regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fees provided 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, and the requestor's contentions on each such issue, and a summary of the evidence relied upon by the objection (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 on 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).

Under Executive Order 12866 (58 FR 51735, Oct. 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, Recording and recordkeeping requirements.

Dated: January 27, 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 subpart D, by adding new § 180.1142, to read as follows:

§ 180.1142 1,4-Dimethylnaphthalene; exemption from the requirement of tolerance.

An exemption from the requirement of a tolerance is established for residues of the plant growth regulator 1,4dimethylnaphthalene when applied post harvest to potatoes in accordance with good agricultural practices.

[FR Doc. 95–2821 Filed 2–7–95; 8:45 am] BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 5F3188/R2107; FRL-4933-6]

RIN 2070-AB78

Pesticide Tolerances for Paraquat

AGENCY: Environmental Protection Agency (EPA). ACTION: Final rule.

SUMMARY: This document establishes tolerances for residues of the dessicant, defoliant, and herbicide paraguat (1,1'dimethyl-4,4'-bipyridinium ion) derived from the application of either the bis(methyl sulfate) or dichloride salt (both calculated as the cation) in or on the raw agricultural commodities (RACs) rice grain and rice straw. Zeneca Agricultural Products requested the establishment of these maximum permissible residues of the herbicide. **EFFECTIVE DATE:** This regulation becomes effective February 8, 1995. ADDRESSES: Written objections, identified by the document control number, [PP 5F3188/R2107], 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: BV 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. 241, 1921 Jefferson Davis Hwy. Arlington, VA 22202, (703)-305-6027. SUPPLEMENTARY INFORMATION: In the Federal Register of December 21, 1994 (59 FR 65744), EPA issued a proposed rule that gave notice that Zeneca Agricultural Products, 1800 Concord Pike, Wilmington, DE 19897, had submitted to EPA a pesticide petition, PP 5F3188, under section 408 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 346a, to establish tolerances for the desiccant, defoliant, and herbicide paraquat (1,1-dimethyl-4,4'bipyridinium ion) derived from the application of either the bis(methyl sulfate) or dichloride salt (both calculated as the cation) in or on the raw agricultural commodities rice grain at 0.05 part per million (ppm) and rice straw at 0.06 ppm.

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

The data submitted in the petition 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 tolerances will protect the public health. Therefore, the tolerances 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