

preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The Clean Air Act forbids USEPA to base its actions concerning SIPS on such grounds. *Union Electric Co. v. USEPA*, 427 U.S. 246, 256–66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

Under Section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by March 20, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Reporting and recordkeeping requirements, Sulfur oxides.

Note.—Incorporation by reference of the State Implementation Plan for the State of Minnesota was approved by the Director of the Federal Register on July 1, 1982.

Dated: December 16, 1994.

Valdas V. Adamkus,
Regional Administrator.

Title 40 of the Code of Federal Regulations, chapter I, part 52, is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. Section 52.1220 is amended by adding paragraph (c)(38) to read as follows:

§ 52.1220 Identification of plan.

* * * * *

(c) * * *

(38) On December 22, 1992 and September 30, 1994, the State of Minnesota submitted revisions to its State Implementation Plans (SIPs) for sulfur dioxide for the St. Paul Park area of Air Quality Control Region (AQCR) 131.

(i) Incorporation by reference.

(A) For Ashland Petroleum Company, located in St. Paul Park, Minnesota:

(1) An administrative order, dated and effective December 15, 1992, submitted December 22, 1992.

(2) Amendment One to the administrative order, dated and effective September 30, 1994, submitted September 30, 1994.

(ii) Additional material.

(A) A letter from Charles Williams to Valdas Adamkus dated December 22, 1992, with enclosures providing technical support (e.g., computer modeling) for the revision to the administrative order for Ashland Petroleum Company.

(B) A letter from Charles Williams to Valdas Adamkus dated September 30, 1994, with enclosures, submitting Amendment One to the administrative order for Ashland Petroleum Company.

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[FR Doc. 95–1083 Filed 1–17–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 180

[PP 2E4057/R2099; FRL–4929–9]

RIN 2070–AB78

Pesticide Tolerance for Glufosinate Ammonium

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes a time-limited tolerance for combined residues of the herbicide glufosinate ammonium, monoammonium 2-amino-4-(hydroxymethylphosphinyl)butanoate, and its metabolite, 3-methylphosphinicopropionic acid expressed as 2-amino-4-(hydroxymethylphosphinyl)butanoic acid equivalents, in or on the imported raw agricultural commodity bananas at 0.3 part per million. (Not more than 0.2 ppm shall be present in the pulp after the peel is removed.) Hoechst Celanese Corp. (now AgrEVO Corp.) petitioned for this regulation to establish a maximum permissible level for combined residues of the herbicide.

EFFECTIVE DATE: This regulation becomes effective January 18, 1995.

ADDRESSES: Written objections, identified by the document control number, [PP 2E4057/R2099], 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.

FOR FURTHER INFORMATION CONTACT: By mail: Joanne I. Miller, Product Manager (PM) 23, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 237, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703) 305–7830.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of November 14, 1994 (59 FR 56452), EPA issued a proposed rule that gave notice that the AgrEVO Corp., Little Falls Center One, 2711 Centerville Rd., Wilmington, DE 19808, had submitted pesticide petition (PP) 2E4057 to EPA. The petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), establish a tolerance for combined residues of the herbicide glufosinate ammonium (monoammonium 2-amino-4-(hydroxymethylphosphinyl) butanoate) and its metabolite, 3-methylphosphinicopropionic acid, in or on the imported raw agricultural commodity bananas at 0.2 ppm. The petition was subsequently amended to raise the tolerance level to 0.3 ppm.

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

The data submitted on 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 tolerance will protect the public health. Therefore, the time-limited 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