

for all sources subject to this regulation. EPA proposes to fully approve Part 234.

Conclusion

EPA is proposing full approval of Parts 200, 201, 228, 229, 233 and 234 because they are consistent with EPA policy and guidance and also meet the requirements of Sections 110, 182(a)(2)(A), 182(b)(2) and 184(b) of the Act.

Nothing in this proposal should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. § 600 et. seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. §§ 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under Section 110 and subchapter I, Part D of the Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the federal-state relationship under the Act, preparation of a regulatory flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. US EPA*, 427 US 246, 256-66 (S.Ct. 1976); 42 U.S.C. § 7410(a)(2).

The Office of Management and Budget has exempted these actions from review under Executive Order 12866.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C 7401-7671q.

Dated: May 2, 1995.

William Muszynski,

Acting Regional Administrator.

[FR Doc. 95-12772 Filed 5-23-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 86

[FRL-5209-9]

RIN 2060-AE27

Revisions to the Federal Test Procedure for Emissions From Motor Vehicles

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period.

SUMMARY: On February 7, 1995 (60 FR 7404), EPA published a Notice of Proposed Rulemaking in the **Federal Register** that proposed additions and revisions to the tailpipe emissions portions of the Federal Test Procedure for light-duty vehicles and light-duty trucks. Interested parties should consult that notice and/or the public docket (see ADDRESSES below) for a detailed description and background of the proposal.

A public hearing regarding the proposed regulations was held on April 19 and 20, 1995. In joint testimony presented at that hearing the Agency was asked by the American Automobile Manufacturers Association and the Association of International Automobile Manufacturers to consider extending the comment period from 30 days after the public hearing to 90 days after the public hearing. As a continuation of previous EPA-industry cooperation efforts, the automobile manufacturers have extensive test programs in progress to investigate many aspects of the proposed regulations. The completion of these programs and the necessary data analyses to follow can not be accomplished within the original comment period. The EPA believes that the test programs and the resulting data have sufficient merit to warrant the requested extension of the comment period.

DATES: The comment period for the notice of proposed rulemaking will be extended from the original closing date of May 22, 1995 to July 19, 1995.

ADDRESSES: Comments should be submitted in duplicate to Public Docket No. A-92-64, at: Air Docket Section, U.S. Environmental Protection Agency, 401 M Street SW, Washington, DC 20460. (Phone 202-260-7548; FAX 202-260-4000).

Materials relevant to this notice have been placed in Docket No. A-92-64.

The docket is located at the above address in Room M-1500, Waterside Mall, and may be inspected weekdays between 8:30 a.m. and 5:30 p.m. A reasonable fee may be charged by EPA for copying docket materials.

FOR FURTHER INFORMATION CONTACT: John German, Certification Division, U.S. Environmental Protection Agency, National Vehicle and Fuel Emissions Laboratory, 2565 Plymouth Road, Ann Arbor, Michigan, 48105. Telephone (313) 668-4214. Fax (313) 741-7869.

Dated: May 16, 1995.

Mary D. Nichols,

Assistant Administrator for Air and Radiation.

[FR Doc. 95-12771 Filed 5-23-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 180

[OPP-300386; FRL-4954-1]

RIN 2070-AC18

Polymethylene Polyphenylisocyanate, Polymer with Ethylene Diamine, Diethylene Triamine and Sebacyl Chloride, Cross-Linked; Tolerance Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes to establish an exemption from the requirement of a tolerance for residues of polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, when used as an inert ingredient (encapsulating agent) in pesticide formulations applied to growing crops only under 40 CFR 180.1001(d) to replace and delete the existing exemption from the requirement of a tolerance for residues of cross-linked nylon-type encapsulating polymer under 40 CFR 180.1028. Elf Atochem North America, Inc., requested this proposed regulation pursuant to the Federal Food, Drug and Cosmetic Act.

DATES: Written comments, identified by the document control number [OPP-300386], must be received on or before June 23, 1995.

ADDRESSES: By mail, submit written comments 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, deliver comments to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington,

VA 22202. Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential will be included in the public docket by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: 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. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-300386]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this proposed 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: Mary Waller, Registration Support Branch, Registration Division (7505W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 2800 Crystal Drive, North Tower, 6th Floor, Arlington, VA 22202, (703)-308-8811; e-mail: waller.mary@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Elf Atochem North America, Inc., 2000 Market St., Philadelphia, PA 10103-3222, submitted pesticide petition (PP) 5E4447 to EPA requesting that the Administrator, pursuant to section 408(e) of the Federal Food Drug, and Cosmetic Act (FFDCA) (21 U.S.C. 346a(e)), propose to amend 40 CFR part 180 by replacing the existing exemption from the requirement of a tolerance for residues of cross-linked nylon-type encapsulating polymer listed under 40 CFR 180.1028 with an exemption from the requirement of a tolerance for residues of polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked,

when used as an inert ingredient (encapsulating agent) in pesticide formulations applied to growing crops only under 40 CFR 180.1001(d).

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125, and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term "inert" is not to imply nontoxicity; the ingredient may or may not be chemically active.

The data submitted in the petition and other relevant material have been evaluated. As part of the EPA policy statement on inert ingredients published in the **Federal Register** of April 22, 1987 (52 FR 13305), the Agency set forth a list of studies which would generally be used to evaluate the risks posed by the presence of an inert ingredient in a pesticide formulation. However, where it can be determined without that data that the inert ingredient will present minimal or no risk, the Agency generally does not require some or all of the listed studies to rule on the proposed tolerance or exemption from the requirement of a tolerance for an inert ingredient. The Agency has decided that no data, in addition to that described below, for polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, will need to be submitted. The rationale for this decision is described below.

In the case of certain chemical substances that are defined as "polymers," the Agency has established a set of criteria which identify categories of polymers that present low risk. These criteria (described in 40 CFR 723.250) identify polymers that are relatively unreactive and stable compared to other chemical substances as well as polymers that typically are not readily absorbed. These properties generally limit a polymer's ability to cause adverse effects. In addition, these criteria exclude polymers about which little is known. The Agency believes that polymers meeting the criteria noted above will present minimal or no risk. Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, conforms to the definition of a polymer given in 40 CFR

723.250(b)(11) and meets the following criteria that are used to identify low-risk polymers.

1. The minimum number-average molecular weight of polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, is 100,000. Substances with molecular weights greater than 400 generally are not absorbed through the intact skin, and substances with molecular weights greater than 1,000 generally are not absorbed through the intact gastrointestinal tract. Chemicals not absorbed through skin or GI tract generally are incapable of eliciting a toxic response.

2. Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, is not a cationic polymer, nor is it reasonably expected to become a cationic polymer in a natural aquatic environment.

3. Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, does not contain less than 32.0 percent by weight of the atomic element carbon.

4. Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, contains as an integral part of its composition the atomic elements carbon, hydrogen, nitrogen, and oxygen.

5. Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, does not contain as an integral part of its composition, except as impurities, any elements other than those listed in 40 CFR 723.250(d)(3)(ii).

6. Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, is not a biopolymer, a synthetic equivalent of a biopolymer, or a derivative or modification of a biopolymer that is substantially intact.

7. Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, is not manufactured from reactants containing, other than impurities, halogen atoms or cyano groups.

8. Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, does not contain a reactive functional group that is intended or reasonably expected to undergo further reaction.

9. Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, is neither designed nor reasonably expected to substantially degrade, decompose, or depolymerize.

The establishment of an exemption from the requirement of a tolerance for residues of polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, when used as an inert ingredient (encapsulating agent) in pesticide formulations applied to growing crops only under 40 CFR 180.1001 will obviate the need to maintain an exemption from the requirement of a tolerance for cross-linked nylon-type encapsulating polymer as listed under 40 CFR 180.1028. The polymer listed in 40 CFR 180.1028 is described as being "formed by the reaction of a mixture of sebacyl chloride and polymethylene polyphenylisocyanate with a mixture of ethylene diamine and diethylene triamine." The resultant polymer can best be described as polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked, the subject of this proposed regulation.

In addition, based on the polymer's conformance to the set of criteria that are used to identify low-risk polymers, the additional use restrictions described in 40 CFR 180.1028 (i.e., use as an encapsulating material for formulations of methyl parathion applied to growing alfalfa, apples, artichokes, barley, cabbage, cherries, corn (except popcorn), cotton, forage grasses, grapes, beans, (dry, lima, and snap), peaches, pears, peas, plums (fresh prunes), potatoes, rice, soybeans, tomatoes, and wheat and for formulations of parathion applied to growing sorghum), are no longer applicable.

Based on the information above and review of its use, EPA has found that, when used in accordance with good agricultural practice, this ingredient is useful, and a tolerance is not necessary to protect the public health. Therefore, EPA proposes that the exemption from

the requirement of a tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, that contains any of the ingredients listed herein, may request within 30 days after the publication of this document in the **Federal Register** that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the FFDCFA.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number, [OPP-300386]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch, at the address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

A record has been established for this rulemaking under docket number [OPP-300386] (including comments and data submitted electronically as described below). 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 can 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 all comments 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.

The Office of Management and Budget has exempted this rule from the requirements of section 2 of Executive Order 12866.

Pursuant to the requirement 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 an 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 Subject in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Food additives, Pesticides and pests, Processed foods, Reporting and recordkeeping requirements.

Dated: May 10, 1995.

Stephen L. Johnson,
Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR part 180 be 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. Section 180.1001(d) is amended in the table therein by adding and alphabetically inserting the inert ingredient, to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *
(d) * * *

Inert ingredient	Limits	Uses
* * *	* * *	* * *
Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacyl chloride, cross-linked; minimum number average molecular weight 100,000.	Encapsulating agent
* * *	* * *	* * *

* * * * *

§ 180.1028 [Removed]

3. By removing § 180.1028 *Cross-linked nylon-type encapsulating polymer; exemption from the requirement of a tolerance* is deleted.

[FR Doc. 95-12742 Filed 5-23-95; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[MM Docket No. 95-68, RM-8629]

Radio Broadcasting Services; Berlin, MD

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by John P. Gillen, proposing the allotment of Channel 235A to Berlin, Maryland, as that community's second FM Broadcast service. The coordinates for Channel 235A are 38-13-45 and 75-10-58. There is a site restriction 10.8 kilometers (6.7 miles) southeast of the community.

DATES: Comments must be filed on or before July 10, 1995, and reply comments on or before July 25, 1995.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: John P. Gillen, 12314 Dixie Drive, Bishopville, Maryland 21813.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-68, adopted May 11, 1995, and released May 18, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW, Suite 140, Washington, D.C. 20037, (202) 857-3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-12703 Filed 5-23-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-67, RM-8624]

Radio Broadcasting Services; Greenfield & Stockton, MO

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by KYOO Communications proposing the allotment of Channel 299A at Stockton, Missouri, as that community's first local service. The coordinates for Channel 299A at Stockton are 37-42-22 and 93-53-21. There is a site restriction 8.5 kilometers (5.3 miles) west of the community. To accommodate Channel 299A at Stockton, we shall propose the deletion of vacant Channel 299A at Greenfield, Missouri.

DATES: Comments must be filed on or before July 10, 1995, and reply comments on or before July 25, 1995.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: William J. Pennington, III, 5519 Rockingham Road-East, Greensboro, North Carolina 27407.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-67, adopted May 8, 1995, and released May 18, 1995. The full text of this Commission decision is available for inspection and copying during

normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW, Suite 140, Washington, D.C. 20037, (202) 857-3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-12705 Filed 5-23-95; 8:45 am]

BILLING CODE 6712-01-F

DEPARTMENT OF DEFENSE**GENERAL SERVICES ADMINISTRATION****NATIONAL AERONAUTICS AND SPACE ADMINISTRATION****48 CFR Part 31**

[FAR Case 94-753]

Federal Acquisition Regulation; Public Meeting on Travel Cost

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of public meeting on proposed rule.

SUMMARY: At 59 FR 64542, December 14, 1994, a Federal Acquisition Regulation (FAR) proposed rule for implementing statutory requirements of the Federal Acquisition Streamlining Act, (the Act) with regard to travel cost was published. Numerous written comments have been received at the FAR Secretariat in response to the **Federal Register** document. The notice announces a public meeting for the Travel Cost rule.