

Written objections and hearing requests, identified by the document control number [PP 4E4419/R2179], may be submitted to the Hearing Clerk (1900), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, DC 20460.

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The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer any objections 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, 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 of 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 an 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 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: January 26, 1996.
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 § 180.449, by revising paragraph (a) and by amending paragraph (b) by revising the introductory text, to read as follows:

§ 180.449 Avermectin B₁ and its delta-8,9-isomer; tolerances for residues.

(a) Tolerances, to expire on April 30, 1996, are established for the insecticide avermectin B₁ [a mixture of avermectins containing greater than or equal to 80 percent avermectin B_{1a} (5-O-demethyl avermectin A_{1a}) and less than or equal to 20 percent avermectin B_{1b} (5-O-demethyl-25-de(1-methylpropyl)-25-(1-methylethyl) avermectin A_{1a})] and its delta-8,9-isomer in or on the following commodities:

Commodity	Parts per million	Expiration date
Cattle, fat	0.015	April 30, 1996
Cattle, meat	0.02	Do.
Cattle, mbyp	0.02	Do.
Citrus, whole fruit	0.02	Do.
Cottonseed	0.005	Do.
Hops, dried	0.5	Do.
Milk	0.005	Do.

(b) A tolerance is established for the combined residues of the the insecticide avermectin B₁ [a mixture of avermectins containing greater than or equal to 80 percent avermectin B_{1a} (5-O-demethyl avermectin A_{1a}) and less than or equal to 20 percent avermectin B_{1b} (5-O-demethyl-25-de(1-methylpropyl)-25-(1-

methylethyl) avermectin A_{1a})] and its delta-8,9-isomer in or on the following commodities:

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 672

[Docket No. 960129018-6018-01; I.D. 020196A]

Groundfish of the Gulf of Alaska; Pollock in Statistical Area 63

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is prohibiting the directed fishery for pollock in Statistical Area 63 in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the first quarterly allowance of the total allowable catch (TAC) for pollock in this area.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), February 2, 1996, until 12 noon, A.l.t., June 1, 1996.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

The first quarterly allowance of pollock TAC in Statistical Area 63 is 3,420 metric tons (mt) (1996 GOA Final Specifications published February 5, 1996), determined in accordance with § 672.20(a)(2)(iv). The directed fishery for pollock in Statistical Area 63 of the GOA was closed under § 672.20(c)(2)(ii) on January 23, 1996 (61 FR 2457, January 26, 1996) and reopened on January 29, 1996 (61 FR 3606, February 1, 1996). The Director, Alaska Region, NMFS (Regional Director), has determined, in accordance with § 672.20(c)(2)(ii), that the first quarterly allowance of pollock TAC in Statistical Area 63 soon will be reached. Therefore, the Regional Director has established a

directed fishing allowance of 3,220 mt after determining that 200 mt will be taken as incidental catch in directed fishing for other species in Statistical Area 63 in the GOA. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 63.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 672.20(g).

Classification

This action is taken under 50 CFR 672.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: February 1, 1996.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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