an investigative component will accept the case from the requester, but only assign itself the appropriate leads within its own geographical jurisdiction and send the balance to PIC for appropriate disposition in accordance with the following:

a. The investigative agency will accept the request for investigation (thereby saving time otherwise lost in mailing to PIC) but limit its involvement in case management by extracting only those leads it will conduct or manage locally.

b. The agency should then prepare an ALS that shows clearly what leads it will cover and send PIC a copy of this ALS, along with the request for investigation and any other appropriate documentation. It must be clear in the ALS that PIC is to act on all those leads that the unit has not assigned to itself.

c. PIC, as case manager, will assume responsibility for the complete investigative package and, upon receipt of the last lead, will send the results to the appropriate activity.

d. The agency that accepted the case and assigned itself leads may send a copy of its report to the activity in the "Results to" block at the same time it sends the originals to PIC. If so, the letter of transmittal must inform the recipient that these reports are only a portion of the investigation, and that the balance will be forthcoming from PIC. Similarly, PIC must be informed of which investigative reports were disseminated. (This is normally done by sending PIC a copy of the letter of transmittal.)

8. Scope

a. *LAA.* The scope of investigation is 10 years or from age 18, whichever is the shortest period.

b. Post-Adjudication Cases. There is no standard scope. The inquiries conducted will be limited to those necessary to resolve the issue(s).

9. Case Closing: LAA and PA

a. Whether the investigative component or PIC closes out an investigation, there are three key elements to consider:

(1) The investigative results must be reviewed for quality and conformance to policy.

(2) The results must be sent to the activity listed in the "Results to" block of the DD Form 1879.

(3) PIC must be informed whether or not any dissemination was made by the investigative agency and, if so, what reports were furnished.

b. Investigative results may also be sent to a requester or higher level activity that makes a statement of need for the results. In such instances, a copy of the letter requesting the results and the corresponding letter of transmittal must be sent to PIC for retention.

c. When an investigative agency disseminates reports for PIC, it may use the transmittal documents, letters, or cover sheets it customarily uses for its own cases.

d. The material that is to be provided to PIC will consist of: The originals of all reports, and all other case documentation such as original statements, confidential source sheets, interview logs, requests for investigation, letters of transmittal to adjudicaters/requesters, or communications with the requester, such as those that modify the scope of the investigation.

e. For DIS to fulfill its responsibilities under DoD 5220.22–R and the Privacy Act of 1974 all inquiries conducted in its behalf must be set forth in an ROI for the permanent file, whether the case is completed, terminated early, or referred to another agency.

10. Referral

A case may require premature closing at any time after receipt of the DD Form 1879 by the investigative component if the information accompanying the request, or that which is later developed, is outside DIS jurisdiction. For example, alleged violations of law, a counterintelligence matter, or actual coercion/influence in a hostage situation (see paragraph 4.b. of this Appendix) must be referred to the appropriate agency, and DIS involvement terminated. The requester will be informed by letter or indorsement to the DD Form 1879 of the information developed that, due to jurisdictional consideration, the case was referred to (fill in appropriate address) and that the DIS case is closed. The agency to which referral was made and PIC will be furnished with the results of all investigations conducted under DIS auspices. DIS, however, has an interest in the referral agency's actions and no information should be solicited from that agency.

Appendix J—ADP Position Categories and Criteria for Designating Positions

OMB Circular A–71 (and Transmittal Memo #1), July 1978 OMB Circular A–130, December 12, 1985, and FPM Letter 732, November 14, 1978 contain the criteria for designating positions under the existing categories used in the personnel security program for Federal civilian employees as well as the criteria for designating ADP and ADP related positions. This policy is outlined below:

ADP Position Categories

1. Critical-Sensitive Positions

ADP–I positions. Those positions in which the incumbent is responsible for the planning, direction, and implementation of a computer security program; major responsibility for the direction, planning and design of a computer system, including the hardware and software; or, can access a system during the operation or maintenance in such a way, and with a relatively high risk for causing grave damage, or realize a significant personal gain.

2. Noncritical-Sensitive Positions

ADP–II positions. Those positions in which the incumbent is responsible for the direction, planning, design, operation, or maintenance of a computer system, and whose work is technically reviewed by a higher authority of the ADP–I category to insure the integrity of the system.

3. Nonsensitive Positions

ADP–III positions. All other positions involved in computer activities.

In establishing the categories of positions, other factors may enter into the determination, permitting placement in higher or lower categories based on the agency's judgement as to the unique characteristics of the system or the safeguards protecting the system.

Criteria for Designating Positions

Three categories have been established for designating computer and computer-related positions—ADP–I, ADP–II, and ADP–III. Specific criteria for assigning positions to one of these categories is as follows:

Category	Criteria
ADP–I	Responsibility or the development and administration of agency computer security programs, and also including direction and control of risk analysis and/or threat assessment.
	Significant involvement in life-critical or mission-critical systems.
	Significant involvement in life-critical or mission-critical systems.
	Responsibility for the preparation or approval of data for input into a system which does not necessarily involve personal access to the system, but with relatively high risk for effecting grave damage or realizing significant personal gain.
	Relatively high risk assignments associated with or directly involving the accounting, disbursement, or authorization for disbursement from systems of (1) dollar amounts of $10 million per year or greater, or (2) lesser amounts if the activities of the individual are not subject to technical review by higher authority in the ADP–I category to ensure the integrity of the system.
	Positions involving *major* responsibility for the direction planning, design, testing, maintenance, operation, monitoring, and/or management of systems hardware and software.
	Other positions as designated by the agency head that involve relatively high risk for effecting grave damage or realizing significant personal gain.
ADP–II	Responsibility for systems design, operation, testing, maintenance, and/or monitoring that is carried out under technical review of higher authority in the ADP–I category, includes, but is not limited to:
	(1) access to and/or processing of proprietary data, information requiring protection under the Privacy Act of 1974, and Government-developed privileged information involving the award of contracts;
	(2) accounting, disbursement, or authorization for disbursement from systems of dollar amounts less than $10 million per year. Other positions are designated by the agency head that involve a degree of access to a system that creates a significant potential for damage or personal gain less than that in ADP–I positions.
ADP–III	All other positions involved in Federal computer activities.

Linda M. Lawson,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

April 1, 1987.

[FR Doc. 87–7616 Filed 4–7–87; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF EDUCATION

34 CFR Part 628

Endowment Challenge Grant Program

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary issues final regulations for the Endowment Challenge Grant Program, formerly called the Endowment Grant Program. The regulatory changes conform the regulations to the changes made to the statute governing the Endowment Challenge Grant Program, Parts C and D of Title III of the Higher Education Act of 1965, as amended (HEA), by the Higher Education Amendments of 1986, Pub. L. 99-498.

EFFECTIVE DATE: These regulations take effect either 45 days after publication in the Federal Register or later if the Congress takes certain adjournments. If you want to know the effective date of these regulations, call or write the U.S. Department of Education contact person.

FOR FURTHER INFORMATION CONTACT: Dr. Caroline Gillin, Institutional Aid Programs, U.S. Department of Education, L'Enfant Plaza, Post Office Box 23868, Washington, DC 20026. Telephone (202) 732-3308.

SUPPLEMENTARY INFORMATION:

A. Background

The Endowment Challenge Grant Program is one of several programs authorized by Title III of the HEA and known collectively as the Institutional Aid Programs. Under the Endowment Challenge Grant Program, the Secretary awards grants to eligible institutions of higher education to enable them to establish or increase endowment funds. Grantees must match the Federal grant funds that they receive. The Federal grant and the institutional match are called the endowment fund corpus. Institutions must invest and may not spend the endowment fund corpus for a 20-year grant period. When the grant expires, the institution may use the endowment fund corpus for any educational purpose.

In general, a grantee may spend up to 50 percent of endowment fund income earned before the date of each proposed expenditure. Endowment fund income is an amount equal to the difference between the total value of the endowment fund and the endowment fund corpus. The total value of the endowment fund includes the endowment fund corpus plus appreciation (or minus depreciation, if applicable), cumulative interest and dividends. A grantee may use that 50 percent of endowment fund income to defray any expenses necessary to operate the institution. A grantee must invest the other 50 percent of endowment fund income for the entire grant period. When the grant expires, the grantee may use all the income for any educational purpose.

B. Explanation of Changes

The Higher Education Amendments of 1986, Public Law 99-498, amended the authorizing statute governing the Endowment Challenge Grant Program, Parts C and D of Title III of the HEA, in several areas. The Secretary is amending the regulations to conform the regulations to the amended statute.

These changes include—

• Changing the name of the program to the Endowment Challenge Grant Program;

• Deleting the requirement that an applicant for an endowment challenge grant submit a long-range development plan;

• Adding a funding preference for recipients of Strengthening Historically Black Colleges and Universities Program grants;

• Reducing the maximum grant in fiscal year 1987 to $250,000;

• Adding a provision that allows the Secretary to award a grant that exceeds $1,000,000 if the appropriation for the program exceeds $10,000,000;

• Adding a provision that permits a grantee of a more than $1,000,000 grant to match that grant on a one-to-two basis, i.e., one dollar of non-grant funds for every two dollars of grant funds; and

• Removing appropriation set-asides for junior and community colleges and historically Black colleges and universities.

The Secretary is also correcting typographical and other technical errors.

C. Missing Item—Eligibility

Readers should note that the Secretary has not addressed the subject of institutional eligibility in these regulations, although the Higher Education Amendments of 1986 have changed the eligibility requirements for the Endowment Challenge Grant Program. In general, an institution is eligible to receive a grant under the Endowment Challenge Grant Program if it is eligible to receive a grant under the Strengthening Institutions Program or under the Strengthening Historically Black Colleges and Universities Program. Accordingly, the Secretary will issue regulations relating to eligibility for the Endowment Challenge Grant Program when he publishes regulations for the other two programs. The Secretary anticipates that the regulations will be published in the near future.

Waiver of Notice of Proposed Rulemaking

In accordance with section 431(b)(2)(A) of the General Education Provisions Act, 20 U.S.C. 1232(b)(2)(A), and the Administrative Procedure Act, 5 U.S.C. 553, it is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, these regulations only include technical corrections and provisions implementing mandatory statutory changes to the Endowment Challenge Grant Program required by the Higher Education Amendments of 1986, Pub. L. 99-498. Therefore, the Secretary has determined that publication of a proposed rule is unnecessary and contrary to the public interest under 5 U.S.C. 553(b)(B).

Executive Order 12291

These regulations have been reviewed in accordance with Executive Order 12291. They are not classified as major because they do not meet the criteria for major regulations established in the Order.

Regulatory Flexibility Act Certification

The Secretary certifies that these proposed regulations would not have a significant economic impact on a substantial number of small entities. The changes made in these regulations will not create any additional burden on small institutions that will participate in the program.

Paperwork Reduction Act of 1980

The regulations have been examined under the Paperwork Reduction Act of 1980 and have been found to contain no information collection requirements.

Assessment of Educational Impact

The Secretary has determined that the regulations in this document do not require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

List of Subjects in 34 CFR Part 628

Colleges and universities, Education, Reporting and recordkeeping requirements.

(Catalog of Federal Domestic Assistance Number 84.031—Endowment Challenge Grant Program)

Dated: March 23, 1987.

William J. Bennett,

Secretary of Education.

The Secretary amends Part 628 of Title 34 of the Code of Federal Regulations as follows:

PART 628—[AMENDED]

1. The authority citation for Part 628 is revised to read as follows:

Authority: 20 U.S.C. 1065a, unless otherwise noted.

2. In Part 628, all references to "Endowment Grant Program" are revised to read "Endowment Challenge Grant Program" and all references to "endowment grant" are revised to read "endowment challenge grant".

3. Section 628.1 is amended by revising the introductory text to read as follows:

§ 628.1 What are the purposes of the Endowment Challenge Grant Program?

The Endowment Challenge Grant Program provides endowment challenge grants, which must be matched, to eligible institutions of higher education to—

* * * * *

4. In § 628.5, paragraph (a)(1), the number "624.22", is removed.

5. In § 628.5, paragraph (b)(1)(i) is revised to read as follows:

§ 628.5 What regulations apply to the Endowment Challenge Grant Program?

* * * * *

(b)(1) * * *

(i) The regulations in 34 CFR 74.61(h) or 74.62, as applicable.

* * * * *

6. In § 628.5, paragraph (b)(1)(iii), the phrase "(d) and (e)" is added after the number "75.217".

§ 628.6 [Amended]

7. In § 628.6, the definition of "Endowment fund income" is amended by changing the word "market" to "total".

8. Section 628.10 is revised to read as follows:

§ 628.10 What are the characteristics of an endowment challenge grant?

(a) Each endowment challenge grant awarded by the Secretary under this part—

(1) Except as provided in paragraph (b) of this section—

(i) Ranges from $50,000 to $250,000 in fiscal year 1987 and from $50,000 to $500,000 in subsequent fiscal years; and

(ii) Must be matched on a dollar-for-dollar basis;

(2) Must be invested by the institution; and

(3) Covers a period of 20 years.

(b) When funds appropriated for a fiscal year for the Endowment Challenge Grant Program exceed $10,000,000, the Secretary may award an endowment challenge grant to an institution in excess of $1,000,000, which may be matched with one dollar of matching funds for every two dollars of grant funds, if the institution—

(1) Requests an endowment challenge grant in excess of $1,000,000; and

(2) Deposits, in its endowment fund established under this part, matching funds equal to one-half of the amount of the grant.

(Authority: 20 U.S.C. 1065a)

§ 628.20 [Amended]

9. In § 628.20, paragraph (b) is removed, the designation (a) is removed, and paragraphs (a) (1) and (2) are redesignated as paragraphs (a) and (b).

§ 628.30 [Amended]

10. In § 628.30, paragraph (a) is removed and paragraphs (b) and (c) are redesignated as paragraphs (a) and (b). In redesignated paragraph (b), the phrase "(d) and (e)" is added between "34 CFR 75.217" and "of".

11. In § 628.32, paragraph (a) is revised to read as follows:

§ 628.32 What funding priorities does the Secretary use in evaluating an application for an endowment challenge grant?

* * * * *

(a) *Recipient of Strengthening Institutions Program, Strengthening Historically Black Colleges and Universities Program, or Special Needs Program grant.* (Total: 20 points) The Secretary gives 20 points to each applicant that, on October 1 of the fiscal year in which the applicant is applying for an endowment challenge grant, is a recipient of a development or planning grant under the Strengthening Institutions Program, Strengthening Historically Black Colleges and Universities Program, or Special Needs Program.

* * * * *

12. In § 628.32, paragraph (b)(1) is amended by adding the word "to" between the word "up" and the phrase "20 total points".

§ 628.33 [Removed]

13. Section 628.33 is removed.

14. In § 628.40, paragraphs (a) and (b) are revised to read as follows:

§ 628.40 What are the restrictions on the amount of an endowment challenge grant?

(a) For endowment challenge grants of up to $500,000—

(1) An institution must raise at least $50,000 in matching funds and qualify for at least a $50,000 grant under paragraph (c) of this section; and

(2) If an institution obtains at least $50,000 in matching funds and raises all the nongovernmental funds it proposes to raise in its application, the institution may receive a grant equal to the amount of matching funds it raised up to a maximum of $250,000 in fiscal year 1987 and $500,000 in subsequent fiscal years.

(b) For endowment challenge grants in excess of $1,000,000—

(1) An institution must raise at least $500,001 in matching funds and qualify for at least a $1,000,001 grant under paragraph (c) of this section; and

(2) If an institution obtains at least $500,001 in matching funds and raises all the nongovernmental funds it proposes to raise in its application, the institution may receive a grant equal to double the amount of matching funds it raised.

* * * * *

15. In § 628.41, paragraph (b)(1) is revised to read as follows:

§ 628.41 What are the obligations of an institution that the Secretary selects to receive an endowment challenge grant?

* * * * *

(b) * * *

(1) Match, with cash or low-risk securities, the endowment challenge grant funds to be received under this part;

* * * * *

§ 628.45 [Amended]

16. In § 628.45, paragraph (c) is amended by changing the word "granting" to read "grant".

§ 628.46 [Amended]

17. In § 628.46, paragraph (a)(1) is amended by the changing the word "market" to read "total".

18. In § 628.47, paragraphs (d) and (e) are revised to read as follows:

§ 628.47 What shall a grantee record and report?

* * * * *

(d) Carry out the audit required in 34 CFR 74.61(h) or 74.62, as applicable;

(e) Provide to the Secretary a copy of the external or internal audit to be performed under 34 CFR 74.61(h) or 74.62, as applicable; and

* * * * *

§ 628.48 [Amended]

19. In § 628.48, paragraph (a)(1) is amended by adding the word "not" between the word "income" and the word "permitted".

[FR Doc 87-7779 Filed 4-7-87; 8:45 am]

BILLING CODE 4000-01-M

VETERANS ADMINISTRATION

38 CFR Part 17

Copayments for VA Health Care

AGENCY: Veterans Administration.

ACTION: Final regulations .

SUMMARY: The VA (Veterans Administration) has amended its medical series regulations to conform with two technical changes to Title 38, United States Code, enacted with the passage of Title II of Pub. L. 99-576, the "Veterans' Benefits Improvement and Health-Care Authorization Act of 1986." Pub. L. 99-576 provides that all persons receiving disability compensation pursuant to 38 U.S.C. 351 are included in the highest VA health care eligibility category. The public law also limited the total copayments certain nonservice-connected veterans must agree to pay for VA health care equal to four times the inpatient Medicare deductible. Previous to this change it was possible that a veteran could pay an amount equal to five times the inpatient Medicare deductible due to a five-day billing cycle that remained after the initial four ninety-day billing cycles.

EFFECTIVE DATE: This regulation is effective April 7, 1986. This date is the effective date specified in the statute.

FOR FURTHER INFORMATION CONTACT: Karen Walters, Chief, Policies and Procedures Division, Medical Administration Service, Department of Medicine and Surgery, Veterans Administration, 810 Vermont Avenue, NW., Washington, DC 20420 (202) 233-2143.

SUPPLEMENTARY INFORMATION: Pub. L. 99-272, enacted April 7, 1986, made major changes in VA health care eligibility. That law established three general categories of eligibility for care. Most persons in receipt of disability compensation pursuant to 38 U.S.C. 351 were inadvertently not included in the highest priority eligibility category. Pub. L. 99-576 changed the law to place those veterans in the highest eligibility category, retroactively to April 7, 1986. Additionally, prior to enactment of the new public law, nonservice-connected veterans with incomes in excess of certain threshold amounts had to agree to pay a copayment no greater than the Medicare deductible during each of four 90-day billing cycles (360 days) and for the 5-day billing cycle at the end of any 365-calendar-day period. The new law limits total payments to an amount equal to no greater than four times the amount of the inpatient Medicare deductible during any 365-day-calendar period thus eliminating the additional 5-day billing cycle. These regulation changes implement those two new provisions of law.

Pursuant to 38 CFR 1.12 the VA finds that prior publication of these changes for public notice and comment is not required and is unnecessary. The VA has no discretion in this matter. Effective April 7, 1986, the law placed those receiving compensation under 38 U.S.C. 351 in the highest priority category, and provided that a veteran may not be required to make copayments greater than four times the amount of the inpatient Medicare deductible for VA medical care or 365-calendar-day period. Consequently, a proposed notice will not be published. For this reason, these changes are also not subject to the Regulatory Flexibility Act, 5 U.S.C. 601-612, since they do not come within the term "rule" as defined in that Act.

Executive Order 12291: This amendment to VA regulations is considered nonmajor under the criteria of Executive Order 12291, Federal Regulation. It will not have an annual effect on the economy of $100 million or more; result in major increases in costs for consumers, individual industries, Federal, State or local government agencies, or geographic regions; have significant adverse effects on competition, employment, investment, productivity, innovation or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

List of Subjects in 38 CFR Part 17

Alcoholism, Claims, Dental health, Drug abuse, Foreign relations, Government contracts, Grants program, Health, Health care, Health facilities, Health professions, Medical devices, Medical research, Mental health programs, Nursing homes, Philippines, Reporting and recordkeeping requirements, Veterans.

(Catalog of Federal Domestic Assistance Numbers are 64.009, 61.011, and 64.013)

Approved: March 5, 1987.

Thomas K. Turnage,
Administrator.

PART 17—[AMENDED]

38 CFR 17, Medical, is amended as follows:

1. In §17.47, paragraph (a)(3) is revised to read as follows:

§ 17.47 Eligibility for hospital, domiciliary or nursing home care of persons discharged or released from active military, naval, or air service.

* * * * *

(a)(3) A veteran who is in receipt of, or, but for a suspension pursuant to 38 U.S.C. 351 (or both such a suspension and the receipt of retired pay), would be entitled to disability compensation, but only to the extent that such veteran's continuing eligibility for such care is provided for in the judgment or settlement described in such section, for any disability; (Pub. L. 99-576)

* * * * *

2. In § 17.48, paragraph (e)(1) introductory text is revised and new paragraph (e)(8) is added to read as follows:

§ 17.48 Considerations applicable in determinig eligibility for hospital, nursing home or domiciliary care.

* * * * *

(e)(1) A veteran who received hospital or nursing home care under 17.47(d) shall be liable to the U.S., for each 90 days of care in a 365-day period, for an amount equal to the lesser of:

* * * * *

(e)(8) A veteran who receives any combination of hospital, nursing home or outpatient care shall not be required to pay an amount greater than four times the amount of the inpatient Medicare deductible during any 365-day period. (Pub. L. 99-576, sec. 237)

* * * * *

[FR Doc. 87-7771 Filed 4-7-87; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-3-FRL-3158-3]

Approval and Promulgation of Implementation Plans; Approval of the Pennsylvania I/M Program

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice approves the Pennsylvania Motor Vehicle Inspection and Maintenance Program (I/M). The proposed rulemaking for this action appeared in the **Federal Register** on April 16, 1986 (51 FR 12882). The comment period ended on May 16, 1986, and no comments were received. The Pennsylvania I/M Program commenced June 1, 1984, in the Philadelphia, Pittsburgh and Allentown-Bethlehem-Easton areas. It meets all EPA criteria for such programs as outlined in the January 22, 1981 **Federal Register** (46 FR 7186).

DATE: The rule will become effective on May 8, 1987.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at:

U.S. Environmental Protection Agency, Region III, Air Programs Branch, 841 Chestnut Building, Philadelphia, PA 19107, Attn: Esther Steinberg.

Pennsylvania Department of Environmental Resources, P.O. Box 2063, Harrisburg, PA 17120, Attn: Gary Triplett, Public Information Reference Unit, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Eileen Glen (3AM11), PA/WV Section at the EPA, Region III address given above or telephone (215) 597-8379.

SUPPLEMENTARY INFORMATION: On April 16, 1986 (51 FR 12882) EPA proposed approval of the Pennsylvania I/M Program and established a 30-day comment period. No comments were received, so today EPA is approving the Pennsylvania I/M Program as a revision of the Pennsylvania State Implementation Plan. The Pennsylvania I/M Program commenced June 1, 1984, and is currently being implemented in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties and in portions of Beaver, Washington, Westmoreland, Allegheny, Lehigh and Northampton Counties. The portions of the Counties included in the program are identified by zip code. The zip code areas included in the program were published in the April 16, 1986 notice. In a letter of March 13, 1986, the Pennsylvania Department of Environmental Resources (DER) amended the list of zip code areas by adding the following zip codes: 15007, 15129, 15025, 15039, and 15200–15299. Except for this change the program remains as it was described in the April 16, 1986 notice. More detailed information on the Pennsylvania I/M Program can be found in that notice.

At the request of EPA, Region III, EPA's Office of Mobile Sources (OMS) calculated the air quality benefit of the Pennsylvania I/M Program using the MOBILE3 emission factor model. MOBILE3 runs determined that the Pennsylvania I/M Program will achieve a reduction of 36.1% in hydrocarbon (HC) emissions and 60.5% in emissions of carbon monoxide (CO). These reductions are much greater than the Reasonably Available Control Technology (RACT) requirement for an I/M Program (a reduction of 23.3% HC and 34.4% CO). A January 27, 1986 memo, from OMS to EPA, Region III, which is attached to this rulemaking, gives a more detailed explanation of the MOBILE3 calculations.

Final Action

EPA approves the Pennsylvania I/M Program as a revision of the Pennsylvania State Implementation Plan.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 8, 1987. This action may not be challenged later in proceedings to enforce its requirements (See § 307(b)(2)).

List of Subjects in 40 CFR Part 52

Incorporation by reference, Air pollution control, Nitrogen dioxide, Carbon monoxide, Hydrocarbons, Intergovernmental relations, Reporting and recordkeeping requirements.

Note.—Incorporation by reference of the State Implementation Plan for the State of Pennsylvania was approved by the Director of the Federal Register of July 1, 1982.

Dated: February 11, 1987.

Lee M. Thomas,

Administrator.

PART 52—[AMENDED]

40 CFR Part 52 is amended as follows:

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7642.

2. Section 52.2020 is amended by adding paragraph (c)(66) to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(c) * * *

(66) A revision to the Pennsylvania State Implementation Plan adopting a Motor Vehicle Emissions Inspection and Maintenance Program submitted by the Secretary of the Pennsylvania Department of Environmental Resources on June 24, 1985 and an amendment submitted March 13, 1986 by the Chief, Division of Air Resource Management, Bureau of Air Quality Control, Pennsylvania Department of Environmental Resources.

(i) Incorporation by Reference

(A) Title 75, sections 4703 (a) and (h) and 4706 of the Purdon's Pennsylvania Consolidated Statutes Annotated and Title 67, Pennsylvania Code §§ 175.41, 177.21, 177.31, 177.32, 177.35, 177.39 and 177.61.

(B) Bureau of Air Quality Control, Department of Environmental Resources, State Implementation Plan, Revision for Ozone for I/M, dated June 17, 1985 and the letter to EPA, dated March 13, 1986.

[FR Doc. 87-3832 Filed 4-7-87; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 180

[PP6F3405/R881; FRL-3181-4]

Pesticide Tolerance for 2-[1-(Ethoxyimino)Butyl]-5-[2-(Ethylthio)Propyl]-3-Hydroxy-2-Cyclohexene-1-One

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule increases the established tolerance for the residues of the herbicide 2-[1-(ethoxyimino)butyl]5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexene-1-one and its metabolites containing the 2-cyclohexene-1-one moiety (calculated as the herbicide) in or on the raw agricultural commodity sugar beet tops from 0.2 part per million (ppm) to 3.0 ppm. The regulation was requested by BASF Corp. and establishes the maximum permissible level for residues of the herbicide in or on the raw agricultural commodity.

EFFECTIVE DATE: April 8, 1987.

ADDRESS: Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington DC 20460.

FOR FURTHER INFORMATION CONTACT: Robert J. Taylor, Product Manager (PM) 25, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 245, CM #2, Jefferson Davis Highway, Arlington, VA 22203, (703) 557-1800.

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the Federal Register of March 18, 1987 (52 FR 8532), which announced that BASF Corp. had submitted pesticide petition 6F3405 to EPA proposing to amend 40 CFR 180.412 by increasing the established tolerance for the combined residues of the herbicide 2-[1-(ethoxyimino)butyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexene-1-one and its metabolites containing the 2-cyclohexene-1-one moiety (calculated as the herbicide) in or on the raw agricultural commodity sugar beet tops for 0.2 ppm to 3.0 ppm.

No comments were received in response to the notice of filing.