

procedural requirements of Executive Order 12044.

Effective March 12, 1980, Part 180, Subpart D, is amended by adding a new section as set forth below.

Part 180, Subpart D, is amended by adding the new § 180.1047 to read as follows:

§ 180.1047 N-Methylpyrrolidone; exemption from the requirement of tolerance.

N-Methylpyrrolidone is exempted from the requirement of a tolerance for residues in or on the raw agricultural commodities blueberries, cranberries, and peaches when used in accordance with good agricultural practice in formulations with the fungicide triforine [*N,N*-[1,4-piperazinediylbis(2,2,2-trichloroethylidene)]bis[formamide]] if such formulations contain not more than 30 percent *N*-methylpyrrolidone and are applied to the growing crops from early bloom through petal fall.

(Sec. 408(e), 68 Stat. 514, (21 U.S.C. 346a(e))).

Dated: March 8, 1980.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

(FR Doc. 80-7615 Filed 3-11-80; 8:45 am)

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40 CFR Part 180

(FRL 1433-2; 80P-35)

Triforine; Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes tolerances for residues of the fungicide triforine on blueberries, cranberries, and peaches at 0.1 part per million (ppm). The regulation was requested by EM Industries. This rule establishes maximum permissible levels for residues of triforine on blueberries, cranberries, and peaches.

EFFECTIVE DATE: Effective March 12, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Henry Jacoby, Product Manager (PM) 21, Registration Division (TS-767), Office of Pesticide Programs, Environment Protection Agency, 401 M St., SW, Washington, DC 20460 (202-755-2562).

SUPPLEMENTARY INFORMATION: On March 21, 1977, and April 9, 1979, notices were given (42 FR 15361 & 44 FR 21069, respectively) that EM Industries

Inc., 500 Executive Blvd., Elmsford, NY 10523, had filed two pesticide petitions (PP 7F1921 & 9F2184) with the EPA under provisions of the Federal Food, Drug, and Cosmetic Act. PP 7F1921 proposed that 40 CFR 180 be amended to establish tolerances for residues of the fungicide triforine [*N,N*-[1,4-piperazinediylbis(2,2,2-trichloroethylidene)]bis[formamide]] in or on the raw agricultural commodities peaches at 5 ppm and blueberries and cranberries at 0.1 ppm.

Subsequently, the petitioner amended the petition by deleting the proposed tolerance of 0.1 ppm in or on cranberries and by reducing the proposed tolerance of 5 ppm in or on peaches to 0.1 ppm.

PP 9F2184 proposed that 40 CFR Part 180 be amended to establish tolerances for residues of triforine in or on the raw agricultural commodity cranberries at 0.1 ppm. No comments were received in response to these notices of filing.

The data submitted in these petitions and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerances included a two-year dog feeding study, an 18-month mouse feeding study, a three-generation rat reproduction study, and two rat metabolism studies. Based on the dog study, the no-observed-effect level (NOEL) is 100 ppm or 2.5 milligrams (mg)/kilogram (kg) of body weight (bw). Using a 100-fold safety factor, the acceptable daily intake (ADI) is 0.025 mg/kg bw/day and the maximum permissible intake (MPI) is 1.5 mg/day for a 60-kg person. The proposed tolerances result in a maximum theoretical exposure of 0.0014 mg/day. No tolerances have previously been established for residues of triforine. An adequate analytical method (gas chromatography with an electron capture detector) is available for enforcement purposes.

No actions are currently pending against continued registration of triforine. Other considerations in the registration of triforine include exemption from the requirement of a tolerance for residues of the solvents *N*-methylpyrrolidone and dimethylformamide used in the formulated product when applied to blueberries, cranberries, and peaches (early bloom through petal fall). Related documents establishing tolerance exemptions for residues of these two solvents appear elsewhere in today's Federal Register.

The pesticide is considered useful for the purpose for which the tolerances are sought. The proposed tolerances are adequate to cover residues in or on blueberries, cranberries, and peaches.

There are no livestock feed items involved; thus there will be no problem with secondary residues in eggs, milk, meat, or poultry as a result of the proposed uses.

The pesticide is considered useful for the purpose for which tolerances are sought, and it is concluded that the tolerances on blueberries, cranberries, and peaches at 0.1 ppm established by amending 40 CFR 180 will protect the public health. It is concluded, therefore, that the tolerances be established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication in the Federal Register, file written objections with the Hearing Clerk, EPA, Rm. M-3708 (A-110), 401 M St., SW, Washington, DC 20460. Such objections should be submitted in triplicate and specify the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized". This regulation has been reviewed, and it has been determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Effective March 12, 1980, Part 180 is amended as set forth below.

Part 180, Subpart C, is amended by adding the new § 180.382 to read as follows:

§ 180.382 Triforine; tolerances for residues.

Tolerances are established for residues of the fungicide triforine [*N,N*-[1,4-piperazinediylbis(2,2,2-trichloroethylidene)]bis[formamide]] in or on the following raw agricultural commodities:

Commodity	Parts per million
Blueberries.....	0.1
Cranberries.....	0.1
Peaches.....	0.1

(Sec. 408(d)(2), 68 Stat. 512, (21 U.S.C. 346a(d)(2))).

Dated: March 6, 1980.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 80-7613 Filed 3-11-80; 8:45 am]

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VETERANS ADMINISTRATION

41 CFR Part 8-7

Procurement; Contract Clauses

AGENCY: Veterans Administration.

ACTION: Final regulation.

SUMMARY: The Veterans Administration Procurement Regulations are amended by revising two contract clauses. A supply contract clause is revised to increase the amount charged contractors for remarking improperly marked containers. A construction contract clause is revised to clarify the allowable calculation of profit on changes to such contracts.

EFFECTIVE DATE: April 7, 1980.

FOR FURTHER INFORMATION CONTACT: A. G. Vetter (202-389-2334).

SUPPLEMENTARY INFORMATION: The Veterans Administration proposed to revise the clauses on October 25, 1979 (44 FR 61396) and interested persons were invited to submit comments by November 26, 1979. No comments were received and the proposed regulations are hereby adopted without change and are set forth below.

Approved: March 6, 1980.

By direction of the Administrator.

Rufus H. Wilson,

Deputy Administrator.

1. In § 8-7.150-23, the clause is revised to read as follows:

§ 8-7.150-23 Noncompliance with packaging, packing, and/or marking requirements.

* * * * *

Noncompliance With Packaging, Packing, and/or Marking Requirements

Failure to comply with the packaging, packing, and marking requirements indicated herein, or incorporated herein by reference, may result in rejection of the merchandise and request for replacement, or repackaging, repacking, and/or marking. The Government reserves the right without obtaining authority from the Contractor to perform the required repackaging, repacking, and/or marking services and charge the Contractor therefor at a rate of \$16 per man-hour for the first or fractional hour and \$10 for any succeeding or fractional hour, or have the required repackaging, repacking, and/or marking services performed commercially under Government orders and charge the Contractor therefor at the above rates. In connection with any discount offered, time will be computed from the date of completion

of such repackaging, repacking, and/or marking services.

2. In § 8-7.650-21, paragraph (d) is revised to read as follows:

§ 8-7.650-21 Contract changes.

Clause 3, Changes, and Clause 4, Differing Site Conditions, of General Provisions, SF 23A, are supplemented as follows:

* * * * *

(d) Allowances not to exceed 10 percent each for overhead and profit for the party performing the work will be based on the value of labor material, and use of construction equipment required to accomplish the change. As the value of the change increases, a declining scale will be used in negotiating the percentage of overhead and profit. Allowable percentages on changes will not exceed the following: 10 percent overhead and 10 percent profit on first \$20,000; 7½ percent overhead and 7½ percent profit on next \$30,000; 5 percent overhead and 5 percent profit on balance over \$50,000. Profit shall be computed by multiplying the profit percentage by the sum of the direct costs and computed overhead costs.

* * * * *

(38 U.S.C. 210(c); 40 U.S.C. 486(c))

[FR Doc. 80-7626 Filed 3-11-80; 8:45 am]

BILLING CODE 8320-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 11

[Docket No. FEMA-Gen-11]

Administrative Claims; Final Rule

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: On December 17, 1979, 44 FR 73035, the Federal Emergency Management Agency (FEMA) published its interim regulation implementing, for FEMA, the Department of Justice procedures with respect to filing claims under the Federal Tort Claims Act. While this regulation has been fully effective since December 17, 1979, FEMA did offer an opportunity for public comment on the regulations by February 15, 1980. This date has now passed and the regulation should be given final effect immediately.

EFFECTIVE DATE: March 12, 1980.

ADDRESS: Federal Emergency Management Agency, 1725 I Street, NW, Washington, DC 20472.

FOR FURTHER INFORMATION CONTACT: William L. Harding, Office of General Counsel, (202) 634-4113.

SUPPLEMENTARY INFORMATION: No comments were received on the rule. Accordingly, the interim Part 11 rules published at 44 FR 73036-73038 hereby become final Part 11 of Title 44, Code of Federal Regulations.

Dated: March 5, 1980.

John W. Macy, Jr.,

Director, Federal Emergency Management Agency.

[FR Doc. 80-7616 Filed 3-11-80; 8:45 am]

BILLING CODE 6718-01-M

44 CFR Part 67

[Docket No. FI-5678]

National Flood Insurance Program; Final Flood Elevation Determinations; Correction

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Correction of final rule.

SUMMARY: Due to a clerical error, the notice of final flood elevation determination for the Township of Woodbury, Blair County, Pennsylvania, should be corrected.

In order to correctly correspond to the Flood Insurance Study (profile) and Flood Insurance Rate Map for the Township of Woodbury, the elevation of the Township Route 397 (Upstream Side) from the source of Clover Creek should be amended to read 995 feet.

EFFECTIVE DATE: March 12, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program (202) 426-1460 or Toll Free Line (800) 424-8872 (In Alaska and Hawaii call Toll Free Line (800) 424-9080), Room 5150, 451 Seventh Street, SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the correction to the Notice of final determinations of base (100-year) flood elevations for selected locations in the Township of Woodbury, Blair County, Pennsylvania, previously published at 44 FR 76291 on December 26, 1979, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a) (presently appearing at its former Title 24, Chapter X, § 1917.4(a)).

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; Executive Order 12127, 44

FR 19367; and delegation of authority to Federal Insurance Administrator 44 FR 20963).

Issued: February 25, 1980.

Gloria M. Jimenez,
Federal Insurance Administrator.

[FR Doc. 80-7617 Filed 3-11-80; 8:45 am]
BILLING CODE 6718-03-M

44 CFR Part 67

National Flood Insurance Program; Final Flood Elevation Determinations

AGENCY: Federal Insurance
Administration, FEMA.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the nation.

These base (100-year) flood elevations are the basis for the flood plain

management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the community.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: Mr. R. Gregg Chappell, National Flood Insurance Program (202) 426-1460 or Toll Free Line (800) 424-8872 (In Alaska and Hawaii call Toll Free (800) 424-9080), Room 5150, 451 Seventh Street, SW, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the final determinations of flood elevations for each community listed.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a) (presently appearing at its former Title 24, Chapter X, § 1917.4(a) of the Code of Federal Regulations). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided, and the Administrator has resolved the appeals presented by the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 44 CFR Part 60 (formerly 24 CFR Part 1910).

The final base (100-year) flood elevations for selected locations are:

Final Base (100-Year) Flood Elevations

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
Arizona	Santa Cruz County Unincorporated Areas (Docket No. FI-4652).	Sonoita Creek	Pendleton Drive	*3,439
			Unimproved Road	*3,523
		Josephine Canyon	Confluence with Fresno Canyon	*3,561
			Southern Pacific Railroad	*3,299
		Nogales Wash	Jeep Trail (most downstream crossing)	*3,361
			Jeep Trail (most upstream crossing)	*3,532
		Potrero Creek (Tributary No. 1)	Confluence with Potrero Creek	*3,607
			Old Tucson Highway	*3,628
		Potrero Creek (flow west of Southern Pacific Railroad and Sewage Lagoon Levee).	Confluence with Potrero Creek	*3,647
			Interstate 19, Northbound Lane	*3,654
		Potrero Creek	Confluence with Santa Cruz River	*3,446
			Waste Treatment Plant Road	*3,478
		Agua Fria Canyon	Southern Pacific Railroad Branch Line (most upstream crossing)	*3,490
			Sewage Lagoon Levee	*3,476
		Peck Canyon	Pena Blanca Road	*3,521
			Navajo Street	*3,625
		Sopori Wash	Rio Rico Drive	*3,419
			Calle Teruno	*3,501
		Santa Cruz River	Camino Agua Fria	*3,522
			Coronado National Forest Boundary	*3,619
		Sopori Wash	Interstate Highway 19 (northbound lane) 50 feet downstream from centerline.	*3,353
			Pulido Road	*3,369
		Sopori Wash	Peck Canyon Drive	*3,437
			Coronado National Forest Boundary	*3,451
		Sopori Wash	Confluence with Santa Cruz River	*3,032
			East Frontage Road	*3,065
		Sopori Wash (flow north along U.S. Highway 89) Santa Cruz River (flow east of Southern Pacific Railroad).	Confluence with Toros Wash	*3,110
			Sopori Ranch Road	*3,197
		Santa Cruz River	Confluence with Proctor Wash	*3,234
			Confluence with Elias Draw	*3,298
		Santa Cruz River	U.S. Highway 89	*3,070
			Gravel Road	*3,062
		Santa Cruz River	Kennedy Road 50 feet downstream from centerline	*3,215
			Kennedy Road 50 feet upstream from centerline	*3,218
		Santa Cruz River	Santa Gertrudis Lane	*3,270
			Rio Rico Drive	*3,410
		Santa Cruz River	Pima-Santa Cruz County Line	*3,028
			Amado Road	*3,060
		Santa Cruz River	Cebbs Road	*3,144
			Williams Road	*3,218
		Santa Cruz River	Sant Gertrudis Lane	*3,267
			Confluence with Peck Canyon	*3,351
		Santa Cruz River	Rio Rico Drive 50 feet downstream from centerline	*3,414
			Rio Rico Drive 50 feet upstream from centerline	*3,418
		Santa Cruz River	Pena Blanca Road	*3,502
			Confluence with Burro Canyon	*3,543
		Santa Cruz River	River Road	*3,615
Xavier Way 55 feet downstream from centerline	*3,666			
Santa Cruz River	Xavier Way 55 feet downstream from centerline	*3,671		
	International Boundary, Mexico	*3,727		
Maps available at the County Planners Office, Santa Cruz Courthouse, Nogales, Arizona.				
Maryland	Luke, Town, Allegheny County (Docket No. FI-4553).	North Branch Potomac River	Downstream Corporate Limits	*930
			(Old) Cromwell Street	*934
			West Vaco Conveyor	*947