

protection of all vessels and the fireworks handlers aboard the barges.

Regulatory Evaluation

This final rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. It has not been reviewed by the Office of Management and Budget under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979). The Coast Guard expects the economic impact of this final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This safety zone temporarily closes a major portion of the East River to vessel traffic. There is a regular flow of traffic through this area; however, the impact of this regulation is expected to be minimal for the following reasons: The limited duration of the event; the extensive, advance advisories that will be made to allow the maritime community to schedule transits before and after the event; the event is taking place at a late hour; the event has been held for twenty-one years in succession and is therefore anticipated annually, small businesses may experience an increase in revenue due to the event, the event sponsor has established and advertised a telephone "hotline" at (212) 494-3558 which waterways users may call prior to the event for details of the safety zone.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

For reasons discussed in the Regulatory Evaluation above, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this final rule under the principles and criteria contained in Executive Order 12612 and has determined that this final rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this final rule and concluded that under Figure 2-1, paragraph 34(g), of Commandant Instruction M16475.1C, this final rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

Regulation

For the reasons discussed in the preamble, the Coast Guard amends 33 part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. Add temporary § 165.T01-014 to read as follows:

§ 165.T01-014 Safety Zone: Macy's Fourth of July Fireworks, East River, New York.

(a) *Location.* The following area is a safety zone: all waters of the East River, north of the Brooklyn Bridge, and south of a line drawn from Lawrence Point (40°47'27" N 073°54'35" W NAD 1983) to Stony Point (40°47'48" N 073°54'42" W NAD 1983), and south of the Harlem River Foot Bridge, New York. This safety zone area also includes all waters of Newtown Creek west of the Pulaski Bascule Bridge.

(b) *Effective period.* This section is effective from 7:30 p.m. until 11:30 p.m. on Saturday July 4, 1998.

(c) *Regulations.* (1) the general regulations contained in 33 CFR 165.23 apply.

(2) No vessels will be allowed to transit the safety zone without the permission of the Captain of the Port New York.

(3) Vessels may remain in the safety zone for the purpose of viewing the

event in accordance with the following preestablished viewing areas:

(i) Vessels less than 20 meters (65.6 feet) in length, carrying persons for the purpose of viewing the fireworks, may take position in the northern area of the zone, north of the southern tip of Roosevelt Island, and in the southern area of the zone, south of the Williamsburg Bridge, and in Newtown Creek, east of the Pulaski Bascule Bridge.

(ii) Vessels equal to or greater than 20 meters (65.6 feet) in length, carrying persons for the purpose of viewing the fireworks, may take position in an area at least 200 yards off the bulkhead on the west bank and just off the pierhead faces on the east bank of the East River between the Williamsburg Bridge and a line drawn from East 15th Street, Manhattan, to a point due east on the Brooklyn shore at the north corner of the Bushwick Inlet entrance.

(iii) Vessels must be positioned in their respective viewing areas within the safety zone not later than 7:30 p.m.

(4) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: May 29, 1998.

Richard C. Vlaun,

Captain, U.S. Coast Guard, Captain of the Port, New York.

[FR Doc. 98-15033 Filed 6-4-98; 8:45 am]

BILLING CODE 4910-15-M

LIBRARY OF CONGRESS

Copyright Office

37 CFR Parts 201, 251, 252, 253, 256, 257, 258, 259 and 260

Copyright Rules and Regulations: Copyright, Compulsory Licenses, Copyright Arbitration Royalty Panel

AGENCY: Copyright Office, Library of Congress.

ACTION: Final rule; technical amendments.

SUMMARY: The Copyright Office is making non-substantive housekeeping amendments to its regulations to update them and to correct minor errors.

EFFECTIVE DATE: June 5, 1998.

FOR FURTHER INFORMATION CONTACT: Marilyn J. Kretsinger, Assistant General

Counsel, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, DC 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

SUPPLEMENTARY INFORMATION: The Copyright Office periodically reviews its regulations as published in the Code of Federal Regulations (CFR) to correct minor or typographical errors in the published text. The Office has identified minor errors in the currently published rules. The following sections are amended to correct these errors:

§§ 201.17(b)(2), 201.17(f)(4), 201.17(h)(3)(iii)(B)(1), 201.17(h)(9), 201.18(a)(3), 201.19(a)(3), 201.33(e)(1), 251.6(a), 251.30(a)(1), 251.32(d), 251.43(e), 251.46(c)(3), 251.46(d), 251.47(e), 251.47(f), 251.47(i), 251.47(k), 251.48(b), 251.60, 253.7(e), 256.2(b)(2), 258.1, and 260.3(e). Typographical errors are corrected in §§ 201.11(e)(3), 201.17(e)(2)(i), 201.17(e)(12), 201.29(e)(3), 251.3(a), 251.3(b), 252.4(a)(1), 257.4(a)(1), and 259.5(a)(1).

List of Subjects

37 CFR Part 201

Copyright, General provisions.

37 CFR Part 251

Administrative practice and procedure, Hearing and appeal procedures.

37 CFR Part 252

Cable television, Claims, Copyright.

37 CFR Part 253

Noncommercial educational broadcasting, Copyright.

37 CFR Part 256

Cable television, Copyright.

37 CFR Part 257

Claims, Copyright, Satellites.

37 CFR Part 258

Copyright, Satellites.

37 CFR Part 259

Claims, Copyright, Digital audio recording devices and media.

37 CFR Part 260

Copyright, Digital audio transmissions, Performance right, Sound recordings.

Final Rule

Accordingly, 37 CFR Chapter II is corrected by making the following corrections and amendments:

PART 201—GENERAL PROVISIONS

1. The authority citation for part 201 continues to read as follows:

Authority: 17 U.S.C. 702.

§ 201.11 [Amended]

2. Section 201.11(e)(3) is amended by removing “super station” and adding in its place the word “superstation”.

§ 201.17 [Amended]

3. Section 201.17(b)(2) is amended by removing the phrase “these regulations” each place it appears and adding in its place the phrase “this section”.

4. Section 201.17(e)(2)(i) is amended by removing “The ≥owner≤ of the cable system * * *” and adding in its place “The ‘owner’ of the cable system. * * *”.

5. Section 201.17(e)(12) is amended by removing “broadcast” and adding in its place the word “broadcast”.

6. Section 201.17(f)(4) is amended by adding the word “to” after the word “off” the last time it appears in the paragraph.

7. Section 201.17(h)(3)(iii)(B)(1) is amended by adding the word “a” before the word “cable” the first time it appears.

8. Section 201.17(h)(9) introductory text is amended by removing “37 CFR 308.2(c)” and adding in its place “37 CFR 256.2(c)”.

§ 201.18 [Amended]

9. Section 201.18(a)(3) is amended by removing “coowners” and adding the word “co-owners” in its place.

§ 201.19 [Amended]

10. Section 201.19(a)(3) is amended by removing “coowner” each place it appears and adding the word “co-owner” in its place and by removing “coowners” each place it appears and adding the word “co-owners” in its place.

§ 201.29 [Amended]

11. Section 201.29(e)(3) is amended by removing the word “room” and adding “Room” in its place.

§ 201.33 [Amended]

12. Section 201.33(e)(1) is amended by removing the “\$” and adding the phrase “U.S. dollars” after the numeral “32”.

PART 251—COPYRIGHT ARBITRATION ROYALTY PANEL RULES OF PROCEDURE

13. The authority citation for part 251 continues to read as follows:

Authority: 17 U.S.C. 801-803.

§ 251.3 [Amended]

14. Section 251.3(a) introductory text is amended by removing the date “1988” and adding in its place the date “1998”.

15. Section 251.3(b) is amended by removing the date “1988” and adding in its place “1998”.

§ 251.6 [Amended]

16. Section 251.6(b) is amended by removing the numeral “10” and adding in its place the word “ten”.

§ 251.30 [Amended]

17. Section 251.30(a)(1) is amended by removing the word “panel” after the word “CARP”.

§ 251.32 [Amended]

18. Section 251.32(d) is amended by removing the word “panel” after the word “CARP”.

§ 251.43 [Amended]

19. Section 251.43(e) is amended by removing the word “panel” after the word “CARP”.

§ 251.46 [Amended]

20. Sections 251.46(c)(3) and (d) are amended by removing the word “panel” after the word “CARP”.

§ 251.47 [Amended]

21. Sections 251.47(e), (f), (i), and (k) are amended by removing the word “panel” after the word “CARP”.

§ 251.48 [Amended]

22. Section 251.48(b) is amended by removing the word “panel” after the word “CARP”.

§ 251.60 [Amended]

23. Section 251.60 is amended by removing the word “transmission” and adding in its place the word “transmissions”.

PART 252—FILING OF CLAIMS TO CABLE ROYALTY FEES

24. The authority citation for part 252 continues to read as follows:

Authority: 17 U.S.C. 111(d)(4), 801, 803.

§ 252.4 [Amended]

25. Section 252.4(a)(1) is amended by removing the word “room” and adding “Room” in its place.

PART 253—USE OF CERTAIN COPYRIGHTED WORKS IN CONNECTION WITH NONCOMMERCIAL EDUCATIONAL BROADCASTING

26. The authority citation for part 253 continues to read as follows:

Authority: 17 U.S.C. 118, 801(b)(1), and 803.

§ 253.7 [Amended]

27. The heading for § 253.7(e) is amended by removing the phrase

"Copyright Arbitration Royalty Panel and/or Librarian of Congress." and adding in its place "the Copyright Office."

28. Section 253.7(e) is amended by removing the word "CRT" each place it appears and adding in its place "Copyright Office".

PART 256—ADJUSTMENT OF ROYALTY FEE FOR CABLE COMPULSORY LICENSE

29. The authority citation for part 256 continues to read as follows:

Authority: 17 U.S.C. 702, 802.

§ 256.2 [Amended]

30. Section 256.2(b)(2) is amended by removing the word "basis" before the word "service" and adding in its place the word "basic" and by removing the word "that" after the word "more" and adding in its place the word "than".

PART 257—FILING OF CLAIMS TO SATELLITE CARRIER ROYALTY FEES

31. The authority citation for part 257 continues to read as follows:

Authority: 17 U.S.C. 119(b)(4).

§ 257.4 [Amended]

32. Section 257.4(a)(1) is amended by removing the word "room" and adding "Room" in its place.

PART 258—ADJUSTMENT OF ROYALTY FEE FOR SECONDARY TRANSMISSIONS BY SATELLITE CARRIERS

33. The authority citation for part 258 continues to read as follows:

Authority: 17 U.S.C. 702, 802.

§ 258.1 [Amended]

34. Section 258.1 is amended by adding the word "the" after the word "under".

PART 259—FILING OF CLAIMS TO DIGITAL AUDIO RECORDING DEVICES AND MEDIA ROYALTY PAYMENTS

35. The authority citation for part 259 continues to read as follows:

Authority: 17 U.S.C. 1007(a)(1).

§ 259.5 [Amended]

36. Section 259.5(a)(1) is amended by removing the word "room" and adding "Room" in its place.

PART 260—USE OF SOUND RECORDINGS IN A DIGITAL PERFORMANCE

37. The authority citation for part 260 continues to read as follows:

Authority: 17 U.S.C. 114, 801(b)(1).

§ 260.3 [Amended]

38. Section 260.3(e) is amended by removing the word "accounts" after the word "of" and adding in its place the word "account".

Dated: June 1, 1998.

Marilyn J. Kretsinger,

Assistant General Counsel.

[FR Doc. 98-14824 Filed 6-4-98; 8:45 am]

BILLING CODE 1410-33-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-300664; FRL-5793-6]

RIN 2070-AB78

Azoxystrobin; Pesticide Tolerances for Emergency Exemptions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes a time-limited tolerance for combined residues of azoxystrobin or methyl (E)-2-(2-[6-(2-cyanophenoxy)pyrimidin-4-yl]oxy)phenyl-3-methoxyacrylate and its Z isomer in or on parsley. This action is in response to EPA's granting of an emergency exemption under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act authorizing use of the pesticide on parsley in Ohio. This regulation establishes maximum permissible levels for residues of azoxystrobin in this food commodity pursuant to section 408(l)(6) of the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1996. The tolerance will expire and is revoked on June 30, 1999.

DATES: This regulation is effective June 5, 1998. Objections and requests for hearings must be received by EPA on or before August 4, 1998.

ADDRESSES: Written objections and hearing requests, identified by the docket control number, [OPP-300664], must be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk identified by the docket control number, [OPP-300664], must also be submitted to:

Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring a copy of objections and hearing requests to Rm. 119, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect 5.1/6.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket control number [OPP-300664]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT: By mail: Virginia Dietrich, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 308-9359, e-mail: dietrich.virginia@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA, on its own initiative, pursuant to section 408(e) and (l)(6) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e) and (l)(6), is establishing a tolerance for combined residues of the fungicide azoxystrobin and its Z isomer, in or on fresh parsley at 0.5 and dried parsley at 1.0 part per million (ppm). This tolerance will expire and is revoked on June 30, 1999. EPA will publish a document in the **Federal Register** to remove the revoked tolerance from the Code of Federal Regulations.

I. Background and Statutory Authority

The Food Quality Protection Act of 1996 (FQPA) (Pub. L. 104-170) was signed into law August 3, 1996. FQPA amends both the FFDCA, 21 U.S.C. 301 *et seq.*, and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 *et seq.* The FQPA amendments went into effect immediately. Among other things, FQPA amends FFDCA to bring all EPA pesticide tolerance-setting activities