

matters that significantly or uniquely affect their communities.”

Today’s rule does not significantly or uniquely affect the communities of Indian tribal governments. This action does not involve or impose any requirements that affect Indian tribes. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

IX. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the Agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the United States prior to publication of the rule in the **Federal Register**. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

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 11, 1999.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I 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. Section 180.510 is revised to read as follows:

§ 180.510 Pyriproxyfen; tolerances for residues.

(a) *General.* Tolerances are established for combined residues of the insecticide pyriproxyfen in or on the following agricultural commodities:

Commodity	Parts per million
Cotton, gin byproducts	2.0
Cottonseed	0.05

(b) *Section 18 emergency exemptions.* Time-limited tolerances are established

for the residues of the insect growth regulator pyriproxyfen, in connection with the use of the pesticide under section 18 emergency exemptions granted by EPA. The tolerances will expire on the dates specified in the following table.

Commodity	Parts per million	Expiration/revocation date
Almond hulls	2.0	4/30/02
Almond nutmeats	0.02	4/30/02
Citrus fruit	0.3	7/31/99
Citrus juice	1.0	7/31/99
Citrus oil	300	7/31/99
Citrus pulp, dried	1.0	7/31/99
Pears	0.2	7/31/99
Stone fruits (Crop Group 12)	0.1	8/31/00
Tomatoes	0.1	7/31/99

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

§ 180.534 [Removed]

3. Section 180.534 is removed.

[FR Doc. 99-4832 Filed 3-2-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-300767A; FRL-6049-2]

Dicamba (3,6-dichloro-*o*-anisic acid); Pesticide Tolerance, Technical Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule, correction.

SUMMARY: This document makes a technical correction to the dicamba pesticide tolerance regulations that established, revised and revoked tolerances for use of the combined residues of dicamba on various raw agricultural commodities.

DATES: This technical correction is effective on March 3, 1999.

FOR FURTHER INFORMATION CONTACT: By mail: Joanne I. Miller, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 305-6224, e-mail: miller.joanne@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of November 20, 1998 (63 FR 64481)(FRL-6043-9), EPA issued a notice pursuant to section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e) announcing the filing of pesticide petitions (PP 6F4604, 4F3041 and FAP 4H5428) for tolerances by BASF Corporation. This notice included a summary of the petitions prepared by BASF. There were no comments received in response to the notice of filing.

In the **Federal Register** of January 6, 1999 (64 FR 759)(FRL-6049-2) EPA issued a rule amending 40 CFR 180.227 by establishing, revising and revoking tolerances for combined residues of the herbicide dicamba (3,6-dichloro-*o*-anisic acid) and its metabolites 3,6-dichloro-5-hydroxy-*o*-anisic acid and 3,6-dichloro-2-hydroxybenzoic acid.

II. Why is this Technical Correction Issued as a Final Rule?

EPA is publishing this action as a final rule without prior notice and comment because the Agency believes that providing notice and comment is unnecessary and would be contrary to the public interest. As explained in Unit II of this preamble, the corrections contained in this action will correct errors in the preamble and the amendatory instructions to a previously published Final rule. EPA finds that there is “good cause” under section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)(3)(B)) to make this amendment without prior notice and comment.

III. Do Any of the Regulatory Assessment Requirements Apply to this Action?

No. This final rule does not impose any new requirements. It only implements a technical correction to the Code of Federal Regulations (CFR). As such, this action does not require review by the Office of Management and Budget (OMB) under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993), the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This action does not impose any enforceable duty, contain any unfunded mandate, or impose any significant or unique impact on small governments as described in the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4). Nor does it require prior

consultation with State, local, and tribal government officials as specified by Executive Order 12875, entitled *Enhancing the Intergovernmental Partnership* (58 FR 58093, October 28, 1993) and Executive Order 13084, entitled *Consultation and Coordination with Indian Tribal Governments* (63 FR 27655, May 19, 1998), or special consideration of environmental justice related issues under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Pub. L. 104-113, section 12(d) (15 U.S.C. 272 note). In addition, since this action is not subject to notice-and-comment requirements under the Administrative Procedure Act (APA) or any other statute, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*).

IV. Will EPA Submit this Final Rule to Congress and the Comptroller General?

Yes. The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This determination must be supported by a brief statement. 5 U.S.C. 808(2). EPA has made such a good cause finding for this final rule, and established an effective date of March 3, 1999. Pursuant to 5

U.S.C 808(2), this determination is supported by the brief statement in Unit III of this document. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

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

This technical amendment corrects an error in the preamble to the rule, the amendatory language instruction, and reformats one of the entries in the table to § 180.227 in the January 6, 1999 (FR doc. 99-109), decamba tolerance amendments. The corrections are:

1. On page 759, in the third column, the first full paragraph from the top of the page is corrected to read as follows: "These petitions requested that 40 CFR 180.227 be amended by establishing, revising and revoking tolerances for combined residues of the herbicide dicamba (3,6-dichloro-*o*-anisic acid) and its metabolites 3,6-dichloro-5-hydroxy-*o*-anisic acid and 3,6-dichloro-2-hydroxybenzoic acid in or on the commodities listed in the summary of this Final Rule."

2. On page 769, in the first column, in instruction 3., amendatory language item "i." is revised to read as follows:

"i. In newly designated paragraph (a)(1), by revising the entries for the following commodities: barley, grain; barley, straw; wheat, grain; and wheat, straw; by adding alphabetically entries for barley, hay; corn, field, forage; corn, field, stover; corn, pop stover; cottonseed; cottonseed, meal; crop group 17 (grass, forage, fodder and hay); grass, forage; grass, hay; oat, forage; oats, hay; wheat, forage; and wheat, hay; and

by removing the entries for asparagus; grasses, hay; grasses, pasture; and grasses, rangeland".

3. In the second column, § 180.227, the table to paragraph (a)(1) is amended to correct the entry for "Crop group 17 (grass, forage, fodder and hay); grass, forage; and grass, hay".

Commodity	Parts per million
* * *	* *
Crop Group 17 (grass, forage, fodder and hay):	
Grass, forage	125.0
Grass, hay	200.0
* * *	* *

Dated: February 19, 1999.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 99-5103 Filed 3-2-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

49 CFR Parts 1000 to 1199

Title 49 CFR Parts 1000 to 1199; Republication

CFR Correction

Title 49 CFR parts 1000 to 1199, revised as of October 1, 1998, is being republished. The earlier issuance contained incorrect text on page 265. As corrected, page 265 should include the last two lines of § 1180.1(f) and paragraphs (g) and (h). Also omitted was § 1180.2 introductory text and paragraphs (a) through (d)(2).

[FR Doc. 99-55509 Filed 2-2-99; 8:45 am]

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