

**§ 241.56 [Amended]**

46. In § 241.56, paragraph (b), remove the words “4015 Wilson Boulevard,” and add in their place “801 North Quincy Street.”

**§ 241.62 [Amended]**

47. In § 241.62, first sentence, remove the words “4015 Wilson Boulevard,” and add in their place “801 North Quincy Street.”

**§ 241.64 [Amended]**

48. In § 241.64, paragraph (b), remove the words “4015 Wilson Boulevard,” and add in their place “801 North Quincy Street.”

**PART 243—SUSPENSIONS PENDING APPEAL AND BONDING—MINERALS REVENUE MANAGEMENT**

49. The authority citation for part 243 continues to read as follows:

**Authority:** 5 U.S.C. 301 *et seq.*; 25 U.S.C. 396 *et seq.*, 396a *et seq.*, 2101 *et seq.*; 30 U.S.C. 181 *et seq.*, 351 *et seq.*, 1001 *et seq.*, 1701 *et seq.*; 31 U.S.C. 9701; 43 U.S.C. 1301 *et seq.*, 1331 *et seq.*, and 1801 *et seq.*

50. Revise the heading of part 243 to read as set forth above.

**§ 243.3 [Amended]**

51. In § 243.3, in the definition of “MMS bond-approving officer,” remove the word “Royalty” and add in its place “Minerals Revenue.”

[FR Doc. 02-9242 Filed 4-17-02; 8:45 am]

**BILLING CODE 4310-MR-P**

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**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 117**

**[CGD08-02-007]**

**Drawbridge Operating Regulation; Bayou Boeuf, LA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation in 33 CFR 117 governing the operation of the Burlington Northern Santa Fe Railway railroad swing span drawbridge across Bayou Boeuf, mile 10.2, near Amelia, Louisiana. This deviation allows the Burlington Northern Santa Fe Railway to close the bridge to navigation from 6 a.m. until 7 p.m. daily from April 29, 2002 through May 31, 2002. During this period, the bridge will be opened in

intervals of up to four-hours to pass any vessels that may be waiting for an opening. Presently, the draw is required to open on signal. This temporary deviation will allow for the replacement of the balance rail on the pivot pier.

**DATES:** This deviation is effective from 6 a.m. on Monday, April 29, 2002 until 7 p.m. on Friday, May 31, 2002.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Commander (obc), 501 Magazine Street, New Orleans, Louisiana, 70130-3396. The Bridge Administration Branch maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Phil Johnson, Bridge Administration Branch, telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:** The Burlington Northern Santa Fe Railway railroad swing span drawbridge across Bayou Boeuf, mile 10.2, near Amelia, Louisiana, has a vertical clearance in the closed-to-navigation position of 6 feet above high water and unlimited clearance in the open-to-navigation position. Navigation on the waterway consists of small tugs with tows, fishing vessels, and recreational craft. Presently, the draw opens on signal.

The Burlington Northern Santa Fe Railway requested a temporary deviation for the operation of the drawbridge to accommodate maintenance work. The work involves removing and replacing the balance rail on the pivot pier. This work is essential for continued operation of the draw span of the bridge.

This deviation allows the draw of the Burlington Northern Santa Fe Railway railroad swing span drawbridge across Bayou Boeuf, mile 10.2, near Amelia, Louisiana, to remain closed to navigation from 6 a.m. until 7 p.m. daily from April 29, 2002 through May 31, 2002. During this period, the bridge will be opened in intervals of up to four-hours to pass any vessels that may be waiting for an opening.

Dated: April 5, 2002.

**Roy J. Casto,**

*Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.*

[FR Doc. 02-9411 Filed 4-17-02; 8:45 am]

**BILLING CODE 4910-15-P**

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**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 117**

**[CGD08-02-008]**

**Drawbridge Operating Regulation; Bayou Boeuf, LA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation in 33 CFR 117 governing the operation of the Burlington Northern Santa Fe Railway railroad swing span drawbridge across Bayou Boeuf, mile 10.2, near Amelia, Louisiana. This deviation allows the Burlington Northern Santa Fe Railway to close the bridge to navigation from 8 a.m. until 2 p.m., from 4 p.m. until 10 p.m. and from midnight until 6 a.m. daily from June 3, 2002 through June 10, 2002. Presently, the draw is required to open on signal. This temporary deviation will allow for the replacement of the pinion gear and segment rack.

**DATES:** This deviation is effective from 8 a.m. on Monday, June 3, 2002 until 10 p.m. on Monday, June 10, 2002.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Commander (obc), 501 Magazine Street, New Orleans, Louisiana, 70130-3396. The Bridge Administration Branch maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Phil Johnson, Bridge Administration Branch, telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:** The Burlington Northern Santa Fe Railway railroad swing span drawbridge across Bayou Boeuf, mile 10.2, near Amelia, Louisiana, has a vertical clearance in the closed-to-navigation position of 6 feet above high water and unlimited clearance in the open-to-navigation position. Navigation on the waterway consists of small tugs with tows, fishing vessels, and recreational craft. Presently, the draw opens on signal.

The Burlington Northern Santa Fe Railway requested a temporary deviation for the operation of the drawbridge to accommodate maintenance work. The work involves removing and replacing the pinion gear, removing the segment rack, resurfacing the segment area and anchoring a new

segment rack to the pier. This work is essential for continued operation of the draw span of the bridge.

This deviation allows the draw of the Burlington Northern Santa Fe Railway railroad swing span drawbridge across Bayou Boeuf, mile 10.2, near Amelia, Louisiana, to remain closed to navigation from 8 a.m. until 2 p.m., from 4 p.m. until 10 p.m. and from midnight until 6 a.m. daily from June 3, 2002 through June 10, 2002.

Dated: April 5, 2002.

**Roy J. Casto,**

*Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.*

[FR Doc. 02-9412 Filed 4-17-02; 8:45 am]

**BILLING CODE 4910-15-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[OPP-301228; FRL-6829-9]

**RIN 2070-AB78**

#### Fenhexamid; Pesticide Tolerance

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes tolerances for residues of fenhexamid in or on caneberry subgroup, bushberry subgroup, juneberry, lingonberry, salal, and pistachio. The Interregional Research Project Number 4 (IR-4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1996.

**DATES:** This regulation is effective April 18, 2002. Objections and requests for hearings, identified by docket control number OPP-301228, must be received on or before June 17, 2002.

**ADDRESSES:** Written objections and hearing requests may be submitted by mail, in person, or by courier. Please follow the detailed instructions for each method as provided in Unit VI. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, your objections and hearing requests must identify docket control number OPP-301228 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** By mail: Shaja R. Brothers, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; telephone number: (703) 308-3194; e-mail address: brothers.shaja@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Categories	NAICS codes	Examples of potentially affected entities
Industry	111 112 311 32532	Crop production Animal production Food manufacturing Pesticide manufacturing

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

###### B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations", "Regulations and Proposed Rules," and then look up the entry for this document under the **Federal Register**—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>. A frequently updated electronic version of 40 CFR part 180 is available at [http://www.access.gpo.gov/nara/cfr/cfrhtml\\_00>Title\\_40/40cfr180\\_00.html](http://www.access.gpo.gov/nara/cfr/cfrhtml_00>Title_40/40cfr180_00.html), a beta site currently under development.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-301228. The official record consists of the documents specifically referenced in this action, and other information related to this action, including any information claimed as Confidential Business Information (CBI).

This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

##### II. Background and Statutory Findings

In the **Federal Register** of February 8, 2002 (67 FR 6028) (FRL-6821-2), EPA issued a notice pursuant to section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, as amended by the Food Quality Protection Act of 1996 (FQPA) (Public Law 104-170), announcing the filing of pesticide petitions (PP 1E6339, 1E6341, and 1E6343) by IR-4, 681 US Highway #1 South, North Brunswick, NJ 08902-3390. This notice included a summary of the petitions prepared by Tomen Agro, Incorporated, the registrant. There were no comments received in response to the notice of filing.

The petitions requested that 40 CFR 180.553 be amended by establishing tolerances for residues of the fungicide fenhexamid, (N-2,3-dichloro-4-hydroxyphenyl)-1-methyl cyclohexanecarboxamide), in or on food commodities as follows:

1. PP 1E6339 proposed a tolerance for caneberry (corrected to read caneberry subgroup) at 20 part per million (ppm),

2. PP 1E6341 proposed tolerances for bushberry (corrected to read bushberry subgroup) at 5.0 ppm, juneberry at 5.0 ppm, longanberry (corrected to read lingonberry) at 5.0 ppm, and salal at 5.0 ppm, and

3. PP 1E6343 proposed a tolerance for pistachio at 0.02 ppm.

Section 408(b)(2)(A)(i) of the FFDCA allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is "safe." Section 408(b)(2)(A)(ii) defines "safe" to mean that "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information." This includes exposure through drinking water and in residential settings, but does not include