or eggs from this tolerance. Based on the data and information submitted above, the Agency has determined that the establishment of tolerances by amending 40 CFR part 180 will protect the public health. Therefore, EPA is establishing the tolerance as described below.

Any person adversely affected by this regulation may, within 30 days after the date of publication in the **Federal** Register, file written objections with the Hearing Clerk, Environmental Protection Agency, 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 obctions submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objection. 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 sue(s) on which a hearing is requested, the requestor's intentions on each issue, and a summary of any evidence relied upon by the objector. 40 CFR 178.27. A request for hearing will be granted if the Administrator determines at 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 aims 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 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 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 small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46

List of Subjects in 40 CFR Part 180

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

Dated: January 9, 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 § 180.447, paragraph (b) is amended by revising the table therein, to read as follows:

§ 180.447 Imazethapyr, ammonium salt; tolerances for residues.

* * * * * * (b) * * *

Commodity	Parts per million
Alfalfa, forage	3.0
Alfalfa, hay	3.0
Peanuts	0.1
Peanuts, hulls	0.1

[FR Doc. 95–1498 Filed 1–19–95; 8:45 am]

40 CFR Part 180

[PP 1F3991/R2102; FRL-4931-1] RIN 2070-AB78

Pesticide Tolerances for Triclopyr

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a tolerance for residues of the herbicide triclopyr [(3,5,6-trichloro-2pyridinyl)oxyacetic acid) and its metabolites 3,5,6-trichloro-2-pyridinol and 2-methoxy-3,5,6-trichloropyridine in or on the raw agricultural commodities (RACs) rice grain at 0.3 part per million (ppm) and rice straw at 10.0 ppm, and for triclopyr in poultry meat, poultry fat, and meat byproducts (except kidney) at 0.1 ppm, and eggs at 0.05 ppm. DowElanco requested this regulation that establishes the maximum permissible level for residues of the herbicide in or on the commodities.

EFFECTIVE DATE: This regulation

becomes effective January 20, 1995. ADDRESSES: Written objections and hearing requests, identified by the document control number, [PP 1F3991/ R2102], 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 request 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 request 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

FOR FURTHER INFORMATION CONTACT: By mail: Robert J. Taylor, Product Manager (PM) 25, Registration Division (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 245, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703) 305–6800.

36277M, Pittsburgh, PA 15251.

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the **Federal Register** of December 13, 1991 (56 FR 65080), which announced that DowElanco, 9330 Zionsville Rd.,