

your comments and material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Background and Purpose

Section 610 of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires the Coast Guard and other rulemaking agencies to review existing rules for their economic impact on small entities. The Coast Guard reviews the small entities impact of its existing rules pursuant to a plan adopted by the Department of Transportation (DOT) and described in Appendix D of DOT's semiannual regulatory agenda (*see* 67 FR 74799, December 9, 2002 for the latest publication of the agenda).

Where our 610 Analysis Year shows that a rule has a "significant economic impact on a substantial number of small entities" (SEIOSNOSE), we begin a 610 Review Year. During the 610 Review Year, we determine whether and how the SEIOSNOSE can be lessened. In making that determination, the Regulatory Flexibility Act requires us to consider the:

- Continued need for the rule.
- Nature of public complaints or comments received concerning the rule.
- Rule's complexity.
- Extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, to the extent feasible, with State and local governmental rules.
- Length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

In the fall 2002 agenda, we concluded the 610 Analysis Year for several rules and determined that 33 CFR parts 179, 181, and 183 significantly affect enough small entities to warrant a 610 Review Year for the three parts. Section 610 requires us to notify you that the Review Year is underway and to solicit your input, which we will consider in conducting our review.

In the fall 2003 agenda, we will announce the results of that review. We may determine that no further action seems possible or advisable at this time, in which case we will explain the basis for that determination. Or, we may determine that a rulemaking project is needed, to delete or amend the existing

rule in a way that will lessen its small-entity impact. We will indicate whether a rulemaking project will begin promptly or be scheduled at a later date.

Dated: February 4, 2003.

Harvey E. Johnson,

Rear Admiral, Coast Guard, Director of Operations Policy.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-2002-0274; FRL-7288-7]

Methoprene, Watermelon Mosaic Virus-2 Coat Protein, and Zucchini Yellow Mosaic Virus Coat Protein; Proposed Tolerance Actions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: In this document, EPA is proposing to amend the exemption expression for methoprene from the requirements of a tolerance when used on food commodities as an insect larvicide, and to revoke all the tolerances for methoprene because a recent EPA review finds that no harm is expected to the public from exposure to residues of methoprene. Therefore, these tolerances are no longer needed and their associated uses are proposed to be covered by tolerance exemptions. Also, EPA is proposing to revoke the exemptions for watermelon mosaic virus-2 coat protein, and zucchini yellow mosaic virus coat protein and specific portions of the viral genetic material when used as plant-incorporated protectants in squash, because these exemptions are covered in other sections of 40 CFR part 180. Because methoprene's 37 tolerances were previously reassessed, the regulatory actions proposed in this document do not contribute toward the Agency's tolerance reassessment requirements of the Federal Food, Drug, and Cosmetic Act (FFDCA) section 408(q), as amended by the Food Quality Protection Act (FQPA) of 1996. By law, EPA is required by August 2006 to reassess the tolerances in existence on August 2, 1996.

DATES: Comments, identified by docket ID number OPP-2002-0274, must be received on or before April 14, 2003.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in

Unit I. of the SUPPLEMENTARY INFORMATION.

FOR FURTHER INFORMATION CONTACT:

Barbara Mandula, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-7378; e-mail address: mandula.barbara@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

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

- Crop production (NAICS 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS

32532)

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 this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any 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 Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket identification (ID) number OPP-2002-0274. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.