in paper form. Accordingly, EPA will transfer any objection 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: July 27, 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 § 180.443, by amending paragraphs (a), (b), and (c) by revising the tables therein, to read as follows:

§ 180.443 Myclobutanil; tolerances for residues,

(a) * * *

Commodity	Parts per million
Almond hulls	2.0
Almond nutmeat	0.1
Apples	0.5
Cherries (sweet and sour)	5.0
Cotton seed	0.02
Grapes	1.0
Stone fruits (except cherries)	2.0
(b) * * *	

Commodity	Parts per million
Milk	0.2
(c) * * *	

Posts and		
Commodity	Parts per million	
Cattle fot	0.05	
Cattle, fat Cattle, liver	1.0	
Cattle, meat	0.1	
Cattle, mbyp (except liver)	0.1	
Eggs	0.02	
Goats, fat	0.05	
Goats, liver	1.0	
Goats, meat	0.1	
Goats, mbyp (except liver)	0.2	
Hogs, fat	0.05	
Hogs, liver	1.0	
Hogs, meat	0.1	
Hogs, mbyp (except liver)	0.2	
Horses, fat	0.05	
Horses, liver	1.0	
Horses, meat	0.1	
Horses, mbyp (except liver)	0.2	
Poultry, fat	0.02	
Poultry, meat	0.02	
Poultry, mbyp	0.02	
Sheep, fat	0.05	
Sheep, liver	1.0	
Sheep, meat	0.1	
Sheep, mbyp (except liver)	0.2	

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40 CFR Parts 180 and 185

[OPP-300391A; FRL-4967-5]

RIN 2070-AB78

Clethodim; Pesticide Tolerance and Food Additive Regulation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is establishing an import tolerance and a food additive regulation, respectively, for residues of the herbicide clethodim ((E)-(\pm)-2-[1-[[(3chloro-2-propenyl)oxy[imino]propyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2cyclohexen-1-one) and its metabolites containing the 2-cyclohexen-1-one moiety in or on the raw agricultural commodity potatoes and the food additive commodities potato flakes and granules. EPA is issuing this rule on its own initiative pursuant to a project to harmonize certain tolerances and food additive regulations with those established by the Canadian government.

EFFECTIVE DATE: This regulation becomes effective August 9, 1995.

ADDRESSES: Written objections and hearing requests, identified by the document control number, [OPP-300391A], 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: 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