

(b) *Effective period.* This section is effective from 10 p.m. (e.s.t.) until 11:30 p.m. (e.s.t.) on Monday, June 26, 2000.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene-patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U. S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: June 13, 2000.

**R.E. Bennis,**

*Captain, U. S. Coast Guard, Captain of the Port, New York.*

[FR Doc. 00-16214 Filed 6-22-00; 2:34 pm]

BILLING CODE 4910-15-U

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 9, 157, 372, and 720

[OPPTS-00265; FRL-6067-7]

### OMB Approvals Under the Paperwork Reduction Act; Technical Amendment

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** This document updates EPA's table of OMB control numbers. These OMB control numbers are issued by the Office of Management Budget (OMB) under the Paperwork Reduction Act (PRA) for regulations containing information collection requirements. This technical amendment adds new approvals published in the **Federal Register** since July 1, 1998, removes expired and terminated approvals, and makes other necessary corrections to the table.

**DATES:** This rule is effective June 26, 2000, except §§ 372.27 and 372.95. The effective date for §§ 372.27 and 372.95 is March 17, 1995.

**FOR FURTHER INFORMATION CONTACT:** *For general information contact:* Barbara Cunningham, Director, Office of Program Management and Evaluation, Office of Pollution Prevention and Toxics (7401), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

*For technical information contact:* Patricia Johnson, Regulatory Coordination Staff (7101), Office of

Prevention, Pesticides and Toxic Substances, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 260-2893; e-mail address: johnson.patriciaa@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to those persons who are concerned about OMB approval for information collection required by EPA regulations. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT.**

###### B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "**Federal Register**—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPPTS-00265. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the TSCA Nonconfidential Information Center, North East Mall, Rm. B-607, Waterside Mall, 401 M St., SW., Washington, DC. The Center is open from noon to 4 p.m.,

Monday through Friday, excluding legal holidays. The telephone number for the Center is (202) 260-7099.

##### II. Background

###### A. Why is this Technical Amendment Being Issued?

This document updates the OMB control numbers listed in 40 CFR part 9 for various actions published in the **Federal Register**, since July 1, 1998, and issued under the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601) and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136 *et seq.*). EPA will continue to present OMB control numbers in a consolidated table format in 40 CFR part 9 of the Agency's regulations. The table lists Code of Federal Regulations (CFR) citations with reporting, recordkeeping, or other information collection requirements that require OMB approval under the PRA (44 U.S.C. 3501 *et seq.*), and the current OMB control numbers. This listing of the OMB control numbers and their subsequent codification in the CFR satisfies the requirements of the PRA and OMB's implementing regulations at 5 CFR part 1320.

###### B. Why is this Technical Amendment Issued as a Final Rule?

Under PRA, the information collection requirements included in this document were previously subject to public notice and comment prior to OMB approval, either as part of the OMB approval process or as part of a rulemaking. Therefore, EPA finds that publication of a proposed rule is unnecessary and would waste public tax dollars. This technical amendment is effective upon publication under the "good cause" clause found in section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)(3)(B)) which allows a regulatory action to become final without prior notice and comment.

###### C. What Corrections does this Document Make?

1. The OMB approval numbers being added to the table in 40 CFR 9.1 are related to approved information collection activities contained in the following final rules:

Substituted Phenol; Significant New Use Rule; Final Rule (63 FR 23678, April 30, 1998) (FRL-5782-5). OMB most recently approved this ongoing collection under control number 2070-0012 on February 19, 1997 (EPA ICR No. 574.10) (see 62 FR 10057, March 5, 1997) (FRL-5699-4).

Lead; Requirements for Hazard Education Before Renovation of Target

Housing; Final Rule (63 FR 29907, June 1, 1998) (FRL-5751-7). Approved by OMB under control number 2070-0158 on September 1, 1998 (EPA ICR No. 1669.02) (see 63 FR 57677, October 28, 1998) (FRL-6180-8).

Significant New Uses of Certain Chemical Substances; Final Rule (63 FR 44562, August 20, 1998) (FRL-5788-7). OMB most recently approved this ongoing collection under control number 2070-0012 on February 19, 1997 (EPA ICR No. 574.10 (see 62 FR 10057, March 5, 1997) (FRL-5699-4).

Significant New Uses of Certain Chemical Substances; Final Rule (63 FR 65705, November 30, 1998) (FRL-6033-6). OMB most recently approved this ongoing collection under control number 2070-0012 on February 19, 1997 (EPA ICR No. 574.10 (see 62 FR 10057, March 5, 1997) (FRL-5699-4).

Significant New Uses of Certain Chemical Substances; Direct Final Rule (65 FR 345, January 5, 2000) (FRL-6055-2). OMB most recently approved this ongoing collection under control number 2070-0012 on February 19, 1997 (EPA ICR No. 574.10 (see 62 FR 10057, March 5, 1997) (FRL-5699-4).

2. Several entries on the table in 40 CFR 9.1 are being removed, either because the collection activity has been eliminated, the OMB approval has expired, or the entry is incorrect. The following actions are related to some of the listed removals:

Certain Chemical Substances; Removal of Significant New Use Rule; Final Rule (63 FR 48127, September 9, 1998) (FRL-6020-7).

Revocation of Significant New Use Rules for Certain Chemical Substances; Final Rule (63 FR 64874, November 24, 1998) (FRL-6044-6).

3. The requested deletion of the effective date notes and the parentheticals are necessary technical corrections. The Agency no longer uses a parenthetical to display the OMB approval status for regulations. These approvals are properly listed in 40 CFR 9.1. The effective note is no longer applicable, because OMB approved the information collection contained in the final rule that established §§ 372.27 and 372.95 (59 FR 61502, November 30, 1994) on March 17, 1995 (EPA ICR No. 1704.02) (see 60 FR 24631, May 9, 1995) (FRL-5204-7), and OMB has approved the renewal of this ongoing collection twice since, with the current approval on February 2, 1999 (EPA ICR No. 1704.04) (See 64 FR 12316, March 12, 1999) (FRL-0239/7).

### III. Regulatory Assessment Requirements

This final rule implements a technical correction to the CFR, and does not impose any new requirements.

Under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993), OMB has determined that a technical correction is not a "significant regulatory action" subject to review by OMB.

Because this action is not economically significant as defined by section 3(f) of Executive Order 12866, this action is not subject to Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997).

This action will not result in environmental justice related issues and does not therefore, require special consideration under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994).

Since the Agency has made a "good cause" finding that this action is not subject to notice-and-comment requirements under the APA or any other statute (see Unit II.B.), this action is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. Nor does this action significantly or uniquely affect the communities of tribal governments as specified by Executive Order 13084, entitled *Consultation and Coordination with Indian Tribal Governments* (63 FR 27655, May 10, 1998). This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999).

This action does not involve any technical standards that require the Agency's consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note).

This rule does not contain any information collection requirements that require review and approval by OMB pursuant to the PRA. The collection activities associated with the OMB control number contained in this technical correction have already been approved by OMB.

In issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988, entitled *Civil Justice Reform* (61 FR 4729, February 7, 1996).

EPA has complied with Executive Order 12630, entitled *Governmental Actions and Interference with Constitutionally Protected Property Rights* (53 FR 8859, March 15, 1988), by examining the takings implications of this rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the Executive Order.

### IV. Submission to Congress and the Comptroller General

The Congressional Review Act (CRA), 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. CRA section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This determination must be supported by a brief statement (5 U.S.C. 808(2)). As stated previously, EPA has made such a good cause finding, including the reasons therefore, and established an effective date of June 26, 2000. EPA will submit 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 United States prior to publication of this rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

### List of Subjects in 40 CFR Parts 9, 157, 372, and 720

Environmental protection, Reporting and recordkeeping requirements.

Dated: June 16, 2000.

Susan H. Wayland,

Acting Assistant Administrator for  
Prevention, Pesticides and Toxic Substances.

Therefore, 40 CFR chapter I is  
amended as follows:

**PART 9—[AMENDED]**

1. The authority citation for part 9  
continues to read as follows:

**Authority:** 7 U.S.C. 135 *et seq.*, 136–136y;  
15 U.S.C. 2001, 2003, 2005, 2006, 2601–2671;  
21 U.S.C. 331j, 346a, 348; 31 U.S.C. 9701; 33  
U.S.C. 1251 *et seq.*, 1311, 1313d, 1314, 1318,  
1321, 1326, 1330, 1342, 1344, 1345 (d) and  
(e), 1361; E.O. 11735, 38 FR 21243, 3 CFR,  
1971–1975 Comp. p. 973; 42 U.S.C. 241,  
242b, 243, 246, 300f, 300g, 300g–1, 300g–2,  
300g–3, 300g–4, 300g–5, 300g–6, 300j–1,  
300j–2, 300j–3, 300j–4, 300j–9, 1857 *et seq.*,  
6901–6992k, 7401–7671q, 7542, 9601–9657,  
11023, 11048.

2. In § 9.1, the table is amended as  
follows:

a. By removing the entry “Part 372”  
and by removing §§ 721.658, 721.723,  
721.1525, 721.1737, 721.1740, 721.3180,  
721.5725, 721.7360, 721.8654, 761.93,  
761.93(a)(1)(iii), 761.93(b), and Part 763,  
subpart I.

b. By removing “2010–0019,” in  
§§ 704.5 and 704.11 and Part 792.

c. By adding the entries listed below  
under the headings indicated.

The table as amended reads as  
follows:

**§ 9.1 OMB approvals under the Paperwork  
Reduction Act.**

\* \* \* \* \*

40 CFR citation	OMB control No.
* * *	*

**Significant New Uses of Chemical  
Substances**

721.305	2070–0012
721.324	2070–0012
721.329	2070–0012
721.435	2070–0012
721.450	2070–0012
721.526	2070–0012
721.528	2070–0012
721.555	2070–0012
721.558	2070–0012

40 CFR citation	OMB control No.	40 CFR citation	OMB control No.
* * *	*	721.3031	2070–0012
721.567	2070–0012	721.3032	2070–0012
* * *	*	* * *	* * *
721.630	2070–0012	721.3310	2070–0012
721.637	2070–0012	* * *	* * *
* * *	*	721.3635	2070–0012
721.644	2070–0012	* * *	* * *
* * *	*	721.3845	2070–0012
721.987	2070–0012	* * *	* * *
721.988	2070–0012	721.4097	2070–0012
* * *	*	721.4098	2070–0012
721.1055	2070–0012	* * *	* * *
* * *	*	721.4105	2070–0012
721.1576	2070–0012	721.4106	2070–0012
721.1577	2070–0012	721.4107	2070–0012
721.1578	2070–0012	721.4108	2070–0012
721.1579	2070–0012	* * *	* * *
721.1580	2070–0012	721.4265	2070–0012
* * *	*	* * *	* * *
721.1655	2070–0012	721.4385	2070–0012
* * *	*	* * *	* * *
721.1710	2070–0012	721.4472	2070–0012
* * *	*	* * *	* * *
721.1729	2070–0012	721.5185	2070–0012
721.1730	2070–0012	* * *	* * *
721.1731	2070–0012	721.5290	2070–0012
* * *	*	* * *	* * *
721.1734	2070–0012	721.5356	2070–0012
* * *	*	721.5360	2070–0012
* * *	*	* * *	* * *
721.2077	2070–0012	721.5380	2070–0012
721.2078	2070–0012	* * *	* * *
721.2079	2070–0012	* * *	* * *
721.2081	2070–0012	721.5460	2070–0012
721.2082	2070–0012	721.5465	2070–0012
721.2083	2070–0012	* * *	* * *
* * *	*	721.5548	2070–0012
721.2087	2070–0012	* * *	* * *
* * *	*	721.5580	2070–0012
721.2385	2070–0012	* * *	* * *
* * *	*	721.5775	2070–0012
721.2480	2070–0012	721.2485	2070–0012
721.2485	2070–0012	* * *	* * *
* * *	*	721.5867	2070–0012
721.2532	2070–0012	* * *	* * *
* * *	*	721.5965	2070–0012
721.2570	2070–0012	* * *	* * *
* * *	*	721.6175	2070–0012
721.2580	2070–0012	721.6176	2070–0012
721.2585	2070–0012	* * *	* * *
* * *	*	721.6197	2070–0012
721.2755	2070–0012	* * *	* * *
* * *	*	721.6498	2070–0012
721.3025	2070–0012	* * *	* * *

40 CFR citation	OMB control No.
* * *	* *
721.7285 .....	2070-0012
721.7286 .....	2070-0038
* * *	* *
721.7785 .....	2070-0012
* * *	* *
721.8153 .....	2070-0012
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721.8660 .....	2070-0012
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721.9490 .....	2070-0012
* * *	* *
721.9508 .....	2070-0012
721.9509 .....	2070-0012
721.9513 .....	2070-0012
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721.9516 .....	2070-0012
721.9517 .....	2070-0012
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721.9573 .....	2070-0012
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721.9595 .....	2070-0012
* * *	* *
721.9661 .....	2070-0012
* * *	* *
721.9663 .....	2070-0012
* * *	* *
721.9672 .....	2070-0012
* * *	* *
721.9685 .....	2070-0012
* * *	* *
721.9719 .....	2070-0012
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721.9785 .....	2070-0012
721.9790 .....	2070-0012
721.9795 .....	2070-0012
721.9798 .....	2070-0012
* * *	* *
721.9810 .....	2070-0012
* * *	* *
721.9965 .....	2070-0012
721.9969 .....	2070-0012
* * *	* *
721.9973 .....	2070-0012
* * *	* *
<b>Lead-Based Paint Poisoning Prevention in Certain Residential Structures</b>	
Part 745, subpart E .....	2070-0158
* * *	* *
* * *	* *

**PART 157—[AMENDED]**

1. The authority citation for part 157 continues to read as follows:

**Authority:** 7 U.S.C. 136w.

2. Remove at the end of § 157.36 the parenthetical phrase containing the OMB control number.

**PART 372—[AMENDED]**

1. The authority citation for part 372 continues to read as follows:

**Authority:** 42 U.S.C. 11023 and 11048.

2. The effective date for §§ 372.27 and 372.95 is March 17, 1995.

**PART 720—[AMENDED]**

1. The authority citation for part 720 continues to read as follows:

**Authority:** 15 U.S.C. 2604, 2607, and 2613.

2. Remove at the end of § 720.102 the parenthetical phrase containing the OMB control number.

[FR Doc. 00-16076 Filed 6-23-00; 8:45 am]

**BILLING CODE 6560-50-F**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

**[OPP-300987; FRL-6499-5]**

**RIN 2070-AB78**

**Prallethrin [(RS)-2-methyl-4-oxo-3-(2-propynyl)cyclopent-2-enyl (1RS)-cis, trans-chrysanthemate]; Pesticide Tolerance**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes a tolerance for residues of 1.0 ppm of prallethrin (RS)-2-methyl-4-oxo-3-(2-propynyl)cyclopent-2-enyl (1RS)-cis, trans-chrysanthemate in or on all food items in food handling establishments where food and food products are held, processed, prepared, and/or served. McLaughlin Gormley King Company requested this tolerance under the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1996.

**DATES:** This regulation is effective June 26, 2000. Objections and requests for hearings, identified by docket control number OPP-300987, must be received by EPA on or before August 25, 2000.

**ADDRESSES:** Written objections and hearing requests may be submitted by mail, in person, or by courier. Please

follow the detailed instructions for each method as provided in Unit VI. of the "SUPPLEMENTARY INFORMATION." To ensure proper receipt by EPA, your objections and hearing requests must identify docket control number OPP-300987 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** By mail: Kevin Sweeney, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 305-5063; and e-mail address: sweeney.kevin@epa.gov.

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Cat-egories	NAICS codes	Examples of poten-tially affected entities
Industry	111 112 311 32532	Crop production Animal production Food manufacturing Pesticide manufac-turing

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under "FOR FURTHER INFORMATION CONTACT."

*B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?*

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "Federal Register—Environmental