

The data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerance included a two-year rat feeding/oncogenicity study and a dog feeding study with a no-observed-effect level (NOEL) of 0.1 milligram (mg)/kilogram (kg) of body weight (bw). Studies on delayed neurotoxicity and reproduction showed negative potentials. Based on the two-year chronic rat feeding study with a 0.1 mg/kg bw NOEL on cholinesterase activity and using a safety factor of 10, the acceptable daily intake (ADI) for man is 0.01 mg/kg bw/day. The theoretical maximum residue contribution (TMRC) in the human diet from the proposed tolerance and tolerances which have been previously established for residues of chlorpyrifos on a variety of raw agricultural commodities at levels ranging from 0.01 ppm to 1.5 ppm does not exceed the ADI. A food additive regulation (21 CFR 193.85) has previously been established for chlorpyrifos in food-handling establishments. Feed additive tolerances have also been established (21 CFR 561.98) for residues of chlorpyrifos in dried sugar beet pulp at 1 ppm, sorghum milling fractions at 1.5 ppm, and sugar beet molasses at 3 ppm.

The metabolism of chlorpyrifos is adequately understood, and an adequate analytical method (gas chromatography) is available for enforcement purposes. No actions are currently pending against registration of chlorpyrifos, nor are there any other relevant considerations involved in establishing the proposed tolerances. The established tolerances for residues of chlorpyrifos in milk, meat, poultry, and eggs are adequate to cover the proposed uses as delineated in 40 CFR 180.8(a)(2).

The pesticide is considered useful for the purpose for which a tolerance is sought. Therefore, the regulation establishing a tolerance for residues of chlorpyrifos at 15 ppm in or on dried citrus pulp by amending 21 CFR 561.98 is being promulgated. Accordingly, a feed additive regulation is established as set forth below.

Any person adversely affected by this regulation may, on or before May 2, 1980, file written objections with the Hearing Clerk, EPA, Rm. M-3708 (A-110), 401 M St. SW., Washington, DC 20460. Such objections should be submitted in triplicate and specify the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the

hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized" This regulation has been reviewed, and it has been determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Effective April 21, 1980, 21 CFR 561.98 is amended as set forth below.

Section 561.98 is revised by designating the existing text as paragraph (a) and by adding the new paragraphs (b), (c), and (d), as follows:

§ 561.98 Chlorpyrifos.

(a) * * *

(b) A tolerance is established for combined residues of the insecticide chlorpyrifos (*O,O*-diethyl *O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate) and its metabolite 3,5,6-trichloro-2-pyridinol in or on dried citrus pulp intended for animal feed at 15 parts per million, resulting from application of the pesticide to the growing raw agricultural commodities lemons and oranges in accordance with the provisions of an experimental use permit that expires April 10, 1981.

(c) Residues in or on dried citrus pulp not in excess of 15 parts per million resulting from the use described in paragraph (b) of this section remaining after this expiration of the experimental use program will not be considered actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and feed additive tolerances.

(d) Dow Chemical U.S.A. shall immediately notify the Environmental Protection Agency of any findings from the experimental use that have a bearing on safety. The firm must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

(Sec. 409(c)(1), 72 Stat. 1786, (21 U.S.C. 348(c)(1)).)

Dated: April 10, 1980.

Edwin L. Johnson,
Deputy Assistant Administrator for Pesticide Programs.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances: Schedule II Placement of the Methamphetamine/Amphetamine Immediate Precursor: Phenylacetone (Phenyl-2-propanone, P2P, Benzyl Methyl Ketone, Methyl Benzyl Ketone

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Response to comments on final order.

SUMMARY: This document refers to the Final Order published at 44 FR 71822 (December 12, 1979) which placed the substance phenylacetone into Schedule II of the Controlled Substances Act. That document invited public comment on the Final Order. After consideration of all comments and objections, the Drug Enforcement Administration has determined that none raised issues which would warrant revocation or amendment of the issued order.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, Telephone: (202) 633-1366.

SUPPLEMENTARY INFORMATION: A Final Order was issued on December 7, 1979 by the Administrator of the Drug Enforcement Administration placing the substance, phenylacetone, also known as phenyl-2-propanone, benzyl methyl ketone, methyl benzyl ketone and P2P, in Schedule II of the Controlled Substances Act, effective February 11, 1980 (44 FR 71822, December 12, 1979). The effect of the Order provided regulatory controls upon the manufacture, distribution, importation and exportation of this immediate precursor to methamphetamine and amphetamine.

All interested persons were invited to submit comments and objections related to the issue within the two month period between publication of the Order and the first effective dates imposing regulatory controls for phenylacetone, as to whether, and to what extent, the required compliance by industry with Schedule II controls would or might likely hinder their legitimate manufacturing and sales activities with phenylacetone, so as to outweigh the expected benefits resulting from Schedule II placement of phenylacetone in curbing illicit manufacture of methamphetamine and amphetamine. Nine written comments were received from six companies which manufacture,

purchase, use or sell phenylacetone in their legitimate business transactions. All comments and objections were considered and responded to by letter. The responding companies were advised that their remarks would be fully considered by the Administrator of the Drug Enforcement Administration in his determination of whether the Final Order should stand as published, or be rescinded or amended, as he determined to be appropriate and justified. The comments and responses are on file with the DEA Federal Register Representative, Drug Enforcement Administration, 1405 Eye Street, NW, Washington, DC 20537 and may be publicly viewed there.

After consideration of all such comments and objections, the Administrator has determined that none have raised significant issues which would warrant revocation or amendment of the subject Order issued December 7 1979, and, therefore, the Administrator shall not revoke nor amend the December 7 1979 Order, nor the effectiveness of the terms and provisions thereof, which placed phenylacetone into Schedule II of the Controlled Substances Act.

Dated: April 10, 1980.

Peter B. Bensing, Jr.,
Administrator, Drug Enforcement
Administration.

[FR Doc. 80-12097 Filed 4-18-80; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for
Housing—Federal Housing
Commissioner

24 CFR Part 205

[Docket No. R-80-793]

Mortgage Insurance and Home
Improvement Loans; Change in
Interest Rates

AGENCY: Department of Housing and
Urban Development.

ACTION: Final rule.

SUMMARY: The change in the regulations increases the maximum interest rate on the HUD/FHA Title X mortgage insurance program for land development. This action by HUD is designed to bring the maximum interest rate on HUD/FHA-insured land development loans into line with other competitive market rates and help assure adequate supply of FHA financing for land development projects.
EFFECTIVE DATE: April 9, 1980.

FOR FURTHER INFORMATION CONTACT:
John N. Dickie, Director, Financial
Analysis Division, Office of Financial
Management, Department of Housing
and Urban Development, 451 7th Street
SW., Washington, D.C. 20410 (202-426-
4667).

SUPPLEMENTARY INFORMATION: The following miscellaneous amendments have been made to this chapter to increase the maximum interest rate which may be charged on land development loans insured by this Department under the Title X program. The maximum interest rate on the HUD/FHA land development program has been raised from 13.00 percent to 14.00 percent.

The Secretary has determined that such a change is immediately necessary to meet the needs of the market and to prevent speculation in anticipation of a change, in accordance with his authority contained in 12 U.S.C. 1709-1, as amended. The Secretary has, therefore, determined that advance notice and public comment procedures are unnecessary and that good cause exists for making this amendment effective immediately.

A Finding of Inapplicability respecting the National Environmental Policy Act of 1969 has been made in accordance with HUD's environmental procedures. A copy of this Finding of Inapplicability will be available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Office of the General Counsel, Room 5218, Department of Housing and Urban Development, 451 7th Street SW., Washington, D.C. 20410.

Accordingly, Chapter II is amended as follows:

PART 205—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

Subpart A—Eligibility Requirements

1. Section 205.50 is amended to read as follows:

§ 205.50 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 14.00 percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after April 9, 1980.

* * * * *

(Sec. 3(a), 62 Stat. 113; (12 U.S.C. 1709-1); sec. 7 of the Department of Housing and Urban Development Act, (42 U.S.C. 3535(d)))

Issued at Washington, D.C., April 8, 1980.

Lawrence B. Simons,
Assistant Secretary for Housing—Federal
Housing Commissioner.

[FR Doc. 80-12060 Filed 4-18-80; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 147

[CCGD11-80-01]

Establishment of Safety Zones Around
Structures Being Constructed on the
Outer Continental Shelf (OCS)

AGENCY: Coast Guard, Department of
Transportation.

ACTION: Final rule.

SUMMARY: This document establishes an emergency safety zone and related regulations under the provisions of title 33 Code of Federal Regulations Section 147.03-3(b) around Platforms ELLEN and ELLY, fixed structures being constructed on the OCS in the Gulf of Santa Catalina south of the ports of Los Angeles and Long Beach. Platforms ELLEN and ELLY are the first two structures installed by Shell Oil Company in their BETA development plan to develop subseabed resources discovered pursuant to OCS lease #35. The first structure, Platform ELLEN was installed 1 December 1979 and Platform ELLY on 13 March 1980. These structures are the first ever allowed to be sited in the separation zone of a Traffic Separation Scheme. The Scheme involved is the Approaches to Los Angeles/Long Beach Traffic Separation Scheme. The Commander, Eleventh Coast Guard District has made an inquiry and determined that this safety zone is necessary to promote safety of life and property on the structures, their appurtenances and attending vessels and in the adjacent waters during the construction periods.

EFFECTIVE DATE: The safety zone and regulations established herein are effective 13 March 1980.

FOR FURTHER INFORMATION CONTACT:
Lt Robin A. Wendt, Project Manager,
Eleventh Coast Guard District Hearing
Officer, Eleventh Coast Guard District,
Union Bank Building, Suite 911, 400
Oceangate Boulevard, Long Beach,
California 90822, Telephone (213) 590-
2386.

DRAFTING INFORMATION: The principal persons involved in drafting this rule are Lieutenant Robin A. Wendt, Project Manager, Eleventh Coast Guard District Hearing Officer, and Lieutenant