

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).

A record has been established for this rulemaking under docket number [PP 1F4026/R2147] (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 1F4026/R2147], 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

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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 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: June 23, 1995.

Daniel M. Barolo,

Director, 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 § 180.436, by designating the existing text as paragraph (a) and adding new paragraph (b), to read as follows:

§ 180.436 Cyfluthrin; tolerances for residues.

(a) * * *

(b) Time-limited tolerances are established for residues of the insecticide cyfluthrin (cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate; CAS Reg. No 68359-37-5) in or on the following raw agricultural commodities:

Commodity	Parts per million	Expiration date
Corn, forage and fodder, field, pop, and sweet	0.01	July 5, 1999
Corn, grain, field and pop	0.01	Do.
Corn, sweet (K+CWHR)	0.01	Do.

[FR Doc. 95-16426 Filed 7-3-95; 8:45 am]
BILLING CODE 6560-50-F

40 CFR Parts 180, 185, and 186

[PP 1F3992, 2F4109, 2F4114, 7F3488, 7F3560, 9F3770, FAP 7H3560 and 7H5543/R2143; FRL-4960-6]

RIN 2070-AB78

Lambda Cyhalothrin; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes time-limited tolerances with an expiration date of November 15, 1997, for residues of the synthetic pyrethroid lambda-cyhalothrin in or on the raw agricultural commodities (RACs) soybeans; wheat, forage, hay, straw, and grain dust; sweet corn; sunflower, seeds and forage; sorghum grain and dust; corn (grain, field and pop); corn fodder and forage; peanuts; meat, fat, and meat byproducts (mby) and eggs of poultry

and increased tolerances in milk, fat, and meat and mbyop of cattle, goats, hogs, horses, and sheep; and in or on the processed food/feed items corn grain flour, sunflower hulls, sunflower oil, and wheat bran. Zeneca Ag Products, Inc., and Coopers Animal Health, Inc., submitted petitions to EPA requesting these regulations pursuant to the Federal Food, Drug and Cosmetic Act (FFDCA).

EFFECTIVE DATE: This regulation becomes effective July 5, 1995.

ADDRESSES: Written objections and hearing requests, identified by the document control number, [PP 1F3992, 2F4109, 2F4114, 7F3488, 7F3560, 9F3770, FAP 7H3560, and 7H5543/R2143], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests 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 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.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@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 1F3992, 2F4109, 2F4114, 7F3488, 7F3560, 9F3770, FAP 7H3560, and 7H5543/R2143]. 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 submissions can be found below in this document.

FOR FURTHER INFORMATION CONTACT: By mail: George T. LaRocca, Product

Manager (PM) 13, Registration Division (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Second Floor, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-6100; e-mail: larocca.george.epamail.epa.gov.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of April 28, 1995 (60 FR 20946), EPA issued a proposed rule that gave notice of a proposed amendment to 40 CFR parts 180, 185, and 186 to establish various time-limited tolerances and food/feed additive regulations, to expire on November 15, 1997, for residues of the pyrethroid lambda-cyhalothrin. The proposal was issued pursuant to petitions submitted to EPA under the Federal Food, Drug and Cosmetic Act (21 U.S.C. 346a(d) and 348(e)) by Zeneca, Inc. (formerly ICI Americas, Inc.), 1800 Concord Pike, Wilmington DE 19897 (PP 7F3488, 7F3560, 1F3992, 2F4109, 2F4114, 7H3560, and 7H5543) and by Coopers Animal Health, Inc., P.O. Box 419167, Kansas City, MO 64141-0167 (PP 9F3770).

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 time-limited tolerances and food/feed additive regulations will protect the public health. Therefore, the tolerances and food/feed additive regulations 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 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).

A record has been established for this rulemaking under docket number [PP 1F3992, 2F4109, 2F4114, 7F3488, 7F3560, 9F3770, FAP 7H3560, and 7H5543/R2143] (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.

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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: June 5, 1995.

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. By amending § 180.438, by revising the table therein, to read as follows:

§ 180.438 Lambda-cyhalothrin; tolerance for residues.

Commodity	Parts per million
Broccoli	0.4
Cabbage	0.4
Cattle, fat	3.0
Cattle, meat	0.2
Cattle, mbyc	0.2
Corn, grain (field and pop)	0.05
Corn, fodder	1.0
Corn, forage	6.0
Corn, sweet (K + kwhr)	0.05
Cottonseed	0.05
Dry bulb onion	0.1
Eggs	0.01
Garlic	0.02
Goats, fat	3.0
Goats, meat	0.2
Goats, mbyc	0.2
Hogs, fat	3.0
Hogs, meat	0.2
Hogs, mbyc	0.2
Horses, fat	3.0
Horses, meat	0.2
Horses, mbyc	0.2
Lettuce, head	2.0
Milk, fat (reflecting 0.2 ppm in whole milk)	5.0
Peanuts	0.05
Peanut, hulls	0.05
Poultry, fat	0.01
Poultry, meat	0.01
Poultry, mbyc	0.01
Sheep, fat	3.0
Sheep, meat	0.2
Sheep, mbyc	0.2
Soybeans	0.01
Sorghum, grain	0.2
Sorghum, grain dust	1.5
Sunflower, seeds	0.2
Sunflower, forage	0.20
Tomatoes	0.1
Wheat, grain	0.05
Wheat, forage	2.0
Wheat, hay	2.0
Wheat, straw	2.0
Wheat, grain dust	2.0

PART 185—[AMENDED]

- 2. In part 185
 - a. The authority citation for part 185 continues to read as follows:

Authority: 21 U.S.C. 346a and 348.
 b. By redesignating § 185.1310 as § 185.3765, by revising the heading, and by adding new paragraph (c), to read as follows:

§ 185.3765 Lambda-cyhalothrin.

* * * * *

(c) A tolerance, to expire on November 15, 1997, is established for the combined residues of the insecticide

lambda-cyhalothrin and its epimer expressed as lambda-cyhalothrin, a 1:1 mixture of (S)-α-cyano-3-phenoxybenzyl-(Z)-(1R,3R)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and (R)-α-cyano-3-phenoxybenzyl-(Z)-(1S,3S)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and its epimer of lambda-cyhalothrin, a 1:1 mixture of (S)-α-cyano-3-phenoxybenzyl-(Z)-(1S,3S)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and (R)-α-cyano-3-phenoxybenzyl-(Z)-(1R,3R)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate in or on the following food commodities:

Food	Parts per million
Corn, grain flour	0.15
Sunflower, oil	0.30
Wheat, bran	0.2

PART 186—[AMENDED]

- 3. In part 186
 - a. The authority citation for part 186 continues to read as follows:

Authority: 21 U.S.C. 348
 b. By revising § 186.3765, to read as follows:

§ 186.3765 Lambda-cyhalothrin.

A tolerance, to expire on November 15, 1997, is established for the combined residues of the insecticide lambda-cyhalothrin and its epimer expressed as lambda-cyhalothrin, a 1:1 mixture of (S)-α-cyano-3-phenoxybenzyl-(Z)-(1R,3R)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and (R)-α-cyano-3-phenoxybenzyl-(Z)-(1S,3S)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and its epimer of lambda-cyhalothrin, a 1:1 mixture of (S)-α-cyano-3-phenoxybenzyl-(Z)-(1S,3S)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate and (R)-α-cyano-3-phenoxybenzyl-(Z)-(1R,3R)-3-(2-chloro-3,3,3-trifluoroprop-1-enyl)-2,2-dimethylcyclopropanecarboxylate in or on the following feed commodities:

Food	Parts per million
Sunflower, hulls	0.50
Tomato pomace (dry or wet)	6.0
Wheat, bran	0.2

[FR Doc. 95-16433 Filed 7-3-95; 8:45 am]
BILLING CODE 6560-50-F

40 CFR Part 281

[FRL-5253-6]

Connecticut; Final Approval of State Underground Storage Tank Program

AGENCY: Environmental Protection Agency.

ACTION: Notice of final determination on the State of Connecticut's application for final approval.

SUMMARY: The State of Connecticut has applied for final approval of its Underground Storage Tank (UST) Program under Subtitle I of the Resource Conservation and Recovery Act. The Environmental Protection Agency (EPA) has reviewed Connecticut's application and has reached a final determination that Connecticut's UST program satisfies all the requirements necessary to qualify for final EPA approval. Thus, EPA is granting final approval to the State of Connecticut to operate its program in lieu of the Federal UST program.

EFFECTIVE DATE: Final approval for the State of Connecticut shall be effective at 1:00 p.m. on August 4, 1995.

FOR FURTHER INFORMATION CONTACT: Jonathan Walker, Office of Underground Storage Tanks, HPU-CAN7, U.S. EPA, Region I, JFK Federal Building, Boston, MA 02203, (617) 573-9602.

SUPPLEMENTARY INFORMATION:

A. Background

Section 9004 of the Resource Conservation and Recovery Act (RCRA) enables EPA to approve state underground storage tank programs to operate in a state in lieu of the Federal underground storage tank program. To qualify for final authorization, a state's program must: (1) be "no less stringent" than the Federal program, and (2) provide for adequate enforcement. Section 9004 (a) and (b) of RCRA, 42 U.S.C. 6991c (a) and (b).

On January 19, 1995, as required by 40 CFR 281.50(c), EPA acknowledged receiving from the State of Connecticut a complete official application requesting final approval to administer its underground storage tank program. On May 19, 1995, EPA published a tentative decision announcing its intent to grant Connecticut final approval of its program. See 60 FR 26859 (1995). Further background on EPA's tentative decision to grant approval is included in that decision.

Along with the tentative determination, EPA announced the

availability of the application for public comment and the date of a public hearing on the application. EPA requested advance notice for testimony and reserved the right to cancel for lack of public interest. Since there was no public interest, the public hearing was canceled. No public comments were received regarding EPA's approval of Connecticut's underground storage tank program.

B. Decision

I conclude that the State of Connecticut's application for final approval meets all of the statutory and regulatory requirements established by Subtitle I of RCRA. Accordingly, the State of Connecticut is granted final approval to operate its underground storage tank program in lieu of the federal program. The State of Connecticut now has the responsibility for managing all regulated underground storage tank facilities within its borders and carrying out all aspects of the Federal underground storage tank program, except with regard to Indian lands, where EPA will continue to have regulatory authority. The State of Connecticut also has primary enforcement responsibility, although EPA retains the right to conduct inspections under Section 9005 of RCRA, 42 U.S.C. 6991d, and to take enforcement actions under Section 9006 of RCRA, 42 U.S.C. 6991e. EPA will continue to work together with the Connecticut Department of Environmental Protection (DEP) in its ongoing commitment and efforts to address environmental justice concerns in low-income urban and minority neighborhoods in the State.

Compliance With Executive Order 12866

The Office of Management and Budget has exempted this rule from the requirements of Section 6 of Executive Order 12866.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that the approval will not have a significant economic impact on a substantial number of small entities. This approval effectively suspends the applicability of certain federal regulations in favor of the State of Connecticut's program, thereby eliminating duplicative requirements for owners and operators of underground storage tanks within the State. It does not impose any new burdens on small entities. This rule, therefore, does not require flexibility analysis.

List of Subjects in 40 CFR Part 281

Environmental protection, Hazardous substances, Intergovernmental relations, State program approval, Underground storage tanks, Water pollution control.

Dated: June 27, 1995.

John P. DeVillars,

Regional Administrator.

[FR Doc. 95-16417 Filed 7-3-95; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Parts 712 and 716

[OPPTS-82046; FRL-4954-9]

Preliminary Assessment Information and Health and Safety Data Reporting; Addition of Chemicals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Interagency Testing Committee (ITC) in its 35th Report to EPA revised the Toxic Substances Control Act (TSCA) Section 4(e) Priority List by designating for testing 25 chemical substances. The ITC recommendations must be given priority consideration by EPA in promulgating test rules. EPA is adding certain of these chemical substances to two model information-gathering rules: the TSCA Section 8(a) Preliminary Assessment Information Rule (PAIR) and the TSCA Section 8(d) Health and Safety Data Reporting Rule. These model rules will require manufacturers and importers of the substances identified herein to report certain production, use and exposure-related information, and manufacturers, importers, and processors of the listed substances to report unpublished health and safety data to EPA.

DATES: This rule will become effective on August 4, 1995.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, TSCA Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. E-543, Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551.

SUPPLEMENTARY INFORMATION: This rule adds 24 chemical substances to the PAIR and 12 chemical substances to the section 8(d) Health and Safety Data Reporting Rule. Manufacturers, importers, and processors of these chemicals will be required to report unpublished health and safety data, and manufacturers and importers will be required to report end use, exposure, and production volume data to EPA.