

# Unfunded Mandates Reform Act of 1995

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate, or to the private sector, of \$100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated today does not include a Federal mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

## List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon Monoxide, Hydrocarbons, Incorporation by Reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and Recordkeeping requirements, Sulfur oxides.

Dated: September 20, 1995.

Patrick M. Tobin,

Acting Regional Administrator.

Part 52 of chapter I, title 40, *Code of Federal Regulations*, is amended as follows:

## PART 52—[AMENDED]

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

Authority: 42 U.S.C. 7401–7671q.

## Subpart PP—South Carolina

2. Section 52.2120 is amended by adding paragraph (c)(40) to read as follows:

### § 52.2120 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(40) The minor source operating permit program for South Carolina, submitted by the Department of Health and Environmental Control on July 12, 1995, and as part of the South Carolina SIP.

(i) Incorporation by reference.

(A) Regulation 61–62.1, Section I.3, 13, 19, 50, 72, and 73, Section II.F.2, Section II.F.2.e, Section II.G, and Section II.H of the South Carolina SIP which became effective on June 23, 1995.

(ii) Other material. None.

[FR Doc. 95–30110 Filed 12–8–95; 8:45 am]

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## 40 CFR Part 180

[OPP–300406; FRL–4989–6]

RIN 2070–AB78

## Carbofuran; Tolerance Extension for Canola

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

**SUMMARY:** This rule extends a time-limited tolerance for residues of the insecticide 2,3-dihydro-2,2-dimethyl-7-benzofuranyl-N-methylcarbamate (common name "carbofuran") and its metabolites in or on canola at 1.0 part per million (ppm) for an additional 1-year period, to February 22, 1998. EPA is issuing this rule on its own initiative following a request from the U.S. Canola Association to allow the use of carbofuran on canola in the 1996 growing season.

**EFFECTIVE DATE:** This regulation becomes effective December 11, 1995.

**ADDRESSES:** Written objections and hearing requests, identified by the document control number, [OPP-300406], 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 1B2, 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.

An electronic copy of objections and hearing requests filed with the Hearing Clerk may be submitted to OPP by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov

Copies of electronic objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of electronic objections and hearing requests will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All copies of electronic objections and hearing requests must be identified by the docket number [OPP-300406]. No Confidential Business Information (CBI) should be submitted through e-mail. Copies of electronic 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: Dennis H. Edwards, Jr., Product Manager (PM) 19, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 207, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-6386; e-mail: edwards.dennis@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA issued a proposed rule, published in the Federal Register of November 8, 1994 (59 FR 55605), which announced that on its own initiative and under section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), it proposed a time-limited, regionally restricted tolerance for the residues of carbofuran and its metabolites in or on canola at 1.0 ppm. EPA proposed the tolerance because canola treated with carbofuran may not be processed in the U.S. and must be exported to Canada. A 2-year time-limited tolerance was established by a rule in the Federal Register of February 22, 1995 (60 FR 9781), with an expiration date of February 22, 1997. Registrations associated with this tolerance will be regionally restricted to Idaho, Minnesota, Montana, North Dakota, and Washington.

In Federal Register of October 25, 1995 (60 FR 54685), EPA issued a notice of receipt of a request from the U.S. Canola Association asking for a 1-year extension of the canola tolerance. This extension would then allow the use of carbofuran on canola in the 1996 growing season. The use of carbofuran