

General Services Administration, and other organizations providing services for the Agency. The Office is responsible for the security program of the Agency which includes physical, procedural, personnel, technical, and computer security, as well as investigative and counterintelligence functions. The Office conducts liaison with national security and federal investigative agencies.

§ 601.17 Office of Congressional Affairs (CA).

The Office of Congressional Affairs (CA) is responsible for the legislative and policy implications of all arms control, nonproliferation and disarmament proposals. This includes responsibility for Congressional liaison, coordination and representation. These activities include preparation for and attendance at Congressional briefings, consultations and hearings, including the Agency's biannual authorization request and annual appropriation request. The Office also assists in the preparation for visits by Members of Congress to our negotiating fora and is responsible for all Congressional inquiries. The status of proposed and existing arms control agreements, and the inter- and intra-agency coordination of arms control, nonproliferation, and disarmament congressional matters are also included in the liaison activity. Communication between the Agency and Congressional committees, Members and their staffs, formal and informal, are designed to keep Congress informed of our arms control, nonproliferation, and disarmament efforts. This process includes obtaining insights by CA for suggestions and initiatives within ACDA.

§ 601.18 Office of Public Affairs (PA).

This office carries out the Agency's legislative mandate for the dissemination and coordination of public information concerning arms control, nonproliferation, and disarmament matters. It is responsible for all contacts with the media and prepares guidance as required on questions relating to the Agency's business. It collects, screens, and distributes information to Bureaus and Offices to keep the Agency's staff abreast of developments of interest and use in connection with carrying out their responsibilities. It also prepares publications and handles the participation at public speaking engagements by Agency officials.

Dated: October 24, 1996.
Mary Elizabeth Hoinkes,
General Counsel.
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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 4F4398/R2209A; FRL-5570-1]
RIN 2070-AB78

Dried Fermentation Solids and Solubles of *Myrothecium Verrucaria*; Exemption from the Requirement of a Tolerance on All Food Crops and Ornamentals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule

SUMMARY: EPA is amending the final rule issued on March 20, 1996 establishing an exemption from the requirement of a tolerance for dried fermentation solids and solubles of *myrothecium verrucaria* on all food crops and ornamental.

DATES: The effective date of this amendment is November 14, 1996.

ADDRESSES: Written objections and hearing requests, identified by the document control number, [PP 4F4398/R2209A], 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: 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 [PP 4F4398/R2209A]. 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: Cindy Schaffer, Product Manager (PM) Biopesticides and Pollution Prevention Division (7501W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. (703) 308-8272; e-mail: schaffer.cindy@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: On March 20, 1996 (61 FR 11313)(FRL-5352-2), EPA issued a final rule adding § 180.1163 which established an exemption from the requirement of a tolerance for Killed *myrothecium verrucaria*. Inadvertently, § 180.1163 contained a restriction on the amount of *myrothecium verrucaria* that could be used per acre. This amendment removes that restriction.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the Federal Register, file written objections to the regulation and may also request a hearing on those objections. Objections and hearing requests must be filed with the Hearing Clerk, 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 objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (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 issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (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 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 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).

EPA has established a record for this rulemaking under docket number [PP 4F4398/R2209A] (including any comments and data submitted electronically). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Electronic comments may be sent directly to EPA at:

opp-docket@epamail.epa.gov.

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

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 copies of 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 comments 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), this action is not a "significant regulatory action" and, since this action does not impose any information collection requirements as defined by the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., it is not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Pursuant to the requirements of the Regulatory Flexibility Act (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 explaining the factual basis for this determination was published in the Federal Register of May 4, 1981 (46 FR 24950).

Under 5 U.S.C. 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Title II of Pub. L. 104-121, 110 Stat. 847), EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2) of the APA as amended.

List of Subjects in 40 CFR Part 180

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

Dated: November 1, 1996.

Daniel M. Barolo,
Director, Office of Pesticide Programs.

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

§ 180.1163—[Amended]

2. Section 180.1163 is amended by removing the phrase "at a rate not to exceed 20 to 40 lbs/acre."

[FR Doc. 96-29182 Filed 11-13-96; 8:45 am]

BILLING CODE 6560-50-F

40 CFR Part 300

[FRL-5650-2]

National Oil and Hazardous Substances Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of Deletion of the St. Augusta Landfill/Engen Dump Site from the National Priorities List (NPL).

SUMMARY: The U.S. Environmental Protection Agency (US EPA) announces the deletion of the St. Augusta Landfill/Engen Dump Site in Minnesota from the National Priorities List (NPL). The NPL

is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which US EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. US EPA and the State of Minnesota have determined that all appropriate Fund-financed responses under CERCLA have been implemented and that no further response by responsible parties is appropriate. Moreover, US EPA and the State of Minnesota have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

EFFECTIVE DATE: November 14, 1996.

FOR FURTHER INFORMATION CONTACT:

Rita Garner at (312) 886-2440, Associate Remedial Project Manager, Superfund Division US EPA—Region 5, 77 West Jackson Blvd., Chicago, IL 60604. Information on the site is available at the local information repository located at: Minnesota Pollution Control Agency, 520 Lafayette Rd., St. Paul, MN 55155-4194. Requests for comprehensive copies of documents should be directed formally to the Regional Docket Office.

The point of contact for the Regional Docket Office is Jan Pfundheller (H-7J), US EPA, Region 5, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is the St. Augusta Landfill/Engen Dump Site, Stearns County, Minnesota. A Notice of Intent to Delete was published July 22, 1996 (61 FR 37876) for this site. The closing date for comments on the Notice of Intent to Delete was August 21, 1996. US EPA received no comments.

The US EPA identified sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund) financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts.