

WPS provides a process for EPA to consider and grant administrative exceptions to this prohibition on early entry. In the Notices section of this **Federal Register**, EPA is granting the second and third such administrative exceptions. EPA is amending § 170.112 by adding two new paragraphs to paragraph (e)(7) identifying the **Federal Register** citations and effective dates for administrative exceptions granted under § 170.112(e).

The addition to paragraph (e)(7) is a technical amendment. It does not make any substantive changes in the WPS or § 170.112. EPA provided notice and an opportunity for comment on the proposed administrative exceptions. Detailed discussion of the public comments and the Agency's response are found in the Response to Public Comments in the docket.

II. Regulatory Assessment Requirements

A. Executive Order 12866

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the Agency must determine whether the regulatory action is "significant" and therefore subject to review by the Office of Management and Budget (OMB). Under section 3(f), the order defines "significant regulatory action" as action that is likely to result in a rule (1) having an annual effect on the economy of \$100 million or more, or adversely and materially affecting a sector of the

economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also referred to as "economically significant"); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order. Pursuant to the terms of this Executive Order, it has been determined that this rule is not "significant" and is therefore not subject to OMB review.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (5 U.S.C. 650(b)), EPA has determined that this technical amendment will not have a significant impact on a substantial number of small businesses since the technical amendment makes no substantive changes in the WPS.

C. Paperwork Reduction Act

This technical amendment contains no information collection requirements as defined in the Paperwork Reduction Act (44 U.S.C. 3502 et seq.)

List of Subjects in 40 CFR Part 170

Administrative practice and procedure, Labeling, Occupational

safety and health, Reporting and recordkeeping requirements.

Dated: April 24, 1995.

Lynn R. Goldman,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

Therefore, 40 CFR chapter I, subchapter E, part 170 is amended as follows:

PART 170—[AMENDED]

1. The authority citation for part 170 continues to read as follows:

Authority: 7 U.S.C. 136w.

2. Section 170.112 is amended by adding paragraph (e)(7)(ii) and (iii) to read as follows:

§ 170.112 Entry restrictions.

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(e) *	*	*		
(7) *	*	*		

(ii) Exception to perform irrigation tasks under specified conditions published in the **Federal Register** of May 3, 1995.

(iii) Exceptions to perform limited contact tasks under specified conditions published in the **Federal Register** of May 3, 1995.