

**DEPARTMENT OF LABOR****Mine Safety and Health Administration****30 CFR Parts 48 and 75**

RIN 1219-A33

**Emergency Temporary Standard; Correction**

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Emergency Temporary Standard; correction.

**SUMMARY:** This document corrects errors that appeared in MSHA's preamble for Emergency Evacuations; Emergency Final Rule.

**EFFECTIVE DATE:** December 26, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Marvin W. Nichols, Jr., Director, Office of Standards, Regulations, and Variances, MSHA, (202) 693-9440.

**SUPPLEMENTARY INFORMATION:** On December 12, 2002, we (MSHA) published in the **Federal Register** (67 FR 76658) an Emergency Temporary Standard on Emergency Evacuations. In a separate document, the Office of the Federal Register has corrected a printing error in the regulatory text: On p. 76665, third column, next to last line of the last paragraph, the **Federal Register** has corrected "(a)(1)" to read "(a)(1) through (4)". The preamble contained errors; therefore, we are correcting the preamble to the rule as follows:

1. On p. 76659, third column, last line, change "determined" to "concluded".

2. On p. 76660, first column, 17th & 18th lines, correct "report concluded" to read "team also determined".

3. On p. 76662, first column, 8th line in second full paragraph beginning with "Because", correct "(a)(1) through (3)" to read "(a)(1)(i) through (iii)".

Dated: December 19, 2002.

**John R. Caylor,**

*Deputy Assistant Secretary of Labor for Mine Safety and Health.*

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 180**

[OPP-2002-0276; FRL-7284-3]

**Urea: Revocation of Tolerance Exemptions**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct Final rule.

**SUMMARY:** EPA is amending 40 CFR part 180 subpart D to revoke four exemptions from the requirement of a tolerance for urea because these tolerance exemptions are no longer necessary. The Agency is acting on its own initiative. This direct final rule is being published today with a companion final rule titled "Urea: Exemption From The Requirement of A Tolerance."

**DATES:** This final rule is effective on March 26, 2003 without further notice, unless EPA receives adverse comment within 30 days after publication in the **Federal Register**. If EPA receives adverse comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

**FOR FURTHER INFORMATION CONTACT:**

Treva C. Alston, Registration Division 7505C, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-8373; e-mail address: [alston.treva@epa.gov](mailto:alston.treva@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. General Information**

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

- Crop production (NAICS code 111)
- Animal production (NAICS code 112)
- Food manufacturing (NAICS code 311)
- Pesticide manufacturing (NAICS code 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-2002-0276. 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.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>. A frequently updated electronic version of 40 CFR part 180 is available at [http://www.access.gpo.gov/nara/cfr/cfrhtml/00/Title\\_40/40cfr180\\_00.html](http://www.access.gpo.gov/nara/cfr/cfrhtml/00/Title_40/40cfr180_00.html), a beta site currently under development.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

**II. Authority****A. What is the Agency's Authority for Taking this Action?**

This direct final rule is issued pursuant to section 408(e) of the Federal Food Drug and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act (FQPA) (21 U.S.C. 346a(e)). Section 408 of FFDCA authorizes the establishment of tolerances, exemptions from the requirement of a tolerance, modifications in tolerances, and revocation of tolerances for residues of pesticide chemicals in or on raw agricultural commodities and processed foods. Without a tolerance or tolerance exemption, food containing pesticide residues is considered to be unsafe and therefore, "adulterated" under section 402(a) of the FFDCA. If food containing