

§ 381.508 [Amended]

22. Section 381.508 is amended by removing "\$1,980" and inserting "\$1,880" in its place.

§ 381.509 [Amended]

23. Section 381.509 is amended by removing "\$9,790" and inserting "\$14,530" in its place.

§ 381.510 [Amended]

24. Section 381.510 is amended by removing "\$2,890" and inserting "\$3,780" in its place.

§ 381.601 [Amended]

25. Section 381.601 is amended by removing "\$15,850" and inserting "\$16,730" in its place.

[FR Doc. 91-8939 Filed 4-16-91; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Decoquinat

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by Rhone-Poulenc, Inc. Approval of the original NADA provided for the use of decoquinat for the prevention of coccidiosis in ruminating calves and cattle. The supplemental NADA

provides for the same use of decoquinat in nonruminating calves.

EFFECTIVE DATE: April 17, 1991.

FOR FURTHER INFORMATION CONTACT: Dianne T. McRae, Center for Veterinary Medicine (HFC-135), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4913.

SUPPLEMENTARY INFORMATION: Rhone-Poulenc, Inc., P.O. Box 125, Black Horse Lane, Monmouth Junction, NJ 08852, is the sponsor of NADA 039-417, which provides for the use of a Type A medicated article containing 6 percent decoquinat to manufacture Type B or Type C medicated feeds for the prevention of coccidiosis caused by *Eimeria bovis* and *E. zurnii* in ruminating calves and cattle. Rhone-Poulenc has filed a supplemental NADA containing data that support the use of the medicated feed in nonruminating calves for the same use.

The supplement is approved as of April 12, 1991 and the regulations are amended in 21 CFR 558.195(d) to reflect the approval. The basis for approval is discussed in the freedom of information summary.

Under section 512(c)(2)(F)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(iii)), this approval does not qualify for exclusivity because neither new clinical or field investigations nor human food safety studies (other than bioequivalence or residue studies) were essential to the approval.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA-305), Food and Drug

Administration, room 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

Decoquinat is a new animal drug used in a Type A medicated article to make a Type C medicated feed. Decoquinat is a Category I drug which, as provided in 21 CFR 558.4(e), does not require an approved Form FDA 1900 for making a Type C medicated feed as in NADA 039-417 and in 21 CFR 558.195 as amended by this publication.

The agency has determined under 21 CFR 25.24(d)(1)(i), that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 558 is amended as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

1. The authority citation for 21 CFR part 558 continues to read as follows:

Authority: Secs. 512, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b, 371).

2. Section 558.195 is amended in the table in paragraph (d), in the second entry, by revising the item under the "Indications for use" column to read as follows:

§ 558.195 Decoquinat.

(d) * * *

Decoquinat in grams per ton	Combination in grams per ton	Indications for use	Limitations	Sponsor
22.7 mg per 100 lb. * * *	* * *	Cattle; for the prevention of coccidiosis in ruminating and nonruminating calves and cattle caused by <i>Eimeria bovis</i> and <i>E. zurnii</i> .	* * *	* * *

Dated: April 11, 1991.
 Robert C. Livingston,
 Director, Office of New Animal Drug
 Evaluation, Center for Veterinary Medicine.
 [FR Doc. 91-8026 Filed 4-16-91; 8:45 am]
 BILLING CODE 4160-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Parts 164, 192, 195, 196, 204,
 206, 207, 209, 255, and 275

Defense Acquisition

AGENCY: Office of the Secretary, DoD.
 ACTION: Final rule.

SUMMARY: One of the findings in the Defense Management Report to the President signed by the Secretary of Defense on June 12, 1989, was that the acquisition systems is encumbered by overly detailed, confusing, and sometimes contradictory directives, instructions, policy memoranda, and other guidance. The Report recommended that this self-imposed burden be reduced beginning at the DoD-level. As part of the relief effort, the Regulatory Relief Task Force recommended that a number of directives and instructions be combined and streamlined into a revised DoD document. These parts were included in the recommendation to be removed.

EFFECTIVE DATE: February 23, 1991.

FOR FURTHER INFORMATION CONTACT: L.M. Bynum, Directives Division, Washington Headquarters Services, Pentagon, Washington, DC 20301, telephone (703) 697-4111.

SUPPLEMENTARY INFORMATION: DoD Directive 5000.1 removes 32 CFR parts 164, 192, 195, 196, 204, 206, 207, 209, 255, and 275 and DoD Instruction 5000.2 replaces portions of the text of the documents. Both documents are available from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, telephone (703) 487-4650. The NTIS accession number for DoD Directive 5000.1 is PB91-959509. The accession number for DoD Instruction 5000.2 is PB91-959510.

List of Subjects in

32 CFR Part 164

Armed forces; Government procurement; Reporting and recordkeeping requirements.

32 CFR Part 192

Aircraft; Armed forces; Arms and munitions; Transportation; Vessels.

32 CFR Part 195

Armed forces; Government property management.

32 CFR Part 196

Armed forces; Government procurement.

32 CFR Part 204

Armed forces; Arms and munitions; Government procurement; Reporting and recordkeeping requirements; Research.

32 CFR Part 206

Armed forces; Government procurement.

32 CFR Part 207

Armed forces; Arms and munitions; Business and industry; Government procurement.

32 CFR Part 209

Armed forces; Metric system.

32 CFR Part 255

Armed forces; Government procurement.

32 CFR Part 275

Measurement standards; Research; Time

PARTS 164, 192, 195, 196, 204, 206, 207, 209, 255, AND 275—[REMOVED]

Accordingly, under the authority of 10 U.S.C. 133, 32 CFR parts 164, 192, 195, 196, 204, 206, 207, 209, 255, and 275 are removed.

Dated: April 11, 1991.

L.M. Bynum,
 Alternate OSD Federal Register Liaison
 Officer, Department of Defense.

[FR Doc. 91-8933 Filed 4-16-91; 8:45 am]
 BILLING CODE 3310-11-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL-3911-9]

Approval and Promulgation of State Implementation Plans; Colorado; Fort Collins Carbon Monoxide

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: This notice approves a revision to the Colorado State Implementation Plan (SIP) which was submitted by the Governor of Colorado on July 13, 1990. The revision adds a voluntary educational Better Air Campaign (BAC) program to the Fort Collins Carbon Monoxide (CO) element of the Colorado SIP. EPA is approving this revision as helpful in meeting the national ambient air quality standards (NAAQS) for CO.

DATES: This action will be effective on June 17, 1991, unless notice is received by May 17, 1991, that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Copies of the revision are available for public inspection between 8 a.m. and 4 p.m., Monday through Friday at the following offices:

Environmental Protection Agency,
 Region VIII, Air Programs Branch,
 One Denver Place, suite 500, 999 18th
 Street, Denver, Colorado 80202-2405.
 Colorado Department of Health, Air
 Pollution Control Division, Ptarmigan
 Place, North Cherry Creek Drive and
 Colorado Boulevard, Denver,
 Colorado 80209

FOR FURTHER INFORMATION CONTACT: Bernadette Gonzalez, Air Programs Branch, Environmental Protection Agency, One Denver Place, suite 500, 999 18th Street, Denver, Colorado 80202-2405, (303) 293-1887, FTS 330-1887.

SUPPLEMENTARY INFORMATION: On July 13, 1990, the Governor of Colorado submitted a SIP revision for Ft. Collins CO. The SIP included the Ft. Collins BAC, a voluntary educational program.

which would: Educate children and adults about local, regional, and national air quality issues; inform Ft. Collins residents about current air quality conditions, issues and concerns; provide and promote choices and alternatives to improve Ft. Collins air quality.

Specific activities will include: monitoring air quality; predicting and publicizing high pollution CO episodes; producing and presenting air quality education and information materials; and coordinating and supporting individual and collective efforts to improve air quality. EPA is giving no CO emission reduction credit to this measure in the approval of the BAC in the SIP. EPA, however, believes the BAC will help to improve air quality in Ft. Collins.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. This action will be effective June 17, 1991, unless, within 30 days of its publication, notice is received that adverse or critical comments will be submitted.

If such notice is received, this action will be withdrawn before the effective date by publishing two subsequent notices. One notice will withdraw final action and another will begin a new rulemaking by announcing a proposal of the action establishing a comment period. If no comments are received, the public is advised that the action will be effective (60 days from the date of publication).

Final Action

EPA hereby approves a revision to the Colorado SIP to include the Ft. Collins Better Air Campaign. This action, however, does not give emission reduction credit to the BAC measure.

EPA finds that good cause exists for making the action taken in this notice immediately effective because the implementation plans are already in effect under State law or regulation. EPA's approval poses no additional regulatory burden.

Under 5 U.S.C. 605(b), I certify that this SIP revision will not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

Under Section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 17, 1991. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the

purpose of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

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

This action has been classified as a table 3 action by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225). On January 6, 1989, the Office of Management and Budget waived table 2 and 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a period of two years.

Lists of Subjects in 40 CFR Part 52

Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Ozone.

Dated: December 6, 1990.

Jack McGraw,
Acting Regional Administrator.

40 CFR part 52, subpart G, is amended as follows:

Subpart G—Colorado

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

Authority: 42 U.S.C. 7401-7642.

2. Section 52.320 is amended by adding new paragraph (c)(53) to read as follows:

§ 52.320 Identification of plan

* * *

(c) * * *

(53) Revisions to the Colorado State Implementation Plan were submitted by the Governor of Colorado on July 13, 1990. The revision adds a voluntary educational Better Air Campaign to the Ft. Collins Carbon Monoxide element of the Colorado SIP.

(i) Incorporation by reference.

(A) The Fort Collins Better Air Campaign as defined in Exhibit "A" and adopted on September 5, 1989, through Resolution 89-161.

[FR Doc. 91-8997 Filed 4-16-91; 8:45 am]

BILLING CODE 5560-50-M

40 CFR Part 52

[FRL-3920-1]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Missouri has consolidated its "area-specific" circumvention rules into a single statewide circumvention prohibition rule. Circumvention prohibition is defined as the prohibition of the use of practices or devices which cause a dilution of the waste stream in order to achieve a lower concentration of pollutants in that waste stream. This rulemaking does not change the intent of the original rules. EPA's approval of this rulemaking will simplify compliance with and enforcement of prohibition requirements in Missouri.

DATES: This action will be effective June 17, 1991, unless notice is received within 30 days of publication that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Copies of the state submittal for this action are available for public inspection during normal business hours at the: Environmental Protection Agency, Region VII, Air Branch, 728 Minnesota Avenue, Kansas City, Kansas 64101; Missouri Department of Natural Resources, Air Pollution Control Program, Jefferson State Office Building, 205 Jefferson Street, Jefferson City, Missouri, 65101; Public Information Reference Unit, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Joshua A. Tapp at (913) 551-7806 (FTS 276-7806).

SUPPLEMENTARY INFORMATION:

Background

The promulgation of rule 10 CSR 10-6.150 combines the requirements of three previous "area-specific" circumvention rules into one circumvention prohibition rule with statewide application. This new rule prohibits the circumvention of volume-based emission limits such as those that exist in the following emission regulations: 10 CSR 10-5.150 (sulfur emissions, St. Louis), 10 CSR 10-4.150 (sulfur emissions, Springfield), 10 CSR 10-3.160 (sulfur emissions, outstate Missouri), and 10 CSR 10-2.160 (sulfur emissions, Kansas City). Without this rule, a source could meet its emission

limits through dilution due to air leaks, either intentionally or unintentionally, rather than by actually controlling emissions.

The state of Missouri submitted the proposed rule on April 18, 1990. Proper notice was published and a hearing was held on May 31, 1990. The Missouri Air Conservation Commission formerly adopted this rule on August 15, 1990. The final rulemaking was submitted to EPA on September 6, 1990.

EPA Action

EPA approves Missouri's adoption of the statewide circumvention prohibition rule.

We expect no adverse public or Congressional reaction resulting from approval of this SIP revision. Missouri is aware that EPA plans to approve this revision and process it under the "Direct-Final" procedures. Missouri concurs with this decision.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. This action will be effective June 17, 1991, unless, within 30 days of its publication, notice is received that adverse or critical comments will be submitted.

If such notice is received, this action will be withdrawn before the effective date by publishing two subsequent notices. One notice will withdraw the final action, and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period. If no such comments are received, the public is advised that this action will be effective June 17, 1991.

Under 5 U.S.C. 605(b), I certify that this SIP revision will not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

Nothing in this action 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.

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the *Federal Register* on January 19, 1989 (54 FR 2214-2225). The Office of Management and Budget waived Tables 2 and 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 until April 1, 1991.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 17, 1991. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

The Agency has reviewed this request for revision of the federally approved SIP for conformance with the provisions of the 1990 Amendments enacted on November 15, 1990. The Agency has determined that this action conforms with those requirements irrespective of the fact that the submittal preceded the date of enactment.

List of Subjects in 40 CFR Part 52

Air pollution control, Incorporation by reference.

Dated: March 18, 1991.

Morris Kay,
Regional Administrator.

PART 52—[AMENDED]

40 part 52, subpart AA, is amended as follows:

Subpart AA—Missouri

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

Authority: 42 U.S.C. 7401-7642.

2. Section 52.1320 is amended by adding paragraph (c)(74) to read as follows:

§ 52.1320 Identification of plan.

(c) * * *

(74) Revisions to the circumvention plan submitted by the Missouri Department of Natural Resources on September 6, 1990.

(i) Incorporation by reference.

(A) Rule at 10 CSR 10-6.150, Circumvention, effective November 30, 1990.

(B) Rescission of rules 10 CSR 10-2.140, Circumvention; CSR 10-4.130, Circumvention; and 10 CSR 10-5.230, Circumvention, effective September 28, 1990.

[FR Doc. 91-8995 Filed 4-16-91; 8:45 am]

BILLING CODE 6550-50-M

40 CFR Part 180

[PP 9F3699/R1112; FRL-3885-6]

RIN 2070-AB78

Pesticide Tolerances for Clofentezine

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes tolerances for residues of the insecticide clofentezine (3,6-bis(2-chlorophenyl)-1,2,4,5-tetrazine) in or on peaches and nectarines at 1.0 part per million (ppm) each. This regulation to establish maximum permissible levels for residues of the insecticide was requested pursuant to a petition submitted by Nor-Am Chemical Co. This document also reinstates the tolerance for clofentezine in or on pears, which was inadvertently omitted in a revision of 40 CFR 180.446. **EFFECTIVE DATE:** This regulation becomes effective April 17, 1991.

ADDRESSES: Written objections, identified by the document control number, [PP 9F3699/R1112], must be submitted to: Hearing Clerk (A-110), Environmental Protection Agency, rm. 3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: By mail: Dennis H. Edwards, Jr., Product Manager (PM) 12, Registration Division (H7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 202, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-557-2386.

SUPPLEMENTARY INFORMATION: In the *Federal Register* of February 22, 1989 (54 FR 7597), EPA issued a notice which announced that Nor-Am Chemical Co., P.O. Box 7495, 3509 Silverside Rd., Wilmington, DE 19803, had submitted a pesticide petition (PP 9F3699) to EPA proposing to amend 40 CFR part 180 by establishing a tolerance for residues of the insecticide clofentezine (3,6-bis(2-chlorophenyl)-1,2,4,5-tetrazine) in or on peaches and nectarines at 1.0 ppm each.

There were no comments or requests for referral to an advisory committee received in response to the notice of filing.

In the *Federal Register* of June 25, 1990 (55 FR 26439), EPA established tolerances and a conditional registration for use of clofentezine (also known under the trade name "Apollo") on peaches and nectarines. The Agency identified the need for avian reproduction studies which have been received, reviewed, and found to be deficient. The chronic risk of