

development of regulatory policies that have federalism implications." "Policies that have federalism implications" is defined in the Executive order to include regulations that have "substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government." This final rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). For these same reasons, the Agency has determined that this rule does not have any "tribal implications" as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure "meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications." "Policies that have tribal implications" is defined in the Executive order to include regulations that have "substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes." This rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

VIII. 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 to 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 this final rule in the **Federal Register**. This final

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 3, 2002.

James Jones,

Acting Director, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

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

Authority: 21 U.S.C. 321(q), 346(a) and 374.

2. Section 180.580 is added to read as follows:

§ 180.580 Iodosulfuron-Methyl-Sodium; tolerances for residues.

(a) *General.* Tolerances are established for residues of the herbicide *Iodosulfuron-Methyl-Sodium (methyl 4-iodo-2-[3-(4-methoxy-6-methyl-1,3,5-triazin-2-yl)ureidosulfonyl]benzoate, sodium salt)* in or on the following commodities:

Commodity	Parts per million
Corn, field, forage	0.05
Corn, field, grain	0.03
Corn, field, stover	0.05

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

[FR Doc. 02-23086 Filed 9-10-02; 8:45 am]

BILLING CODE 6560-50-S

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

49 CFR Parts 1200, 1201, 1241, 1242, 1243, and 1244

[STB Ex Parte No. 636]

Accounts, Records, and Reports—Technical Amendments

AGENCY: Surface Transportation Board, DOT.

ACTION: Final rules.

SUMMARY: The Surface Transportation Board (Board) amends regulations concerning accounts, records, and reports (Subchapter C) to reflect current

agency organizational components, account titles and accounting references. In addition, General Instruction 1-18, Distribution of expenses for material, tools, fuel, lubricants, purchased services and general, which was inadvertently omitted in recent publications of the accounting regulations, is added.

EFFECTIVE DATE: These rules are effective September 30, 2002.

FOR FURTHER INFORMATION CONTACT: Paul Aguiar, (202) 565-1527. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

SUPPLEMENTARY INFORMATION: Because these changes merely update obsolete references in the regulations or otherwise make revisions that are not substantive, we find good cause to dispense with notice and comment. 5 U.S.C. 553(b)(3) (A) and (B). These changes will be incorporated into the next edition of the Code of Federal Regulations.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic effect on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

List of Subjects

49 CFR Part 1200

Common carriers, Uniform System of Accounts.

49 CFR 1201

Railroads, Uniform System of Accounts.

49 CFR 1241

Railroads, Reporting and recordkeeping requirements.

49 CFR 1242

Railroads, Taxes.

49 CFR 1243

Railroads, Reporting and recordkeeping requirements.

49 CFR 1244

Freight, Railroads, Reporting and recordkeeping requirements.

Decided: August 28, 2002.

By the Board, Chairman Morgan and Vice Chairman Burkes.

Vernon A. Williams,
Secretary.

For the reasons set forth in the preamble, title 49, chapter X, parts 1200, 1201, 1241, 1242, 1243, and 1244 of the

Code of Federal Regulations are amended as follows:

PART 1200—GENERAL ACCOUNTING REGULATIONS UNDER THE INTERSTATE COMMERCE ACT

1. The authority citation for part 1200 continues to read as follows:

Authority: 49 U.S.C. 721, 11142, 11143, 11144, 11145.

§ 1200.2 [Amended]

2. In § 1200.2 remove “Bureau of Accounts” and add in its place “Office of Economics, Environmental Analysis, and Administration” and remove “Bureau” and add in its place “Office” each place it appears.

PART 1201—RAILROAD COMPANIES

1. The authority citation for part 1201 continues to read as follows:

Authority: 5 U.S.C. 553 and 49 U.S.C. 11142 and 11164.

Subpart A—Uniform System of Accounts

2. Remove “Commission” and add in its place “Board” in paragraph (b)(2) of General Instruction 1–1 *Classification of carriers*.

3. Remove “(see definition 20(e))” and add in its place “(see definition 17(e))” in paragraph (a) of General Instruction 1–10 *Accounting for income taxes*.

4. Remove “(see definition 20)” and add in its place “(see definition 17)” in paragraph (b) of General Instruction 1–10 *Accounting for income taxes*.

5. Add General Instruction 1–18 to read as follows:

1–18 Distribution of expenses for material, tools, fuel, lubricants, purchased services and general. (a) These expenses shall be assigned directly to activities based on usage whenever possible.

(b) When it is necessary to apportion these expenses to two or more activities they shall be equitably apportioned only to the activities in which they are actually used or to the activities they support.

6. In part 1201, remove “Instruction 3–2” and add in its place “Instruction 1–18” wherever it appears.

7. Remove “Extraordinary Items,” and add in its place “Extraordinary Items (net),” in paragraph (b) of income account 551 Miscellaneous income charges.

8. Remove “[See definition 20(e)]” and add in its place “[See definition 17(e)]” in paragraph (a) of income account 557 Provision for deferred taxes.

9. Remove “(see definition 23(a))” and add in its place “(see definition 32(a))” in income account 560 Income or loss from operations of discontinued segments.

10. In Form of Income Statement following income account 592 Cumulative effect of changes in accounting principles make the following revisions:

i. Remove “502 Railway operating revenues (amortization of deferred transfers from government authorities)” and add in its place “503 Railway operating revenues (amortization of deferred transfers from government authorities).”

ii. Remove “518 Contributions from other companies” and add in its place “518 Reimbursements received under contracts and agreements.”

iii. Remove “550 Income transferred to other companies” and add in its place “550 Income transferred under contracts and agreements.”

iv. Remove “557 Provision for deferred income taxes” and add in its place “557 Provision for deferred taxes.”

11. Remove “(see definition 24)” and add in its place “(see definition 10)” in account explanation 703 Special Deposits.

12. Remove “account 636000” and add in its place “account 63–60–00” in paragraph (a) of account explanation 709.5 Allowance for uncollectible accounts.

13. In account explanation 712 Material and supplies:

(i) Remove “account 656000” and add in its place “account 65–60–00” in paragraph (a).

(ii) Remove “(See definition 17, *Salvage value*.)” and add in its place “(See definition 31, *Salvage value*.)” in paragraph (b).

14. Remove “(see definition 24)” and add in its place “(see definition 10)” in Note D to account explanation 717 Other funds.

15. Remove the two references to “(also see definition 4)” and add in their place “(also see definition 5(a))” in account explanation 721 Investments and advances.

16. Remove “(See definition 9.)” and add in its place “(See account 14.)” in paragraph (b) of account explanation 743 Other deferred debits.

17. Note B to account explanation 765 Funded debt unmatured is revised to read as follows:

§ 765 Funded debt unmatured.

* * * * *

Note B: See definitions 3, actually issued; 4, actually outstanding; 25, nominally issued; and 26, nominally outstanding.

18. Remove “Definition 20” and add in its place “Definition 17” in Note A to account explanation 786 Accumulated deferred income tax credits.

19. Note D to account explanation 791 Capital stock is revised to read as follows:

§ 791 Capital stock.

* * * * *

Note D: See definitions 3, actually issued; 4, actually outstanding; 25, nominally issued; and 26, nominally outstanding.

Subpart B—Branch Line Accounting System

20. Remove “ICC’s” and add in its place “STB’s” in the definition of “Account” in instruction 900 Definitions.

21. Remove the definition of “RSPO” in instruction 900 Definitions.

22. Remove “(49 CFR Part 1155)” from paragraph (a) of instruction 910 Purpose and scope.

23. Remove paragraph (b) and remove paragraph designation (a) of instruction 910 Purpose and scope.

24. Remove the last sentence of paragraph (a)(2) from instruction 920 Collection of data.

25. Remove the last sentence of paragraph (a)(4) from instruction 920 Collection of data.

26. The first sentence of paragraph (b) of instruction 920 Collection of data is revised to read as follows:

§ 920 Collection of data.

* * * * *

(b) * * * The data collected shall include the items of revenue, expense, and service units which are specified in 49 CFR 1152, as described in the account texts listed in section 950.

* * *

27. Paragraph (d) of instruction 930 Publication of data is revised to read as follows:

§ 930 Publication of data.

* * * * *

(d) *Waivers and modifications.* The STB’s Office of Economics, Environmental Analysis, and Administration may, with respect to individual requests, upon good cause shown, waive or modify any requirement of this section not required by law.

28. Remove “Commission” and add in its place “Board” in the text of account

12–34–00, Fringe benefits not included in compensation—transportation—specialized services: Freight.

29. Remove “Commission” and add in its place “Board” in the text of account 61–34–XX, Other expenses—transportation—specialized services: Freight.

PART 1241—ANNUAL, SPECIAL, OR PERIODIC REPORTS—CARRIERS SUBJECT TO PART I OF THE INTERSTATE COMMERCE ACT

1. The authority citation for part 1241 continues to read as follows:

Authority: 49 U.S.C. 11145.

§ 1241.11 [Amended]

2. Remove “Bureau of Accounts” and add in its place “Office of Economics, Environmental Analysis, and Administration” in § 1241.11(a).

PART 1242—SEPARATION OF COMMON OPERATING EXPENSES BETWEEN FREIGHT SERVICE AND PASSENGER SERVICE FOR RAILROADS¹

1. The authority citation for part 1242 continues to read as follows:

Authority: 49 U.S.C. 721, 11142.

§ 1242.00 [Amended]

2. Remove “(§ 1240.1 of this chapter)” in § 1242.00.

PART 1243—QUARTERLY OPERATING REPORTS—RAILROADS

1. The authority citation for part 1243 continues to read as follows:

Authority: 49 U.S.C. 721, 11145.

§ 1243.1 [Amended]

2. In § 1243.1:

- i. Remove, “as defined in § 1240.1 of this chapter,” and
- ii. Remove “Bureau of Accounts” and add in its place “Office of Economics, Environmental Analysis, and Administration”.

§ 1243.2 [Amended]

3. In § 1243.2 remove “as defined in § 1240.1 of this chapter,” and remove “Bureau of Accounts” and add in its place “Office of Economics, Environmental Analysis, and Administration”.

PART 1244—WAYBILL ANALYSIS OF TRANSPORTATION OF PROPERTY—RAILROADS

1. The authority citation for part 1244 continues to read as follows:

Authority: 49 U.S.C. 721, 10707, 11144, 11145.

§ 1244.9 [Amended]

2. In § 1244.9:

- i. Remove “The Director of the Office of Transportation Analysis” and add in its place “The Director of the Office of Economics, Environmental Analysis, and Administration” wherever it appears.
- ii. Remove “Office of Transportation Analysis” and add in its place “Office of Economics, Environmental Analysis, and Administration” in (d)(2), and
- iii. Remove “Director, Office of Transportation Analysis” and add in its place “Director, Office of Economics, Environmental Analysis, and Administration” wherever it appears.

[FR Doc. 02–22724 Filed 9–10–02; 8:45 am]

BILLING CODE 4915–00–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 020430101–2101–01; I.D. 082802B]

Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Action No. 9—Closure and Reopening of the Recreational Fishery From Cape Falcon to Humbug Mountain, OR

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

ACTION: Closure; request for comments.

SUMMARY: NMFS announces that the recreational selective fishery for marked hatchery coho salmon in the area from Cape Falcon, OR to Humbug Mountain, OR was closed at midnight on August 1, 2002. The Northwest Regional Administrator, NMFS (Regional Administrator), determined that the quota of 22,500 marked hatchery coho had been reached. The recreational fishery for all salmon except coho then reopened on August 2, 2002, for the area from Cape Falcon, OR to Humbug Mountain, OR as scheduled in the 2002 annual management measures. This action was necessary to conform to the 2002 management goals.

DATES: Closure of the selective fishery for marked hatchery coho in the area from Cape Falcon, OR to Humbug Mountain, OR effective 2359 hours local time (l.t.), August 1, 2002; Reopening

the recreational fishery for all salmon except coho in the area from Cape Falcon, OR to Humbug Mountain, OR effective 0001 hours l.t., August 2, 2002. Comments will be accepted through September 26, 2002.

ADDRESSES: Comments on these actions must be mailed or faxed to D. Robert Lohn, Regional Administrator, Northwest Region, NMFS, NOAA, 7600 Sand Point Way NE., Bldg. 1, Seattle, WA 98115–0070, facsimile 206–526–6376; or

Rod McInnis, Acting Regional Administrator, Southwest Region, NMFS, NOAA, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802–4132, facsimile 562–980–4018.

Comments will not be accepted if submitted via e-mail or the Internet. Information relevant to this document is available for public review during business hours at the Office of the Regional Administrator, Northwest Region, NMFS.

FOR FURTHER INFORMATION CONTACT: Christopher Wright, 206–526–6140.

SUPPLEMENTARY INFORMATION: The Regional Administrator closed the recreational selective fishery for marked hatchery coho in the area from Cape Falcon, OR to Humbug Mountain, OR effective at midnight on Thursday, August 1, 2002. Information provided on July 29, 2002, estimated that the quota of 22,500–marked coho salmon would be reached by August 1, 2002. Automatic season closures based on quotas are authorized by regulations at 50 CFR 660.409(a)(1). The recreational fishery for all salmon except coho reopened on August 2, 2002, as scheduled in the 2002 annual management measures.

In the 2002 annual management measures for ocean salmon fisheries (67 FR 30616, May 7, 2002), NMFS announced that the recreational selective fishery for marked hatchery coho in the area from Cape Falcon, OR to Humbug Mountain, OR would open on July 7, 2002, through the earlier of August 4, 2002, or the attainment of a 22,500–marked coho quota, and the all salmon except coho season would then reopen the earlier of August 5, 2002, or the attainment of the marked coho quota.

On July 29, 2002, the Regional Administrator consulted with representatives of the Pacific Fishery Management Council and Oregon Department of Fish and Wildlife (ODFW) by conference call. Information related to catch to date, the coho catch rate, and effort data indicated that it was likely that the quota would be reached by August 1, 2002. As a result, the State