPA Region V docket room at the above address and at the Alpenda Bank; 11686 U.S. Highway 23 south; Ossineke, MI 49766.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is the Ossineke

Groundwater Contamination Site in Ossineke, Michigan. A Notice of Intent to Delete was published August 11, 1995 (60 FR 41051) for this site. The closing date for comments on the Notice of Intent to Delete was September 11, 1995. EPA received no comments.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts.

**List of Subjects in 40 CFR Part 300**

Environmental protection, Hazardous Waste, Chemicals, Hazardous substances, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

**PART 300—[AMENDED]**

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

**Appendix B—[Amended]**

2. Table 1 of appendix B to part 300 is amended by removing the Ossineke

Ground Water Contamination, Ossineke, Michigan.

Dated: December 19, 1995.

David Ullrich,

Acting Regional Administrator U.S. EPA, Region V.

[FR Doc. 96-1710 Filed 1-30-96; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****49 CFR Part 1**

[OST Docket No. 1; Amdt. 1-276]

**Organization and Delegation of Powers and Duties Delegation to the Commandant, United States Coast Guard****AGENCY:** Office of the Secretary, DOT.**ACTION:** Final rule.

**SUMMARY:** The Secretary of Transportation is delegating to the Commandant, United States Coast Guard, the authority contained in 46 U.S.C. Chapter 47, abandonment of barges, and § 12301(b), numbering of undocumented barges. In order that the Code of Federal Regulations reflect these delegations, a change is necessary.

**EFFECTIVE DATE:** January 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** LT Chris Hayes, Office of Marine Safety, Security and Environmental Protection (G-MRO-3), (202) 267-2614, U.S. Coast Guard, 2100 Second Street, SW., Washington, DC 20593; or Steven B. Farbman, Office of the Assistant General Counsel for Regulation and Enforcement, C-50, (202) 366-9307, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590.