(b) You may request that the Regional Supervisor make a preliminary determination whether a reservoir is competitive. When you receive the preliminary determination, you have 30 days (or longer if the Regional Supervisor allows additional time) to concur or to submit an objection with supporting evidence if you do not concur. The Regional Supervisor will make a final determination and notify you and the other lessees.

(c) If you conduct drilling or production operations in a reservoir determined competitive by the Regional Supervisor, you and the other affected lessees must submit for approval a joint plan of operations. You must submit the joint plan within 90 days after the Regional Supervisor makes a final determination that the reservoir is competitive. The joint plan must provide for the development and/or production of the reservoir. You may submit supplemental plans for the Regional Supervisor's approval.

(d) If you and the other affected lessees cannot reach an agreement on a joint Development and Production Plan within the approved period of time, each lessee must submit a separate plan to the Regional Supervisor. The Regional Supervisor will hold a hearing to resolve differences in the separate plans. If the differences in the separate plans are not resolved at the hearing and the Regional Supervisor determines that unitization is necessary under § 250.191(b), MMS will initiate unitization under § 250.194.

§ 250.193 How do I apply for voluntary unitization?

(a) You must file a request for a voluntary unit with the Regional Supervisor. Your request must include:

(1) A draft of the proposed unit agreement;

(2) A proposed initial plan of operation;

(3) Supporting geological, geophysical, and engineering data; and

(4) Other information that may be necessary to show that the unitization proposal meets the criteria of § 250.190.

(b) The unit agreement must comply with the requirements of this part. MMS will maintain and provide a model unit agreement for you to follow. If MMS revises the model, MMS will publish the revised model in the Federal Register. If you vary your unit agreement from the model agreement, you must obtain the approval of the Regional Supervisor.

(c) After the Regional Supervisor accepts your unitization proposal, you, the other lessees, and the unit operator must sign and file copies of the unit agreement, the unit operating agreement, and the initial plan of operation with the Regional Supervisor for approval.

§ 250.194 How will MMS require unitization?

(a) If the Regional Supervisor determines that unitization of operations within a proposed unit area is necessary to prevent waste, conserve natural resources of the OCS, or protect correlative rights, including Federal royalty interests, the Regional Supervisor may require unitization.

(b) If you ask MMS to require unitization, you must file a request with the Regional Supervisor. You must include a proposed unit agreement as described in §§ 250.191(d) and 250.193(b); a proposed unit operating agreement; a proposed initial plan of operation; supporting geological, geophysical, and engineering data; and any other information that may be necessary to show that unitization meets the criteria of § 250.190. The proposed unit agreement must include a counterpart executed by each lessee seeking compulsory unitization. Lessees who seek compulsory unitization must simultaneously serve on the nonconsenting lessees copies of:

(1) The request;

(2) The proposed unit agreement with executed counterparts;

(3) The proposed unit operating agreement; and

(4) The proposed initial plan of operation.

(c) If the Regional Supervisor initiates compulsory unitization, MMS will serve all lessees of the proposed unit area with a proposed unitization plan and a statement of reasons for the proposed unitization.

(d) The Regional Supervisor will not require unitization until MMS provides all lessees of the proposed unit area written notice and an opportunity for a hearing. If you want MMS to hold a hearing, you must request it within 30 days after you receive written notice from the Regional Supervisor or after you are served with a request for compulsory unitization from another lessee.

(e) MMS will not hold a hearing under this paragraph until at least 30 days after MMS provides written notice of the hearing date to all parties owning interests that would be made subject to the unit agreement. The Regional Supervisor must give all lessees of the proposed unit area an opportunity to submit views orally and in writing and to question both those seeking and those opposing compulsory unitization. Adjudicatory procedures are not required. The Regional Supervisor will make a decision based upon a record of the hearing, including any written information made a part of the record. The Regional Supervisor will arrange for a court reporter to make a verbatim transcript. The party seeking compulsory unitization must pay for the court reporter and pay for and provide to the Regional Supervisor within 10 days after the hearing three copies of the verbatim transcript.

(f) The Regional Supervisor will issue an order that requires or rejects compulsory unitization. That order must include a statement of reasons for the action taken and identify those parts of the record which form the basis of the decision. Any adversely affected party may appeal the final order of the Regional Supervisor under 30 CFR part 290.

[FR Doc. 97–2822 Filed 2–4–97; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Parts 255 and 340

Confidentiality of Medical Quality Assurance (QA) Records and Delegation of Authority to Deputy Secretary of Defense; Removal

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: This document removes the Department of Defense's Confidentiality of Medical Quality Assurance (QA) Records and the organizational charter on the Delegation of Authority to Deputy Secretary of Defense codified in the CFR. The parts have served the purpose for which they were intended in the CFR and are no longer necessary.

EFFECTIVE DATE: February 5, 1997.

FOR FURTHER INFORMATION CONTACT: L. Bynum or P. Toppings, 703–697–4111.

SUPPLEMENTARY INFORMATION: DoD Directive 6040.37, ''Confidentiality of Medical Quality Assurance (QA) Records'' was revised by a July 9, 1996 version. DoD Directive 5105.2, ''Delegation of Authority to the Deputy Secretary of Defense'' was revised by a January 24, 1997 version. Copies of the Directives may be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161.

List of Subjects

32 CFR Part 255

Armed forces, Health care, Health records, Privacy.

32 CFR Part 340

Organization and functions.

PARTS 255 AND 340—[REMOVED]

Accordingly, by the authority of 10 U.S.C. 301, 32 CFR parts 255 and 340 are removed.

Dated: January 24, 1997.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 97–2753 Filed 2–4–97; 8:45 am]

BILLING CODE 5000–04–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP–5F4578/R–2277; FRL–5585–8]

RIN 2070–AB78

Glufosinate Ammonium; Tolerances for Residues

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes time-limited tolerances for residues of the herbicide glufosinate ammonium (butanoic acid, 2-amino-4-(hydroxymethylphosphinyl)-, monoammonium salt) and its metabolites: 2-acetamino-4-methylphosphinico-butanoic acid and 3-methylphosphinico-propionic acid, in or on various raw agricultural commodities (RACs), derived from transgenic field corn and transgenic soybeans. AgrEvo USA Co. submitted a petition to EPA under the Federal Food, Drug and Cosmetic Act (FFDCA) as amended by the Food Quality Protection Act of l996 (FQPA) requesting the tolerances.

EFFECTIVE DATE: This regulation becomes effective February 5, 1997. The tolerances expire and are revoked automatically without further action by EPA on July 13, l999.

ADDRESSES: Written objections and hearing requests, identified by the docket control number, [PP–5F4578/R–2277], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests shall be labeled ''Tolerance Petition Fees'' and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the docket 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.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically to the OPP by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket control number [PP–5F4578/R–2277]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in Unit IX. of this preamble.

FOR FURTHER INFORMATION CONTACT: By mail: Joanne I. Miller, Product Manager (PM) 23, Registration Division (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 237, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703)-305-6224; e-mail: miller.joanne@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: In the Federal Register of October 25, 1995 (60 FR 54689)(FRL–4982–4), EPA issued a notice pursuant to section 408(d) of FFDCA, 21 U.S.C. 346a(d), announcing the filing of a pesticide tolerance petition by AgrEvo USA Co., Little Falls One, 2711 Centerville Rd., Wilmington, DE 19808. The petition requested that 40 CFR 180.473 be amended by adding tolerances for residues of glufosinate ammonium and its metabolites 2-acetamido-4-methylphosphinico-butanoic acid and 3-methylphosphinico-propionic acid, in or on the following RACs: corn, field, grain at 0.2 part per million (ppm); corn, field, forage at 4.0 ppm; corn, field, silage at 3.5 ppm; corn, field, fodder at 5.5 ppm; soybean seed at 2.0 ppm; and soybean hulls at 6.0 ppm. In the Federal Register of July 31, l996 (61 FR 39964)(FRL–5384–7), EPA issued a notice of an amendment to the petition. The tolerances requested were changed to residues of glufosinate-ammonium and its metabolites, 2-acetamido-4-methylphosphinico-butanoic acid and 3-methylphosphico-propionic acid expressed as glufosinate free acid equivalents, in or on the following RACs: corn, field, grain, at 0.2 ppm; corn, field, forage, at 4.0 ppm; corn, field, fodder, at 6.0 ppm; soybeans, at 2.0 ppm; aspirated grain fractions, at 25.0 ppm; eggs, at 0.05 ppm; poultry, meat at 0.05 ppm; poultry, fat at 0.05 ppm; and poultry, meat by-products (mbyp) at 0.10 ppm. The revised petition also requested that a maximum residue level be established for the same residues in or on the processed commodity under section 701 of FFDCA: soybean hulls at 5.0 ppm.

In the Federal Register of November 18, l996 (61 FR 58684) (FRL–5572–7), EPA issued a third Notice of Filing to amend the petition to bring the petition in conformity with FQPA (Pub. L. 104-170). The notice contained a summary of the petition prepared by the petitioner and this summary contained conclusions and arguments to support its conclusion that the petition complied with FQPA. In this instance the petitioner proposed to amend 40 CFR 180.473 by establishing tolerances for residues of glufosinate ammonium in or on the following RACs: corn, field, grain, at 0.2 ppm; corn, field, forage, at 4.0 ppm; corn, field, fodder, at 6.0 ppm; soybeans, at 2.0 ppm; soybean hulls, at 5.0 ppm; aspirated grain fractions, at 25.0 ppm; eggs, at 0.05 ppm; poultry, meat at 0.05 ppm; poultry, fat at 0.05 ppm; and poultry, mbyp at 0.10 ppm. The residues of glufosinate-ammonium were defined as butanoic acid, 2-amino-4-(hydroxymethylphosphinyl)-, monoammonium salt and its metabolites: 2-acetamido-4-methylphosphinico-butanoic acid and 3-methylphosphinico-propionic acid expressed as glufosinate free acid equivalents.

There were no comments or requests for referral to an advisory committee received in response to the notices of filing. The Notice of Filings were incorrectly stated for eggs and the poultry commodities because the residue chemistry data showed only the parent chemical and one metabolite, 3-methylphosphinico-propionic acid. The subject regulation is therefore amended accordingly. The data submitted in the