

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.

IX. Congressional Review Act

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: July 10, 2003.  
**Deborah McCall**,  
*Acting Director, Registration Division, Office of Pesticide Programs.*  
■ Therefore, 40 CFR chapter I is amended as follows:

Commodity	Parts per million	Expiration/revocation date
Vegetable, fruiting, group 8	0.5	12/31/05

\* \* \* \* \*  
[FR Doc. 03–18499 Filed 7–22–03; 8:45 am]  
BILLING CODE 6560–50–S

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

46 CFR Part 401

[USCG–2002–12840]

RIN 1625–AA74 (Formerly 2115–AG46)

Basic Rates and Charges on Lake Erie and the Navigable Waters From Southwest Shoal to Port Huron, MI

**AGENCY:** Coast Guard, DHS.  
**ACTION:** Temporary final rule; change of effective period.

**SUMMARY:** The Coast Guard is extending the effective period for the temporary final rule on basic rates and charges on Lake Erie and the navigable waters from Southwest Shoal to Port Huron, MI (District Two, Area 5), to December 24, 2003. Extension of the effective period ensures that the pilotage rates in District Two, Area 5, remain at the current rate while the Coast Guard completes its pending ratemaking project.  
**DATES:** Effective July 18, 2003, § 401.407(b), suspended at 67 FR 47466, July 19, 2002, effective July 19, 2002, until July 21, 2003, will continue to be suspended through December 24, 2003;

and § 401.407(c), temporarily added at 67 FR 47466, July 19, 2002, effective July 19, 2002, until July 21, 2003, will continue to be extended through December 24, 2003.  
**ADDRESSES:** The Docket Management Facility maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room PL–401 on the Plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.  
**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Tom Lawler, Project Manager, Office of Great Lakes Pilotage, Coast Guard, Commandant (G–MW–1), at 202–267–1241. If you have questions on viewing to the docket, call Dorothy Beard, Chief, Dockets, Department of Transportation, at 202–366–5149.  
**SUPPLEMENTARY INFORMATION:**  
**Regulatory History**  
On July 19, 2002, we published a temporary final rule entitled “Basic Rates and Charges on Lake Erie and the Navigable Waters From Southeast Shoal to Port Huron, MI” in the **Federal Register** [67 FR 47464].

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 371.
- 2. Section 180.371 is amended by alphabetically adding the following commodity to the table in paragraph (b) to read as follows:

**§ 180.371 Thiophanate methyl; tolerances for residues.**  
\* \* \* \* \*  
(b) \* \* \*

**Background and Purpose**  
On July 12, 2001, the Coast Guard published a final rule in the **Federal Register** [66 FR 36484] amending the ratemaking for the Great Lakes Pilotage. The new rates became effective August 13, 2001. Those rates were challenged in District Court by the Lake Pilots Association, representing the pilots in District Two. While preparing our defense, we discovered that we had inadvertently accounted for delay and detention hours in District Two differently from how we had in Districts One and Three. We also noticed minor errors in computing the rates in District Two. The Coast Guard has recently completed a study that addresses, among other things, the issue of how we should count hours of delay and detention when computing bridge-hours in all three Districts. Also the Coast Guard is currently in the process of adjusting the pilotage rates in all three Districts. See [USCG–2002–11288].  
**Discussion of Temporary Rule**  
We did not publish a notice of proposed rulemaking (NPRM) in order to extend this temporary final rule, and it takes effect immediately. Delay in implementing this rule would be contrary to the public interest. This rulemaking will maintain the status quo allowing litigation and associated rulemaking to be completed.  
While not agreeing with the allegations contained in the complaint of the Lakes Pilots’ Association, for the