

Temporary Regulations

For the reasons set out in the preamble, the Coast Guard is temporarily amending part 117 Title 33 Code of Federal Regulations as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; and 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Effective 8 a.m. on October 5, 1998, through 7 p.m. on November 5, 1998, § 117.465 is amended by adding paragraph (g) to read as follows:

§ 117.465 Lafourche Bayou.

* * * * *

(g) The draw of the SR 1 bridge, mile 13.3, at Leeville, shall open on signal, except as follows:

(1) From October 5, 1998, until November 5, 1998, the draw need not open for the passage of vessels from 8 a.m. until noon and from 1 p.m. until 6 p.m. on Mondays and from 7 a.m. until 7 p.m. on Tuesdays, Wednesdays, and Thursdays.

(2) The draw need not open for the passage of vessels from 7 a.m. on Saturday, October 10, 1998, until 7 a.m. on Monday, October 12, 1998, and from 7 a.m. on Saturday, October 17, 1998, until 7 a.m. on Monday, October 19, 1998.

(3) In the event of an approaching tropical storm or hurricane, work on the bridge will be discontinued and the draw will return to normal operation.

Dated: September 17, 1998.

A.L. Gerfin, Jr.,

Captain, U.S. Coast Guard, Commander, 8th Coast Guard Dist. Acting.

[FR Doc. 98-25669 Filed 9-24-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 180**

[OPP-300598A; FRL-6029-1]

RIN 2070-AB78

Glutamic Acid; Technical Amendment and Correction of Pesticide Tolerance Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; technical amendment and correction.

SUMMARY: EPA is issuing a technical amendment to a final rule and is

correcting the preamble to the final rule that established an exemption from the requirement of a tolerance for residues of the biochemical glutamic acid in or on all food commodities, when applied as a plant growth and crop yield enhancer in accordance with good agricultural practices. This exemption was requested by Auxein Corporation. **DATES:** This technical amendment is effective September 25, 1998.

FOR FURTHER INFORMATION CONTACT: By mail: Edward Allen, Regulatory Action Leader, Biopesticides and Pollution Prevention Division (7511W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, Office location, telephone number, and e-mail: 5th Floor CS #1, 2800 Crystal Drive, Arlington, VA 22202, Telephone No. (703) 308-8699, e-mail: allen.edward@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: In the January 7, 1998 issue of the **Federal Register** (63 FR 679)(FRL-5764-4) the Office of Pesticide Programs issued a final rule exempting the biochemical glutamic acid from the requirement of a tolerance on all raw agricultural commodities when used as a plant growth enhancer in accordance with good agricultural practices. This tolerance was requested by Auxein Corporation, P.O. Box 27519, 3125 Sovereign Drive, Suite B, Lansing, MI 48911. Throughout the preamble to the final rule and in the codified text (40 CFR 180.1187), reference was made to "glutamic acid." Auxien Corporation has brought to the Agency's attention that the requested tolerance was for residues of "L-glutamic acid" rather than "glutamic acid." This technical amendment corrects the preamble and the codified text in the January 7, 1998 final rule. Therefore, in the preamble to FR Doc. 98-359, published at 63 FR 679, January 7, 1998, reference to "glutamic acid" should be changed to refer to "L-glutamic acid." The amendment to 40 CFR 180.1187 is set forth below.

I. Regulatory Assessment Requirements**A. Certain Acts and Executive Orders**

This final rule establishes an exemption from the tolerance requirement 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). 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., or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4). Nor does it require any prior consultation as specified by Executive Order 12875, entitled Enhancing the Intergovernmental Partnership (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898, entitled Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994), or require OMB review in accordance with Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997).

B. Executive Order 12875

Under Executive Order 12875, entitled Enhancing Intergovernmental Partnerships (58 FR 58093, October 28, 1993), EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments. If the mandate is unfunded, EPA must provide to the Office of Management and Budget (OMB) a description of the extent of EPA's prior consultation with representatives of affected State, local and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates."

Today's rule does not create an unfunded Federal mandate on State, local or tribal governments. The rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this rule.

C. Executive Order 13084

Under Executive Order 13084, entitled Consultation and Coordination with Indian Tribal Governments (63 FR 27655, May 19, 1998), EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes

substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments. If the mandate is unfunded, EPA must provide OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. This action does not involve or impose any requirements that affect Indian Tribes. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

In addition, since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the exemption 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. Nevertheless, the Agency previously assessed whether establishing tolerances, exemptions from tolerances, raising tolerance levels or expanding exemptions might adversely impact small entities and concluded, as a generic matter, that there is no adverse economic impact. The factual basis for the Agency's generic certification for tolerance actions published on May 4, 1981 (46 FR 24950), and was provided to the Chief Counsel for Advocacy of the Small Business Administration.

II. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the Agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and 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 the rule in the **Federal Register**. This 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 14, 1998.

Marcia E. Mulkey,

Director, Office of Pesticide Programs.

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

§ 180.1187 [Amended]

2. Section 180.1187 is amended by revising the term "glutamic acid" to read "*L*-glutamic acid" wherever it appears in § 180.1187.

[FR Doc. 98-25632 Filed 9-24-98; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2560

Alaska Occupancy and Use

CFR Correction

In Title 43 of the Code of Federal Regulations, parts 1000 to End, revised as of Oct. 1, 1997, Subpart 2567 is removed from pages 180 through 185.

BILLING CODE 1505-01-D

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[I.D. 082798A]

Fisheries of the Exclusive Economic Zone Off Alaska; Community Development Quota Program; Correction

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Correction of partial approval of the Community Development Plans for Multispecies Groundfish and Prohibited Species for the years 1998 through 2000.

SUMMARY: This document contains a correction to a partial approval of Community Development Plans (CDPs) (I.D. 082798A) that was published on Wednesday, September 16, 1998 (63 FR 49501).

DATES: Partial approval of the (CDPs) is effective September 16, 1998.

FOR FURTHER INFORMATION CONTACT: Sally Bibb, 907-586-7228.

SUPPLEMENTARY INFORMATION:

Background

The notice that is the subject of this correction partially approved the recommendations made by the State of Alaska for the 1998 through 2000 multispecies groundfish and prohibited species CDPs under the Western Alaska Community Development Quota Program.

Need for Correction

As published, the partial approval contained an incorrect date.

Correction of Publication

Accordingly, the publication on September 16, 1998, of the partial approval (I.D. 082798A), which was the subject of FR Doc. 98-24725, is corrected as follows:

On page 49501, in the second column, "DATES" is corrected to read as follows:

DATES: Partial approval of the CDPs is effective September 16, 1998.

Dated: September 22, 1998.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 98-25728 Filed 9-24-98; 8:45 am]

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