This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq., or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4). Nor does it require any prior consultation as specified by Executive Order 12875, entitled Enhancing the Intergovernmental Partnership (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898, entitled Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994), or require OMB review in accordance with Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997).

In addition, since these tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerances for the residues of imidacloprid and its metabolites in or on grain sorghum at 0.05 ppm, grain sorghum forage and stover at 0.10 ppm in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 et seq.) do not apply. Nevertheless, the Agency has previously assessed whether establishing tolerances, exemptions from tolerances, raising tolerance levels or expanding exemptions might adversely impact small entities and concluded, as a generic matter, that there is no adverse economic impact. The factual basis for the Agency's generic certification for tolerance actions published on May 4, 1981 (46 FR 24950) and was provided to the Chief Counsel for Advocacy of the Small Business Administration.

VIII. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a copy of the rule, to each House of the Congress and to the Comptroller General of the United States prior to publication of the rule in the Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: March 16, 1998

James Jones,
Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180-[AMENDED]

1. The authority citation for part 180 continues to read as follows:


2. Section 180.472, paragraph (a) is amended by alphabetically adding the commodities to read as follows:

§ 180.472 Imidacloprid; tolerances for residues.

(a) * * *

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Parts per million</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grain, sorghum</td>
<td>0.05</td>
</tr>
<tr>
<td>Grain, sorghum forage</td>
<td>0.10</td>
</tr>
<tr>
<td>Grain, sorghum stover</td>
<td>0.10</td>
</tr>
</tbody>
</table>

* * * * *

[FR Doc. 98-7646 Filed 3-24-98; 8:45 am]
List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Regulation Promulgation

Accordingly, the Service hereby amends part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:


§ 17.11 [Amended]
2. Amend section 17.11(h) by revising the “Critical Habitat” column in the table entry for “Owl, Mexican spotted” under BIRDS to read “NA.”
3. Amend section 17.11(h) by revising the “Critical Habitat” column in the table entry for “Minnow, loach” under FISHES to read “NA.”
4. Amend section 17.11(h) by revising the “Critical Habitat” column in the table entry for “Spikedace” under FISHES to read “NA.”

§ 17.95 [Amended]
5. Amend section 17.95(b) by removing critical habitat maps and associated text for the “Mexican Spotted Owl.”
6. Amend section 17.95(e) by removing critical habitat maps and associated text for the “Loach Minnow.”
7. Amend section 17.95(e) by removing critical habitat maps and associated text for the “Spikedace.”

Daniel M. Ashe, Acting Director, Fish and Wildlife Service.

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:

Background

The CDQ Program for Pacific halibut and fixed gear sablefish was developed by the North Pacific Fishery Management Council (Council) and implemented by NMFS under regulations at subpart C of 50 CFR part 679. The Crab CDQ Program was developed by the Council as part of Amendment 5 to the Fishery Management Plan (FMP) for the Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands Area which was approved by NMFS on September 12, 1997.

Regulations implementing the crab CDQ reserves were published by NMFS in the Federal Register on February 19, 1998 (63 FR 8356).

Eligible western Alaska communities submitted six proposed CDPs to the State under § 679.30. The CDPs included requests for allocations of the available Pacific halibut, sablefish, and crab CDQ reserves established at § 679.31. The State conducted a public hearing on September 9, 1997, in Anchorage, AK, during which all interested persons had an opportunity to be heard. The hearing covered the substance and content of the proposed CDPs in such a manner that the general public, and particularly the affected parties, had a reasonable opportunity to...