

2-pyridinecarboxylic acid), in or on apple at 0.05 ppm; brassica, leafy greens, subgroup 5B at 5.0 ppm; rapeseed, subgroup 20A, except gold of pleasure at 3.0 ppm; rapeseed, meal at 6.0 ppm; teff, forage at 9.0 ppm; teff, grain at 3.0 ppm; teff, hay at 9.0 ppm; and teff, straw at 9.0 ppm. This regulation additionally removes established tolerances in or on crambe, seed; flax, seed; mustard greens; mustard, seed; and rapeseed, seed.

VI. Statutory and Executive Order Reviews

This final rule establishes tolerances under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled “Regulatory Planning and Review” (58 FR 51735, October 4, 1993). Because this final rule has been exempted from review under Executive Order 12866, this final rule is not subject to Executive Order 13211, entitled “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997). 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.*, nor does it require any special considerations under Executive Order 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerance 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.

This final rule directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between

the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled “Federalism” (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled “Consultation and Coordination with Indian Tribal Governments” (65 FR 67249, November 9, 2000) do not apply to this final rule. In addition, this final rule does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104–4).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104–113, section 12(d) (15 U.S.C. 272 note).

VII. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. This final 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: September 10, 2012.

Lois Rossi,
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:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.431, paragraph (a) is amended by removing the commodities “Crambe, seed”; “Flax, seed”; “Mustard greens”; “Mustard, seed”; and “Rapeseed, seed” from the table and by adding, alphabetically, the following commodities to the table to read as follows:

§ 180.431 [Amended]

(a) * * *

Commodity	Parts per million
Apple	0.05
* * * * *	*
Brassica, leafy greens, subgroup 5B	5.0
* * * * *	*
Rapeseed, meal	6.0
Rapeseed, subgroup 20A, except gold of pleasure	3.0
* * * * *	*
Teff, forage	9.0
Teff, grain	3.0
Teff, hay	9.0
Teff, straw	9.0
* * * * *	*

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 32

Refuge-Specific Hunting and Sport Fishing Regulations

CFR Correction

§ 32.29 [Corrected]

■ In Title 50 of the Code of Federal Regulations, parts 18 to 199, revised as of October 1, 2011, on page 320, in § 32.29, under Savannah National Wildlife Refuge, the second paragraph A.1. is removed.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 32

Refuge-Specific Hunting and Sport Fishing Regulations

CFR Correction

§ 32.37 [Corrected]

■ In Title 50 of the Code of Federal Regulations, Parts 18 to 199, revised as of October 1, 2011, on page 345, in § 32.37, under Black Bayou Lake National Wildlife Refuge, the second paragraph B.1. and the second paragraph C.1. are removed.

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