

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

96-23-08 British Aerospace: Amendment 39-9813. Docket 96-NM-40-AD.

Applicability: Model BAe 146 and Model Avro 146-RJ series airplanes on which BAe Modification HCM40270A or HCM40270B (Safe Flight Windshear Computer) has been installed, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by

this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent the inability of the flightcrew to avoid a windshear encounter and consequent reduced controllability of the airplane due to the inability of the windshear computer to detect the true flap position, accomplish the following:

(a) Within 300 landings or 60 days after the effective date of this AD, whichever occurs first: Perform a test of the integrity of the electrical circuit between the windshear computer and the flap position sensor, in accordance with Avro International Aerospace Alert Inspection Service Bulletin S.B. 34-A155, Revision 2, dated August 9, 1995. Repeat the test thereafter at intervals not to exceed 300 landings until the actions required by paragraph (c) of this AD are accomplished.

(b) If any test required by paragraph (a) of this AD fails, prior to further flight, repair the electrical wiring in accordance with Avro International Aerospace Alert Inspection Service Bulletin S.B. 34-A155, Revision 2, dated August 9, 1995. Thereafter, repeat the test required by paragraph (a) of this AD at intervals not to exceed 300 landings until the actions required by paragraph (c) of this AD are accomplished.

(c) Within 6 months after the effective date of this AD: Replace any Safe Flight windshear computer having part number 6508-2 or 6508-4 with a new Safe Flight windshear computer having part number 6508-5; and change the polarity of the polarizing keys; in accordance with British Aerospace Modification Service Bulletin SB.34-160-70548A, dated November 21, 1994. Accomplishment of these actions

constitutes terminating action for the repetitive tests required by paragraph (a) of this AD.

(d) As of the effective date of this AD, no person shall install a Safe Flight windshear computer having part number 6508-2 or 6508-4 on any airplane.

(e) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(g) The actions shall be done in accordance with Avro International Aerospace Alert Inspection Service Bulletin S.B. 34-A155, Revision 2, dated August 9, 1995; or British Aerospace Modification Service Bulletin SB.34-160-70548A, dated November 21, 1994; as applicable. Avro International Aerospace Alert Inspection Service Bulletin S.B.34-A155, Revision 2, dated August 9, 1995, contains the following list of specified effective pages:

Page No.	Revision level shown on page	Date shown on page
1, 2	2	August 9, 1995.
3-5	1	September 10, 1993.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from British Aerospace Regional Aircraft Limited, Avro International Aerospace Division, Customer Support, Woodford Aerodrome, Woodford, Cheshire SK7 1QR, England. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on December 19, 1996.

Issued in Renton, Washington, on November 5, 1996.

Darrell M. Pederson,
Acting Manager, Transport Airplane
Directorate, Aircraft Certification Service.
[FR Doc. 96-28871 Filed 11-13-96; 8:45 am]

BILLING CODE 4910-13-U

ARMS CONTROL AND DISARMAMENT AGENCY**22 CFR Part 601****Statement of Organization**

AGENCY: Arms Control and Disarmament Agency.

ACTION: Final rule.

SUMMARY: The United States Arms Control and Disarmament Agency (ACDA) is updating, revising, and restating in its entirety the ACDA Statement of Organization. In addition to reflecting ACDA's current organization, the amended rule contains numerous editorial changes. This rule will have no substantive effect on the public.

EFFECTIVE DATE: November 14, 1996.

FOR FURTHER INFORMATION CONTACT:

Janice F. Busen, Office of the General Counsel, United States Arms Control and Disarmament Agency, Room 5635, 320 21st Street, NW., Washington, DC 20451, telephone (202) 647-3596.

SUPPLEMENTARY INFORMATION: Because this rule relates solely to internal agency management, pursuant to 5 U.S.C. 553(b) notice and other public procedures are not required, and the rule is effective immediately on the specified date. Further, this action is not a rule as defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612 and, thus, is exempt from the provisions of that act.

Executive Order 12866 Determination

ACDA has determined that this rule is not a significant regulatory action

within the meaning of section 3(f) of that Executive Order.

Paperwork Reduction Act Statement

This rule is not subject to the provisions of the Paperwork Reduction Act because it does not contain any information collection requirements within the meaning of that Act.

Unfunded Mandates Act Determination

ACDA has determined that this rule will not result in expenditures by state, local, and tribal governments, or by the private sector, of more than \$100 million in any one year. Accordingly, a budgetary impact statement is not required under section 202 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1532.

List of Subjects in 22 CFR Part 601

Organization and functions (Government agencies).

Chapter VI of Title 22 of the Code of Federal Regulations is amended by revising part 601 to read as follows:

PART 601—STATEMENT OF ORGANIZATION

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601.1 Purpose.

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601.16 Office of Administration (A).

601.17 Office of Congressional Affairs (CA).

601.18 Office of Public Affairs (PA).

Authority: 5 U.S.C. 552(a)(1) and 22 U.S.C. Chapter 35.

§ 601.1 Purpose.

This part summarizes the mission and organization of the U.S. Arms Control and Disarmament Agency.

§ 601.2 Definitions.

(a) As used in this part, *Agency* or *ACDA* means the U.S. Arms Control and Disarmament Agency.

(b) As used in this part, *the Act* means the Arms Control and Disarmament Act, as amended (22 U.S.C. 2551 *et seq.*).

Subpart A—Agency Mission and Structure

§ 601.5 Mission.

(a) Through the Act, Congress and the President determined that the formulation and implementation of United States arms control, nonproliferation, and disarmament policy in a manner which will promote the national security could best be insured by a central organization charged by statute with primary responsibility for this field.

(b) Under the Act, the Agency is charged with providing the President, the Secretary of State, other officials of the executive branch, and the Congress with recommendations concerning United States arms control, nonproliferation, and disarmament policy, and assessing the effect of these recommendations upon our foreign policies, our national security policies, and our economy.

(c) The Agency also has the capacity for providing the essential scientific, economic, political, military, psychological, and technological information on which realistic arms control, nonproliferation, and disarmament policy must be based, and has the authority, under the direction of the President and the Secretary of State, to carry out the following primary functions:

(1) The preparation for and management of United States participation in international negotiations and implementation fora in the arms control and disarmament field.

(2) When directed by the President, the preparation for, and management of, United States participation in international negotiations and implementation fora in the nonproliferation field.

(3) The conduct, support, and coordination of research for arms control, nonproliferation, and disarmament policy formulation.

(4) The preparation for, operation of, or, as appropriate, direction of United States participation in such control systems as may become part of United States arms control, nonproliferation, and disarmament activities.

(5) The dissemination and coordination of public information concerning arms control, nonproliferation, and disarmament.

(d) The Agency works at the highest level of the United States Government and, under the direction of the Secretary of State, conducts United States participation in international arms control and disarmament negotiations. It does not normally hand down decisions or engage in regulatory activities

affecting the general public, since its functions are principally in the advisory or diplomatic areas. Copies of publications resulting from the Agency's activities, such as its Annual Report, may be ordered from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, or requested directly from the U.S. Arms Control and Disarmament Agency, Office of Public Affairs, 320 21st Street NW., Washington, DC 20451.

§ 601.6 Agency structure.

(a) The Agency is headed by a Director, appointed by the President with the advice and consent of the Senate, who is responsible for the executive direction of the Agency. The Director is assisted by a Deputy Director, also appointed by the President with the advice and consent of the Senate, who acts for, and exercises the powers of, the Director during the Director's absence or disability or during a vacancy in said office.

(b) The Director of ACDA ranks with the Deputy Secretary of State and reports directly to the Secretary of State; the Deputy Director ranks with an Under Secretary of State. The Director of ACDA is the principal advisor to the Secretary of State, the National Security Council, and the President and other executive branch Government officials on matters relating to arms control, nonproliferation, and disarmament. The Director has direct access to the President as necessary. In addition, the Director has the authority and independence to deal directly with the heads of other agencies, such as the Department of Defense and the Department of Energy, on matters not falling within the jurisdiction of the Department of State.

(c) The Director is supported by a personal staff that includes the Counselor, Chief of Staff, Special Assistant, and Personal Secretary. Other entities included within the Office of the Director are: the Executive Secretary and Adviser for Internal Affairs, the Advanced Projects Office, the Chief Science Advisor, the Office of Military Affairs, the Office of the Inspector General, and the Equal Employment Opportunity Officer.

(d) The Agency has four Assistant Directors appointed by the President with the advice and consent of the Senate who rank with Assistant Secretaries of State. Each of these Assistant Directors heads a bureau, and it is through the bureaus that the Agency's program responsibilities are primarily discharged. The four current

bureaus are the Multilateral Affairs Bureau, the Strategic and Eurasian Affairs Bureau, the Nonproliferation and Regional Arms Control Bureau, and the Intelligence, Verification, and Information Management Bureau. Within the range of its program responsibilities, each bureau is responsible for generating policy proposals, and for working closely with other ACDA units and Government agencies. Other Agency units with staff or Agency-wide responsibilities are the Office of the Director, Office of the General Counsel, the Office of Congressional Affairs, the Office of Administration, the Office of Congressional Affairs, and the Office of Public Affairs.

Subpart B—Functional Statements

§ 601.10 Office of the Director.

(a) The Director of ACDA is the principal adviser to the Secretary of State, the National Security Council, and the President and other executive branch Government officials on matters relating to arms control, nonproliferation, and disarmament, and on their relationship to other aspects of overall national security policy. Under the direction of the President and the Secretary of State, the Director has primary responsibility within the Government for matters relating to arms control and disarmament and, whenever directed by the President, primary responsibility within the Government for matters relating to nonproliferation. The Director is responsible for the executive direction, operations, and coordination of all activities of the Agency and the Agency's relations with the Congress. The Director attends all meetings of the National Security Council that involve weapons procurement, arms sales, consideration of the defense budget, and all arms control, nonproliferation, and disarmament matters.

(b) The Deputy Director assists the Director in carrying out the Director's responsibilities as head of the Agency, and acts for and exercises the powers of the Director during the Director's absence or disability or during a vacancy in said office. The Deputy Director also has direct responsibility, under the supervision of the Director, for the administrative management of the Agency, intelligence-related activities, security and the Special Compartmental Intelligence Facility, and performs such other duties and exercises such other powers as the Director may prescribe.

(c) The Executive Secretary and Advisor for Internal Affairs (D/EX), on

behalf of the Director, initiates and provides Agency liaison to the national security agencies, coordinates within ACDA and with other agencies to ensure appropriate ACDA representation of interagency deliberations and international summits, and the timely exchange of information. The Executive Secretary advises the Director and other Agency Principals on arms control and administrative policy options, the status of policy deliberations within the Agency, and the optimum methods and procedures to implement policy decisions. The Executive Secretary maintains the Director's formal record of communications regarding arms control policy deliberations and decisions.

(d) The Advanced Projects Office (D/AP) is ACDA's center for innovative concepts of arms control, nonproliferation, and disarmament. It conceives and develops new avenues to aspects of arms control, nonproliferation, and disarmament. Its projects build both on internally generated concepts and on ideas collected from government, academic, and non-governmental sources.

(e) The Chief Science Advisor (CSA) is the Director's special representative for matters of science and technology, and identifies promising technologies for monitoring arms control agreements.

(f) The Office of Military Affairs (D/M) is headed by the Senior Military Advisor who serves as the principal advisor to the ACDA Director on military matters, is the principal representative of the Director to the Office of the Secretary of Defense and the Joint Chiefs of Staff, and is the liaison between ACDA and United States military commanders and the ACDA focal point for military-to-military contacts on agency initiatives. The Senior Military Advisor evaluates arms control and nonproliferation proposals from a military perspective, and assesses their potential contributions to the national security of the United States.

(g) The Office of the Inspector General is headed by the Inspector General of the Agency who has the duties, responsibilities, and authorities specified in the Inspector General Act of 1978, as amended (5 U.S.C. app.). The Inspector General of the Agency utilizes personnel of the Office of the Inspector General of the Department of State in performing the duties of Inspector General of the Agency.

(h) The Equal Employment Opportunity (EEO) Officer has the primary responsibility for advising the Director of the Agency with respect to the preparation of the Agency's equal employment opportunity plans,

procedures, regulations, reports, and other matters pertaining to the Agency's equal employment opportunity program, for evaluating the sufficiency of the total Agency program for equal employment opportunity, and when authorized by the Director of the Agency, for making changes in programs and procedures designed to eliminate discriminatory practices and to improve the Agency's program for equal employment opportunity. The EEO Officer maintains contact with the Office of Personnel Management, the Equal Employment Opportunity Commission, schools, and other related organizations.

§ 601.11 Multilateral Affairs Bureau (MA).

MA develops and implements policy, strategy, and tactics for issues under negotiation and discussion in multilateral arms control fora. It provides organizational support and staffing for U.S. delegations to the Conference on Disarmament (CD) in Geneva, in which the negotiations on a comprehensive ban on nuclear weapons testing (CTB) and on other issues related to nuclear weapons (e.g., fissile material cut-off) and conventional arms (e.g., transparency in armaments) are conducted, as well as for the First Committee of the UN General Assembly and the United Nations Disarmament Commission. The Bureau leads the U.S. effort to implement the Chemical Weapons Convention (CWC) through the CWC Preparatory Commission in The Hague, and will potentially serve as the U.S. Office of National Authority (ONA) upon entry into force of the CWC. In addition, the MA Bureau takes the leading policy role in formulating Agency positions in support of the implementation of the Treaty on Conventional Armed Forces in Europe (CFE) through the Joint Consultative Group (JCG), the Treaty on Open Skies through the Open Skies Consultative Commission (OSCC), and the CSCE Forum for Security Cooperation (FSC), all in Vienna. The Bureau is also responsible for development and implementation of policy within the U.S. relating to other international arms control agreements and negotiations, including the international effort to strengthen the Biological and Toxin Weapons Convention (BWC) by enhancing transparency and confidence in compliance, and other related diplomatic activities, such as the BW Trilateral dialogue between the U.S., UK and Russia. MA takes the Agency lead in supporting other international efforts such as the UN Special Commission (UNSCOM) for Iraq and peacekeeping initiatives. It also leads U.S.

Government efforts, both substantively and administratively, for multilateral treaty review conferences, with the exception of the Nuclear Non-proliferation Treaty (NPT). The Bureau assists in the formulation of Agency policy with regard to arms control in regions of the world outside Europe.

§ 601.12 Strategic and Eurasian Affairs Bureau (SEA).

SEA has principal responsibility within the Agency for the diplomatic, political, and technical aspects of negotiations and implementation of strategic and nuclear arms control agreements, particularly with respect to the new independent States of the former Soviet Union, and of policy initiatives to facilitate the denuclearization of Belarus, Kazakhstan, and Ukraine. Expansion of arms control efforts in the Eurasian region, including consideration of discussions with China on strategic stability, is also part of the Bureau's portfolio. Further, SEA has principal responsibility within the Agency for development and implementation of the Nunn-Lugar program, the Safeguards, Transparency and Irreversibility initiative (to ensure that nuclear warhead dismantlement is irreversible and transparent) and of defense conversion policy and programs related to the former Soviet Union and China. Other areas in which SEA has responsibility include: ballistic missile defense arms control, the Standing Consultative Commission (SCC), the Joint Compliance and Inspection Commission (JCIC), and the Special Verification Commission (SVC). SEA coordinates implementation of agreed policy, generates and analyzes proposals, and evaluates weapons systems and other questions relating to these negotiations. It also takes the leading role in formulating Agency positions on basic strategic and theater offensive arms control, ballistic missile defense arms control, nuclear warhead dismantlement initiatives and the storage and disposition of fissile material from dismantled nuclear warheads, and other strategic or global arms control and outer space policy issues that require high-level decision within the Government. SEA chairs the interagency backstopping committees for the JCIC, the SCC, the SVC, and the Bilateral Implementation Commission (BIC). The Bureau also provides technical expertise to teams implementing various elements of denuclearization, fissile material disposition, and related openness initiatives, as well as to defense

conversion committees and relevant interagency working groups.

§ 601.13 Nonproliferation and Regional Arms Control Bureau (NP).

NP is responsible for representing the Agency in policy development, implementation, and international negotiations to halt the proliferation of nuclear/chemical/biological weapons and missiles, to control conventional arms and sensitive dual-use exports, and to foster regional arms control. It promotes United States interests in multilateral nonproliferation regimes, e.g., the Nuclear Non-proliferation Treaty, the Treaty of Tlatelolco, the Missile Technology Control Regime, Nuclear Suppliers Group, and the Australia Group. It provides technical and policy support for the International Atomic Energy Agency's safeguards and technical assistance efforts. NP also participates in the review of exports subject to nuclear/chemical/biological weapons and missile nonproliferation controls. It initiates and supports regional arms control measures and arrangements outside of Europe as well as conventional arms.

§ 601.14 Intelligence, Verification, and Information Management Bureau (IVI).

IVI has principal responsibility within the Agency for developing verification policy, compliance assessments and intelligence support. The Bureau provides research and technical analysis to the other ACDA bureaus; coordinates and integrates agency-wide perspectives on substantive compliance, verification and implementation issues; compiles, maintains, and analyzes all relevant arms control and nonproliferation data in support of agency requirements for compliance assessment and adjudication; establishes, manages and maintains all information systems within the Agency; and monitors and assures the availability of U.S. technical systems to implement existing treaties. IVI's responsibilities in the area of verification and compliance include analysis of the Comprehensive Test Ban Treaty, the Conventional Armed Forces in Europe (CFE), the Strategic Arms Reduction Treaties (START I and II), the Open Skies Treaty, and most recently, the Chemical Weapons Convention (CWC). These are in addition to the earlier Biological Weapons Convention (BWC), the Nuclear Non-proliferation Treaty (NPT), the U.S.-Soviet Threshold Test Ban (TTB) and Peaceful Nuclear Explosions (PNE) Treaties, and the Intermediate-Range Nuclear Forces (INF) Treaty. In addition to treaty-specific responsibilities, the Bureau is also responsible for providing effective

coordination of research and development on arms control, nonproliferation, and disarmament issues among the departments and agencies of the executive branch; participating in the development of government-wide requirements for arms control research and development and implementation to ensure responsiveness to policy requirements as well as fiscal accountability; providing the definitive repository for negotiations documents such as negotiating records and electronic treaty texts; publishing the Agency's annual report, *World Military Expenditures and Arms Transfers*; and providing economic analysis support to the Agency and to the interagency community for economic aspects of arms control and national security.

§ 601.15 Office of the General Counsel (GC).

The Office of the General Counsel (GC) is responsible for all matters of domestic and international law relevant to the work of the Agency. It provides advice and assistance in drafting and negotiating arms control treaties and agreements, and on questions regarding their approval by Congress, implementation, interpretation, ratification, and revision. GC lawyers regularly serve as the Legal Advisors to United States arms control negotiating delegations. The Office is also involved in the legal aspects of the nuclear weapons nonproliferation responsibilities of the Agency. It is responsible for legal matters relating to arms control policy formulation and Agency legislation, including drafting of such legislation. It handles the legal aspects of Agency policies and operations in the areas of personnel, security, ethics, equal employment opportunity, contracts, procurement, fiscal, and administrative matters. It also is responsible for responding to requests under the Freedom of Information Act (5 U.S.C. 552) and Privacy Act (5 U.S.C. 552a), and for reviewing documents for declassification.

§ 601.16 Office of Administration (A).

This Office is responsible for full administrative support to the Agency and to all of its components, including the negotiating staffs in Geneva, Switzerland, The Hague, Netherlands, and Vienna, Austria. This includes all personnel, budget, fiscal, supply, contracts, communications, and general administrative activities. The Office maintains regular liaison with the Office of Management and Budget, the Appropriations Committees of the Congress, the Department of State, the

General Services Administration, and other organizations providing services for the Agency. The Office is responsible for the security program of the Agency which includes physical, procedural, personnel, technical, and computer security, as well as investigative and counterintelligence functions. The Office conducts liaison with national security and federal investigative agencies.

§ 601.17 Office of Congressional Affairs (CA).

The Office of Congressional Affairs (CA) is responsible for the legislative and policy implications of all arms control, nonproliferation and disarmament proposals. This includes responsibility for Congressional liaison, coordination and representation. These activities include preparation for and attendance at Congressional briefings, consultations and hearings, including the Agency's biannual authorization request and annual appropriation request. The Office also assists in the preparation for visits by Members of Congress to our negotiating fora and is responsible for all Congressional inquiries. The status of proposed and existing arms control agreements, and the inter- and intra-agency coordination of arms control, nonproliferation, and disarmament congressional matters are also included in the liaison activity. Communication between the Agency and Congressional committees, Members and their staffs, formal and informal, are designed to keep Congress informed of our arms control, nonproliferation, and disarmament efforts. This process includes obtaining insights by CA for suggestions and initiatives within ACDA.

§ 601.18 Office of Public Affairs (PA).

This office carries out the Agency's legislative mandate for the dissemination and coordination of public information concerning arms control, nonproliferation, and disarmament matters. It is responsible for all contacts with the media and prepares guidance as required on questions relating to the Agency's business. It collects, screens, and distributes information to Bureaus and Offices to keep the Agency's staff abreast of developments of interest and use in connection with carrying out their responsibilities. It also prepares publications and handles the participation at public speaking engagements by Agency officials.

Dated: October 24, 1996.
Mary Elizabeth Hoinkes,
General Counsel.
[FR Doc. 96-29169 Filed 11-13-96; 8:45 am]
BILLING CODE 6820-32-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 4F4398/R2209A; FRL-5570-1]
RIN 2070-AB78

Dried Fermentation Solids and Solubles of *Myrothecium Verrucaria*; Exemption from the Requirement of a Tolerance on All Food Crops and Ornamentals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule

SUMMARY: EPA is amending the final rule issued on March 20, 1996 establishing an exemption from the requirement of a tolerance for dried fermentation solids and solubles of *myrothecium verrucaria* on all food crops and ornamental.

DATES: The effective date of this amendment is November 14, 1996.

ADDRESSES: Written objections and hearing requests, identified by the document control number, [PP 4F4398/R2209A], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the document control number and submitted 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, bring copy of objections and hearing requests to Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Fees accompanying objections shall be labeled "Tolerance Petition Fees" and forwarded: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. An electronic copy of objections and hearing requests filed with the Hearing Clerk may be submitted to OPP by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov

Copies of electronic objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of electronic objections and

hearing requests will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All copies of electronic objections and hearing requests must be identified by the docket number [PP 4F4398/R2209A]. No Confidential Business Information (CBI) should be submitted through e-mail. Copies of electronic objections and hearing requests on this 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: Cindy Schaffer, Product Manager (PM) Biopesticides and Pollution Prevention Division (7501W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. (703) 308-8272; e-mail: schaffer.cindy@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: On March 20, 1996 (61 FR 11313)(FRL-5352-2), EPA issued a final rule adding § 180.1163 which established an exemption from the requirement of a tolerance for Killed *myrothecium verrucaria*. Inadvertently, § 180.1163 contained a restriction on the amount of *myrothecium verrucaria* that could be used per acre. This amendment removes that restriction.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the Federal Register, file written objections to the regulation and may also request a hearing on those objections. Objections and hearing requests must be filed with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of the objections and/or hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the