

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: February 27, 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 § 180.275, by amending the table in paragraph (a) by adding alphabetically the raw agricultural commodities blueberries and mushrooms and by amending the table in paragraph (b), by adding alphabetically the raw agricultural commodity filberts to read as follows:

**§ 180.275 Chlorothalonil; tolerances for residues.**

(a) \* \* \*

Commodities	Parts per million
* * * * *	*
Blueberries .....	1.0
* * * * *	*
Mushrooms .....	1.0
* * * * *	*

(b) \* \* \*

Commodities	Parts per million
* * * * *	*
Filberts .....	0.1
* * * * *	*

[FR Doc. 96-5536 Filed 3-12-96; 8:45 am]

BILLING CODE 6560-50-F

**40 CFR Part 180**

[OPP-300402A; FRL-4993-3]

RIN 2070-AB78

**3,5-Dichloro-N-(1,1-Dimethyl-2-Propynyl)Benzamide; Pesticide Tolerances**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** EPA has completed the reregistration process and issued a Reregistration Eligibility Decision (RED) document for the pesticide 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide, also known as pronamide. In the reregistration process, all information to support a pesticide’s continued registration is reviewed for adequacy and, when needed, supplemented with new scientific studies. Based on the RED tolerance assessments for the pesticide chemical subject to this rule, EPA is issuing the following tolerance actions: to delete individual tolerances and establish crop-grouping tolerances, raise some tolerances and lower others, amend an incorrectly listed tolerance, and modify the statment under 40 CFR 180.317 for the pesticide pronamide.

**EFFECTIVE DATE:** This regulation becomes effective March 13, 1996.

**ADDRESSES:** Written objections and hearing requests, identified by the document control number, [OPP-300402A], 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. An electronic copy of objections and hearing requests filed with the Hearing Clerk may be submitted to OPP by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov.

Copies of electronic objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of electronic objections and hearing requests will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All copies of electronic objections and hearing requests must be identified by the docket number [OPP-300402A]. No Confidential Business Information (CBI) should be submitted through e-mail. Copies of electronic objections and hearing requests on this rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

**FOR FURTHER INFORMATION CONTACT:** By mail: Philip Poli, (703)-308-8038; e-mail: poli.philip@epamail.epa.gov. By mail: Special Review and Reregistration Division (7508W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location: Special Review Branch, Crystal Station #1, 3rd Floor, 2800 Crystal Drive, Arlington, VA 22202.

**SUPPLEMENTARY INFORMATION:** EPA issued a proposed rule, published in the Federal Register of November 15, 1995 (60 FR 57379), which announced that based on a Reregistration Eligibility Decision (RED) for the pesticide 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide, also known as pronamide, the Agency intended to revise 40 CFR 180.317 to delete individual tolerances and establish crop-grouping tolerances (as described in 40 CFR 180.34), raise some tolerances

and lower others, amend an incorrectly listed tolerance (for sheep meat), and modify the tolerance expression for pronamide to clarify which metabolites are determined by the enforcement methods and are included in the tolerance expression.

The following comments were received by the Agency in response to the proposed rule published in the Federal Register of November 15, 1995 (60 FR 57379):

1. *Oral comments by the Interregional Project No. 4 (IR-4).* The Interregional Project No. 4 (IR-4) requested that the Agency acknowledge that IR-4 petitioned EPA for tolerances for pronamide on stone fruits and nongrass animal feeds. IR-4 wanted it to be known that at the time the tolerances were being proposed in the Federal Register of November 15, 1995, IR-4 tolerance petitions for the stone fruits and nongrass animal feed crop groups were pending with the Agency.

*Agency response.* The Agency proposed these and other tolerance actions for pronamide in the Federal Register of November 15, 1995 (60 FR 57379). This final rule endorses both petition 3E4190, which was submitted by IR-4 on behalf of the agricultural experiment station of Washington State, and petition 5E4525 submitted by IR-4 on behalf of the agricultural experiment station of Oregon State.

2. *Comments from Rohm and Haas Company.* A comment was received by the Agency from Rohm and Haas Company concerning the addition of radicchio greens (tops) to the list of approved commodities specified in the proposed Federal Register notice of November 15, 1995 (60 FR 57379).

*Agency response.* In the Federal Register of October 26, 1994 (59 FR 53771), EPA issued a proposed rule that gave notice that the Interregional Research Project No. 4 (IR-4) had submitted pesticide petition PP 0E3907 to EPA on behalf of the agricultural experiment station of California. The petition requested that EPA approve pronamide and its metabolites for use in or on the raw agricultural commodity radicchio greens (tops) at 2.0 parts per million (ppm). This regulation became effective with the publication of the Federal Register notice of January 25, 1995 (60 FR 4862). Therefore, "radicchio" greens (tops) at a tolerance of 2.0 ppm will be added alphabetically into the list of commodities at 40 CFR 180.317(a).

The data considered with 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 tolerances will protect the public health. Therefore, the tolerances are 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 to the regulation and may also request a hearing on those objections. Objections and hearing requests must be filed 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 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).

EPA has established a record for this rulemaking under docket number [OPP-300402A] (including any comments and data submitted electronically). 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.

Electronic comments may be sent directly to EPA at:

opp-docket@epamail.epa.gov.

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

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 all the requirements of the Executive Order (i.e., Regulatory Impact Analysis, review by the Office of Management and Budget (OMB)). Under section 3(f), the order defines "significant" as those actions likely to lead to 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 known 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 (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: March 5, 1996.

Richard D. Schmitt,

Acting Director, Special Review and Reregistration 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. By revising § 180.317, to read as follows:

**§ 180.317 3,5-Dichloro-N-(1,1-dimethyl-2-propynyl)benzamide; tolerances for residues.**

(a) Tolerances are established for combined residue of the herbicide 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide and its metabolites (containing the 3,5-dichlorobenzoyl moiety and calculated as 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide) in or on the following raw agricultural commodities:

Commodity	Parts per million
Apples .....	0.1
Artichokes .....	0.1
Blackberries .....	0.05
Blueberries .....	0.05
Boysenberries .....	0.05
Cattle, fat .....	0.02
Cattle, kidney .....	0.4
Cattle, liver .....	0.4
Cattle, mby (except kidney, liver) .....	0.02
Cattle, meat .....	0.02
Eggs .....	0.02
Endive (escarole) .....	1.0
Goats, fat .....	0.02
Goats, kidney .....	0.4
Goats, liver .....	0.4
Goats, mby (except kidney, liver) .....	0.02
Goats, meat .....	0.02
Grapes .....	0.1
Hogs, fat .....	0.02
Hogs, kidney .....	0.4
Hogs, liver .....	0.4
Hogs, mby (except kidney, liver) .....	0.02
Hogs, meat .....	0.02
Horses, fat .....	0.02
Horses, kidney .....	0.4
Horses, liver .....	0.4
Horses, mby (except kidney, liver) .....	0.02
Horses, meat .....	0.02
Lettuce .....	1.0
Milk .....	0.02
Nongrass animal feeds .....	10.0
Pears .....	0.1
Poultry, fat .....	0.02
Poultry, kidney .....	0.2
Poultry, liver .....	0.2
Poultry, mby (except kidney, liver) .....	0.02
Poultry, meat .....	0.02
Radicchio, greens (tops) .....	2.0

Commodity	Parts per million
Raspberries .....	0.05
Sheep, fat .....	0.02
Sheep, kidney .....	0.4
Sheep, liver .....	0.4
Sheep, mby (except kidney, liver) .....	0.02
Sheep, meat .....	0.02
Stone fruits .....	0.1

(b) Tolerances with regional registration are established for the combined residues of the herbicide 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide and its metabolites (containing the 3,5 dichlorobenzoyl moiety and calculated as 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide) in or on the following raw agricultural commodities:

Commodity	Parts per million
Peas, dried (winter) .....	0.05
Rhubarb .....	0.1

[FR Doc. 96-5986 Filed 3-12-96; 8:45 am]

BILLING CODE 6560-50-F

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MM Docket No. 95-171; RM-8724]

**Radio Broadcasting Services; Jackson, WY**

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** The Commission, at the request of Summit Radio and 1530, LLC, allots Channel 227C at Jackson, Wyoming, as the community's third local commercial FM transmission service. See 60 FR 62060, December 4, 1995. Channel 227C can be allotted to Jackson in compliance with the Commission's minimum distance separation requirements at city reference coordinates. The coordinates for Channel 227C at Jackson are North Latitude 43-28-42 and West Longitude 110-45-42. With this action, this proceeding is terminated.

**DATES:** Effective April 22, 1996. The window period for filing applications will open on April 22, 1996 and close on May 23, 1996.

**FOR FURTHER INFORMATION CONTACT:** Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-171, adopted February 28, 1996, and released March 6, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

**PART 73—[AMENDED]**

1. The authority citation for part 73 continues to read as follows:

Authority: Sections 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Wyoming, is amended by adding Channel 227C at Jackson.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-5897 Filed 3-12-96; 8:45 am]

BILLING CODE 6712-01-F

**47 CFR Part 73**

[MM Docket No. 95-160; RM-8710]

**Radio Broadcasting Services; Kewanee, IL**

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** The Commission, at the request of Virden Broadcasting Corporation, substitutes Channel 230A for Channel 221A at Kewanee, Illinois, and modifies Station WJRE(FM)'s license accordingly. See 60 FR 55820, November 3, 1995. Channel 230A can be allotted at Kewanee in compliance with the Commission's minimum distance separation requirements with a site restriction of 0.8 kilometers (0.5 miles) west at petitioner's requested site. The coordinates for Channel 230A at Kewanee are North Latitude 41-14-15 and West Longitude 89-56-15. With this action, this proceeding is terminated.