

Registration Division at the address provided above.

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

The data submitted 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 tolerance will protect the public health. Therefore, the 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: April 13, 1995.

**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 § 180.222, paragraph (b) is amended in the table therein by adding and alphabetically inserting a new entry, to read as follows:

**§ 180.222 Prometryn; tolerances for residues.**

Commodity	Parts per million
* * * * *	
Parsley .....	0.1

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Part 501**

**Organization and Delegation of Powers and Duties**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This document amends the organization and delegation of powers and duties within NHTSA to delegate to the Chief Counsel the authority to compromise civil penalties in an amount of \$25,000 or less for violations of the former National Traffic and Motor Vehicle Safety Act and the former Motor Vehicle Information and Cost Savings Act. The Chief Counsel had previously been delegated the authority to compromise such penalties for \$10,000 or less.

**EFFECTIVE DATE:** April 26, 1995.

**FOR FURTHER INFORMATION CONTACT:** Taylor Vinson, Office of Chief Counsel, NHTSA, 400 Seventh Street SW., Washington, DC 20590 (202-366-5263).

**SUPPLEMENTARY INFORMATION:** The Administrator and Chief Counsel of NHTSA have reviewed the agency's existing policy and procedures for processing civil penalty proceedings arising out of apparent violations of 49 U.S.C. Chapter 301, "Motor Vehicle Safety" (formerly the National Traffic and Motor Vehicle Safety Act), and have decided that the delegated authority of the Chief Counsel to compromise civil penalties for \$10,000 or less should be increased to \$25,000. Experience has shown that it is neither necessary nor appropriate to involve the Administrator in relatively minor matters that have historically been resolved for less than \$25,000.

Under 49 CFR 501.8(d)(2), the Chief Counsel has also been delegated compromise authority with respect to violations of "the Motor Vehicle Information and Cost Savings Act, as amended (15 U.S.C. 1901 *et seq.*)." That statute has been recodified as 49 U.S.C. Chapters 305, 321, 323, 325, 327, 329, and 331.

Accordingly, the delegation authority to the Chief Counsel is also being amended to reflect the new recodification. Amendments of other sections of 49 CFR part 501 reflecting the recodification will be made at a later date.

**Effective Date**

The amendments to part 501 relate solely to internal administrative procedures and have no substantive effect. Thus, they are not covered by the notice and comment or the effective date provisions of the Administrative Procedure Act. In addition, they are not covered by Executive Order 12866 or DOT's Regulatory Policies and Procedures. Notice and the opportunity for comment are, therefore, not required, and the amendments may be made effective upon publication in the **Federal Register**.

**List of Subjects in 49 CFR Part 501**

Administrative practice and procedure, Motor vehicles, Motor vehicle safety.

**PART 501—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES**

In consideration of the foregoing, 49 CFR part 501 is amended as follows:

1. The authority citation for part 501 continues to read as follows:

**Authority:** 49 U.S.C. 105, 322; delegation of authority at 49 CFR 1.50.

2. Section 501.8 is amended by revising paragraph (d)(2) to read as follows:

**§ 501.8 Delegations.**

\* \* \* \* \*

(d) *Chief counsel.* \* \* \*

(2) Establish the legal sufficiency of all investigations conducted under the authority of 49 U.S.C. Chapters 301, 305, 321, 323, 325, 327, 329, and 331, and to compromise any civil penalty or monetary settlement in an amount of \$25,000 or less resulting from a violation of those Chapters.

Issued on: April 20, 1995.

**Ricardo Martinez,**  
*Administrator.*

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