

place, "\$445.16"; paragraph (c)(2)(iii) is amended by removing "\$294.00" and adding, in its place, "\$296.44"; paragraph (c)(2)(iv) is amended by removing "\$147.00" and adding, in its place, "\$148.22"; and paragraphs (a)(1)

and (a)(2) and their authority citations are revised, to read as follows:

§ 21.7137 Rates of payment of basic educational assistance for individuals with remaining entitlement under 38 U.S.C. ch. 34.

(a) *Minimum rates.* * * *

(1) Except as provided in paragraphs (a)(2), (b), and (c) of this section, the monthly rate of basic educational assistance for training that occurs after September 30, 1994, and before October 1, 1995, is the rate stated in the following table.

Training	Monthly rate			
	No dependents	One dependent	Two dependents	Additional for each additional dependent
Full time	\$592.88	\$628.88	\$659.88	\$16.00
¾ time	445.16	471.66	495.16	12.00
½ time	296.44	314.44	329.94	8.50
Less than ½ but more than ¼ time		296.44		
¼ time		148.22		
Cooperative	445.50	465.90	485.50	9.20

(Authority: 38 U.S.C. 3015(c), 3015(f), 3015(g); sec. 12009(c), Pub. L. 103-66, 107 Stat. 416)

(2) For veterans pursuing an apprenticeship or other on-job training, the monthly rate of basic educational assistance for training that occurs after September 30, 1994, and before October 1, 1995, is the rate stated in the following table.

Training period	Monthly rate			
	No dependents	One dependent	Two dependents	Additional for each additional dependent
1st 6 months of pursuit of program	\$406.41	\$418.79	\$429.66	\$5.25
2nd 6 months of pursuit of program	279.06	288.41	296.11	3.85
3rd 6 months of pursuit of program	165.51	171.63	176.36	2.45
Remaining pursuit of program	153.61	159.38	164.63	2.45

(Authority: 38 U.S.C. 3015(d), 3015(f), 3015(g); sec. 12009(c), Pub. L. 103-66, 107 Stat. 416)

* * * * *

[FR Doc. 96-8301 Filed 4-4-96; 8:45 am]

BILLING CODE 8320-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 180 and 186

[PP 6F3408, 4F4312, 4F4338, 4F4369, FAP 4H5701, 4H5705/R2204; FRL-5351-1]

Pesticide Tolerances for Glyphosate

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes tolerances and feed additive regulations for residues of the herbicide glyphosate [(N-phosphonomethyl)glycine]. The specific proposals are as follows: establishment of tolerances for alfalfa hay at 200 parts per million (ppm), alfalfa forage at 75 ppm, soybean aspirated grain fractions at 50 ppm; sunflower seed at 0.1 ppm, increased tolerances on the kidney of cattle, goats,

hog, horses, and sheep from 0.5 to 4.0 ppm; an amended tolerance removing the metabolite aminomethylphosphonic acid (AMPA) from the expression and increasing the established tolerance for soybean forage from 15 to 100 ppm; amended tolerances removing the metabolite AMPA from the expressions for the established tolerances soybean, grain at 20 ppm, and soybean, hay at 200 ppm; deletion of the established tolerances for soybean straw at 200 ppm; and an amended feed additive regulation removing the metabolite AMPA from the expression for the established tolerance soybean hulls at 100 ppm. This rule also amends the current tolerance for citrus fruits and the feed additive regulation for citrus pulp, dried by removing the metabolite AMPA from the expressions and increasing the tolerance for citrus fruits from 0.2 to 0.5 ppm and increasing the tolerance for citrus pulp, dried from 1.0 to 1.5 ppm. Monsanto Company requested these tolerances and feed additive regulation in petitions submitted to EPA pursuant to the Federal Food, Drug, and Cosmetic Act (FFDCA).

EFFECTIVE DATES: These regulations become effective April 5, 1996.

ADDRESSES: Written objection and hearing requests, identified by the document control number, [PP 6F3408, 4F4312, 4F4338, 4F4369, FAP 4H5701, 4H5705/R2204], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. 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. A copy of any objections and hearing request 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 a copy of objections and hearing requests to: Rm. 1132, CM#2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. A copy of objections and hearing requests filed with the Hearing

Clerk may also be submitted electronically by sending electronic mail (e-mail) to:

oppdocket@epamail.epa.gov.

Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket number [PP 6F3408, 4F4312, 4F4338, 4F4369, FAP 4H5701, 4H5705/R2204]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries. Additional information on electronic submission can be found below in this document.

FOR FURTHER INFORMATION CONTACT: By mail, Robert J. Taylor, Product Manager (PM 25), Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 241, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA, 703-305-6027; e-mail: taylor.robert@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA issued notices in the Federal Register, announcing that the Monsanto Co., 700 14th St., NW., Suite #1100, Washington, DC 20005, had submitted petitions proposing to amend 40 CFR part 180 pursuant to section 408 (d) of the Federal Food, Drug, and Cosmetic (FFDCA) (21 U.S.C. 346(a), and 40 CFR part 186 under sec 409 of FFDCA (21 U.S.C. 348) by establishing regulations to permit the combined residues of the herbicide glyphosate [N-(phosphonomethyl)glycine] and its metabolite aminomethylphosphonic acid (AMPA) or glyphosate in or on certain raw agricultural commodities (RACs).

1. *PP 6F3408*. Published in the Federal Register of September 13, 1995 (60 FR 47578), the notice proposed establishing a regulation to permit combined residues of glyphosate and its metabolite AMPA in or on sunflowers at 0.1 ppm.

2. *PP 4F4312*. Published in the Federal Register of July 13, 1994 (59 FR 35718), the notice proposed to amend 40 CFR 180.364 by establishing a regulation to permit residues of glyphosate and its metabolite AMPA resulting from the application of the isopropylamine salt of glyphosate and/or the monoammonium salt of

glyphosate in or on alfalfa, hay at 200 ppm and alfalfa forage at 75 ppm.

3. *PP 4F4338*. Published in the Federal Register of November 2, 1994 (59 FR 54907), the notice proposed to amend 40 CFR 180.364 by establishing a regulation permitting residues of glyphosate and its metabolite AMPA resulting from the application of the isopropylamine salt of glyphosate and/or the monoammonium salt of glyphosate in or on citrus fruits at 0.5 ppm.

4. *PP 4F4369*. Published in the Federal Register of February 8, 1995 (60 FR 7540), the notice proposed to amend 40 CFR 180.364 by establishing a regulation to permit residues of glyphosate resulting from the application of the isopropyl amine salt of glyphosate and/or the monoammonium salt of glyphosate in or on soybean forage at 100 ppm.

5. *PP 4H5692*. Published in the Federal Register of July 13, 1994 (59 FR 35720), the notice proposed establishing a feed additive regulation to permit the combined residues of glyphosate and its metabolite aminomethylphosphonic acid (AMPA) in alfalfa meal at 400 ppm.

6. *PP 4H4701*. Published in the Federal Register of March 16, 1995 (60 FR 13979), the notice proposed to amend 40 CFR 186.3500 by establishing a feed additive regulation to permit residues of glyphosate resulting from the application of the isopropylamine salt and/or monoammonium salt of glyphosate on the feed commodity soybeans, aspirated grain fractions at 30 parts per million.

7. *PP 4H5705*. Published in the Federal Register of November 2, 1994 (59 FR 54907), the notice proposed to amend 40 CFR 185.3500 by establishing a feed additive regulation to permit residues of glyphosate and its metabolite aminomethylphosphonic acid in or on citrus pulp, dried at 1.0 ppm.

There were no comments or requests for referral to an advisory committee received in response to these notices of filing.

Subsequently, the petitioner amended several of the petitions by submitting revised Section F's. Amended filing notices were published in the Federal Register of September 13, 1995 (60 FR 47578, 79) proposing these changes.

1. *PP 4F4312*. Monsanto amended this petition by proposing that 40 CFR 180.364 be amended by removing the metabolite AMPA from the expression and by establishing a regulation to permit residues of glyphosate resulting from the application of the isopropylamine salt of glyphosate and/or the monoammonium salt of

glyphosate and/or monoammonium salt of glyphosate for herbicidal and plant growth regulator purposes and/or sodium sesqui salt of glyphosate for growth regulator purposes in or on the kidney of cattle, goats, hogs, sheep, and horses at 4.0 ppm.

2. *PP 4F4338*. Monsanto amended this petition by proposing to remove the metabolite AMPA from the expression.

3. *PP 4F4369*. Monsanto amended this petition by proposing that 40 CFR 180.364 be amended by establishing a regulation to permit residues of the herbicide glyphosate resulting from the application of the isopropylamine salt of glyphosate in or on the raw agricultural commodities (RACs) soybean grain at 20 ppm, soybean forage at 100 ppm, soybean hay at 200 ppm, and soybean aspirated grain fractions at 50 ppm. These tolerances are to replace the existing tolerances for soybeans, soybean forage, soybean hay, and soybean straw.

4. *PP 4H5701*. Monsanto amended this petition by deleting the feed commodity soybean, aspirated grain fractions at 30 ppm from this expression and repropounding it as a raw agricultural commodity under PP 4F4369. Monsanto also proposed that a feed additive regulation be established permitting residues of glyphosate resulting from the application of the isopropylamine salt of glyphosate and/or the monoammonium salt of glyphosate in or on the feed commodity soybean hulls at 100 ppm. This entry would replace the current entry for soybean hulls.

5. *PP 4H5705*. Monsanto amended this petition by proposing that 40 CFR part 186 be amended by establishing a regulation to permit residues of glyphosate in or on the feed commodity citrus pulp, dried at 1.5 ppm.

The Agency received one comment opposing the tolerances stated in the amended filing notices published September 13, 1995. The commenter's opposition to the tolerances was based upon toxicological concerns including the concept of "NOEL" (no observed effect level); the use of animal testing to represent human reaction to potentially toxic substances (pesticides); the indications of a link between pesticide exposure and Parkinson's Disease (PD).

The Agency has reviewed the comment and decided to proceed with these tolerances. The Agency, made the decision that a wide variety of toxicological studies would serve as the basis for determining if a pesticide could be requested and used without reasonable risk. It is true that animal models do not and can not predict every possible human reaction to pesticides, but the general consensus is that they

offer the best information as to what a pesticide might do to humans. Usually, the Agency requires and reviews long-term studies in rodents and non-rodents to determine a dose which causes no apparent adverse effects (NOEL). The NOEL is divided by an uncertainty factor—often at least 100—to arrive at doses or exposures that should not cause harmful effects on humans. In our regulation of pesticides, the Agency does not approve uses which will cause unreasonable adverse effects to humans or the environment.

The Agency understands that the testing of one pesticide does not predict all the possible adverse interactions with other pesticides—or for that matter other drugs or environmental pollutants. The Agency is exploring ways of testing for the interactions of pesticides having similar toxicity endpoint, but progress in that area is slow.

With reference to the indications of a link between pesticide exposure and Parkinson's Disease, the Agency is aware that many researchers are investigating the potential reaction of pesticide exposures to chronic neurological diseases including Parkinson's Disease, and additional research is needed to study this important area. Available studies in humans or animals have not yet established any relationship between pesticide exposures and Parkinson's Disease.

During the course of the review the Agency determined that the proposed tolerance for alfalfa meal (59 FR 35720) was not necessary since the proposed tolerance on alfalfa hay will cover any residue in meal. This petition (4H5692) was withdrawn.

The filing notice for PP 6F3408 was amended by submitting a revised section F deleting the metabolite AMPA from the expression. Because this is a deletion of a metabolite not longer regulated by the Agency, there is no potential risk to humans, therefore no additional period of public comment is necessary.

The amended notice of filing for 4F4369 should have included the monoammonium salt of glyphosate in the expression. The amended notice of filing for 4H5701 should have not included reference to the salts of glyphosate. Because these corrections are a correction of wording in the expression, there is no potential increased risk to humans, therefore no additional period of public comment is necessary.

The data submitted in the petitions and other relevant material have been evaluated. The glyphosate toxicological

data listed below were considered in support of these tolerances.

1. Several acute toxicology studies placing technical-grade glyphosate in Toxicity Category III and Toxicity Category IV.

2. A 1-year feeding study with dogs fed dosage levels of 0, 20, 100, and 500 milligrams/kilogram/day (mg/kg/day) with a no-observable-effect level (NOEL) of 500 mg/kg/day.

3. A 2-year carcinogenicity study in mice fed dosage levels of 0, 150, 750, and 4,500 mg/kg/day with no carcinogenic effect at the highest dose tested (HDT) of 4,500 mg/kg/day.

4. A chronic feeding/carcinogenicity study in male and female rats fed dosage levels of 0, 3, 10, and 31 mg/kg/day (males) and 0, 3, 11, or 34 mg/kg/day (females) with no carcinogenic effects observed under the conditions of the study at dose levels up to and including 31 mg/kg/day (HDT) (males) and 34 mg/kg/day (HDT) (females) and a systemic NOEL of 31 mg/kg/day (HDT) (males) and 34 mg/kg/day (HDT) (females). Because a maximum tolerated dose (MTD) was not reached, this study was classified as supplemental for carcinogenicity.

5. A chronic feeding/carcinogenicity study in male and female rats fed dosage levels of 0, 89, 362, and 940 mg/kg/day (males) and 0, 113, 457, and 1183 mg/kg/day (females) with no carcinogenic effects noted under the conditions of the study at dose levels up to and including 940/1183 mg/kg/day (males/females) (HDT) and a systemic NOEL of 362 mg/kg/day (males) based on an increased incidence of cataracts and lens abnormalities, decreased urinary pH, increased liver weight and increased liver weight/brain ratio (relative liver weight) at 940 mg/kg/day (males) (HDT) and 457 mg/kg/day (females) based on decreased body weight gain 1183 mg/kg/day (females) (HDT).

6. A developmental toxicity study in rats given doses of 0, 300, 1,000, and 3,500 mg/kg/day with a developmental NOEL of 1,000 mg/kg/day based on an increase in number of litters and fetuses with unossified sternebrae, and decrease in fetal body weight at 3,500 mg/kg/day, and a maternal NOEL of 1,000 mg/kg/day based on decrease in body weight gain, diarrhea, soft stools, breathing rattles, inactivity, red matter in the region of nose, mouth, forelimbs, or dorsal head, and deaths at 3,500 mg/kg/day (HDT).

7. A developmental toxicity study in rabbits given doses of 0, 75, 175, and 350 mg/kg/day with a developmental NOEL of 350 mg/kg/day (HDT); a maternal NOEL of 175 mg/kg/day based on increased incidence of soft stool,

diarrhea, nasal discharge, and deaths at 350 mg/kg/day (HDT).

8. A multigeneration reproduction study with rats fed dosage levels of 0, 3, 10, and 30 mg/kg/day with a developmental NOEL of 10 mg/kg/day based on increased incidence of focal tubular dilation of the kidney (both unilateral and bilateral combined) of male F3b pups.

9. A two generation reproduction study with rats fed dosage levels of 0, 100, 500, and 1,500 mg/kg/day with a developmental NOEL of 500 mg/kg/day based on decreased pup body weight and body weight gain on lactation days 14 and 21 at 1,500 mg/kg/day (HDT), a systemic NOEL of 500 mg/kg/day based on soft stools in Fo and F1 males and females at 1500 mg/kg/day (HDT) and a reproductive NOEL of 1500 mg/kg/day (HDT).

10. Mutagenicity data included chromosomal aberration *in vitro* (no aberrations in Chinese hamster ovary cells were caused with and without S9 activation); DNA repair in rat hepatocyte; *in vivo* bone marrow cytogenic test in rats; rec-assay with *B. subtilis*; reverse mutation test with *S. typhimurium*; Ames test with *S. typhimurium*; and dominant-lethal mutagenicity test in mice (all negative).

The reference dose (RfD) based on a developmental study with rabbits (NOEL of 175 mg/kg/bwt/day) and using a hundred-fold safety factor is calculated to be 2.0 mg/kg body weight/day. The theoretical maximum residue contribution (TMRC) for published tolerances and food and feed additive regulations is 0.020733 mg/kg bwt/day or 1.0 percent of the RfD for the overall U.S. population. The current actions on citrus fruits, citrus dried pulp, alfalfa, kidney of cattle, goats, hog, horses, and sheep, sunflower, and soybean forage will contribute 0.000726 mg/kg/bwt/day to the TMRC. These tolerances and the food additive regulation will utilize a total of 1.0 percent of the RfD for the overall U.S. population.

For both U.S. subgroup populations, nonnursing infants and children 1 to 6 years of age, the current action and previously established tolerances and the food additive regulation utilize, a total of 2.5 percent of the RfD, assuming that residue levels are at the established tolerance levels and that 100 percent of the crop is treated.

There are no desirable data lacking for this pesticide. There are currently no actions pending against the continued registration of this pesticide. No detectable residues of N-nitrosoglyphosate, a contaminant of glyphosate, are expected to be present in the commodities for which tolerances

are established. The carcinogenic potential of glyphosate was first considered by a panel, then called the Toxicology Branch AD Hoc Committee, in 1985. The Committee, in a consensus review dated March 4, 1985, classified glyphosate as a Group C carcinogen based on an increased incidence of renal tumors in male mice. The Committee also concluded that dose levels tested in the 26-month rat study were not adequate for assessment of glyphosate's carcinogenic potential in this species. These findings, along with additional information, including a reexamination of the kidney slides from the long-term mouse study, were referred to the FIFRA Scientific Advisory Panel (SAP). In its report dated February 24, 1986, SAP classified glyphosate as a Group D Carcinogen (inadequate animal evidence of carcinogenic potential). SAP concluded that, after adjusting for the greater survival in the high-dose mice compared to concurrent controls, that no statistically significant pairwise differences existed, although the trend was significant.

The SAP determined that the carcinogenic potential of glyphosate could not be determined from existing data and proposed that the rat and/or mouse studies be repeated in order to classify these equivocal findings. On reexamination of all information, the Agency classified glyphosate as a Group D Carcinogen and requested that the rat study be repeated and that a decision on the need for a repeat mouse study would be made upon completion of review of the rat study.

Upon receipt and review of the second rat chronic feeding/carcinogenicity study, all toxicological findings for glyphosate were referred to the Health Effects Division Carcinogenicity Peer Review Committee on June 26, 1991, for discussion and evaluation of the weight of evidence on glyphosate with particular emphasis on its carcinogenic potential. The Peer Review Committee classified glyphosate as a Group E (evidence of noncarcinogenicity for humans), based upon lack of convincing carcinogenicity evidence in adequate studies in two animal species. This classification is based on the following findings: (1) None of the types of tumors observed in the studies (pancreatic islet cell adenomas in male rat, thyroid c-cell adenomas and/or carcinomas in male and female rats, hepatocellular adenomas and carcinomas in male rats, and renal tubular neoplasms in male mice) were determined to be compound related; (2) glyphosate was tested up to the limit dose on the rat and up to levels higher than the limit dose in mice; and

(3) there is no evidence of genotoxicity for glyphosate. Accordingly, EPA concludes that glyphosate has not been "found to induce cancer when ingested by man or animal." 21 U.S.C. 348(c)(3).

The nature of the residue in plants is adequately understood, adequate methodology (HPLC) with flurometric detection is available for enforcement purposes, and the methodology has been published in the *Pesticide Analytical Manual* (PAM), Vol. II. Any secondary residues occurring in liver of cattle, goats, horses, hogs, and sheep and liver and kidney of poultry will be covered by existing tolerances. Any secondary residues occurring in kidney of cattle, goats, hogs, horses, and sheep will be covered by the 4.0 ppm tolerances being established concurrently.

The pesticide is considered useful for the purpose for which the regulation is sought and is capable of achieving the intended physical or technical effect.

Based on the information cited above, the Agency has determined that the establishment of tolerances by amending 40 CFR part 180 will protect the public health, and the establishment of feed additive regulations by amending 40 CFR part 186 will be safe. Therefore, EPA is establishing the tolerances and feed additive regulations 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 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 the hearing is requested, the requestor's contentions on each such issue, 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 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.

A record has been established for this rulemaking under docket number [PP 6F3408, 4F4312, 4F4338, 4F4369, FAP 4H5701, 4H5705/R2204] (including 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.

Written objections and hearing requests, identified by the document control number [PP 6F3804, 4F4312, 4F4338, 4F4369, FAP 4h5701, 4H5705/R2204] may be submitted to the Hearing Clerk (1900), Environmental Protection Agency, Rm 3708, 401 M St SW., Washington, DC 20460. A copy of electronic objections and hearing requests filed with the Hearing Clerk can be sent directly to EPA at: opp-Docket@epamail.epa.gov

A copy of electronic objections and hearing requests filed with the Hearing Clerk 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 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 objections and hearing requests 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 obligation 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 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

40 CFR Part 180

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

40 CFR Part 186

Environmental protection, Animal feeds, Feed additives.

Dated: March 22, 1996.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

Therefore, chapter I of title 40 of the Code of Federal Regulations is amended as follows:

PART 180—[AMENDED]

1. In part 180:

a. The authority citation for part 180 continues to read as follows: Authority: 21 U.S.C. 346a and 371.

b. In § 180.364, the table in paragraph (a) is amended by removing the entries for citrus, fruits at 0.2 ppm; soybean, straw at 200 ppm; soybeans at 20 ppm; soybeans, forage at 15 ppm; and soybeans, hay at 15 ppm; by revising the entries in the table to paragraph (b) for cattle, kidney; goats, kidney; hogs,

kidney; horses, kidney; and sheep, kidney; and in paragraph (d) by adding alphabetically the raw agricultural commodities alfalfa, forage; alfalfa, hay; citrus fruits; soybeans; soybeans, grain; soybeans, forage; soybeans, hay; soybeans, aspirated grain fractions; and sunflower seed, to read as follows:

§ 180.364 Glyphosate; tolerances for residues.

* * * * *

(b) * * *

Table with 2 columns: Commodity, Parts per million. Rows include Cattle, kidney (4.0), Goats, kidney (4.0), Hogs, kidney (4.0), Horses, kidney (4.0), Sheep, kidney (4.0).

* * * * *

(d) * * *

Table with 2 columns: Commodity, Parts per million. Rows include Alfalfa, forage (75.0), Alfalfa, hay (200.0), Citrus, fruits (0.5), Soybeans (20.0), Soybeans, grain (20.0), Soybeans, aspirated grain fractions (50.0), Soybeans, forage (100.0), Soybeans, hay (200.0), Sunflower seed (0.1).

2. In part 186:

PART 186—[AMENDED]

a. The authority citation for part 186 continues to read as follows: Authority: 21 U.S.C. 348.

b. In § 186.3500 by removing from the table in paragraph (a) the entries for citrus pulp, dried and soybean, hulls, and by adding new paragraph (b), to read as follows:

§ 186.3500 Glyphosate.

* * * * *

(b) A feed additive regulation is established permitting residues of glyphosate (N-(phosphonomethyl)glycine) in or on the following feed commodities.

Table with 2 columns: Commodity, Parts per million. Rows include Citrus pulp, dried (1.5), Soybean, hulls (100.0).

[FR Doc. 96-8142 Filed 4-4-96; 8:45 am]

BILLING CODE 6560-50-F

OFFICE OF PERSONNEL MANAGEMENT

48 CFR Parts 1604 and 1652

RIN 3206-AG30

Federal Employees Health Benefits Acquisition Regulation; Filing Health Benefit Claims; Addition of Contract Clause

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing final regulations to add a new contract clause in part 1652 of the Federal Employees Health Benefits Acquisition Regulation (FEHBAR). The clause clarifies for both FEHB carriers and covered individuals the circumstances under which OPM may render a decision regarding a covered individual who asks OPM to review a health benefits plan's denial of a claim if the plan has either affirmed its denial when the covered individual requested reconsideration, or failed to respond to the covered individual's request for reconsideration as provided by OPM's regulations. The clause further clarifies the circumstances under which claimants may seek court review of benefit denials under the FEHB Program. The purpose of these final regulations is to specify that covered individuals who wish to bring legal action regarding a denial of an FEHB benefit must pursue such claim against OPM. Further, the regulations clarify the administrative review process that must precede legal action in the courts.

EFFECTIVE DATE: May 6, 1996.

FOR FURTHER INFORMATION CONTACT: Margaret Sears, (202) 606-0004.

SUPPLEMENTARY INFORMATION: On March 29, 1995, OPM published interim regulations in the Federal Register (60 FR 16056) that require individuals who want to bring suit concerning the denial of their health benefits claims to bring