

Environment

We have analyzed this rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore this rule is categorically excluded under figure 2–1, paragraph 32(e) of the Instruction from further environmental documentation. Paragraph 32(e) excludes the promulgation of operating regulations or procedures for drawbridges from the environmental documentation requirements of the National Environmental Policy Act (NEPA). Since this regulation would alter the normal operating conditions of the drawbridge, it falls within this exclusion. A “Categorical Exclusion Determination” is available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 117

Bridges.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 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; Department of Homeland Security Delegation No. 0170.1; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

■ 2. From 12:01 a.m., February 2, 2007 until 8 a.m., March 15, 2007 in § 117.671 add new paragraph (c) to read as follows:

§ 117.671 Upper Mississippi River.

* * * * *

(c) The Illinois Central Railroad Drawbridge, Mile 579.9, Upper Mississippi River at Dubuque, Iowa shall open on signal if at least 24 hours notice is given.

Dated: January 22, 2007.

J.R. Whitehead,

*Rear Admiral, U.S. Coast Guard Commander,
Eighth Coast Guard District.*

[FR Doc. E7–1615 Filed 2–1–07; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 180**

[EPA–HQ–OPP–2006–0175; FRL–8111–3]

Withdrawal of Direct Final Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: Because EPA has received adverse comments, the Agency is withdrawing the direct final rule excepting from the definitions of “pesticide chemical” and “pesticide chemical residue” under section 201(q) of the Federal Food, Drug and Cosmetic Act (FFDCA) food packaging (e.g., paper and paperboard, coatings, adhesives, and polymers) that is treated with a pesticide. The rule was published on December 6, 2006 (71 FR 70667) (FRL–8084–2). We stated in that direct final rule that if EPA received adverse comment by January 5, 2007, the Agency would publish a timely withdrawal in the **Federal Register**. We subsequently received adverse comment on that direct final rule and are therefore withdrawing the rule. EPA may issue a notice of proposed rulemaking in a future edition of the **Federal Register** to initiate action to repromulgate the rule provisions that are being withdrawn today. In any such action, EPA would address the adverse comments it received on the direct final rule.

DATES: The direct final rule published at 71 FR 70667, December 6, 2006, is withdrawn, effective January 25, 2007.

FOR FURTHER INFORMATION CONTACT: Mari L. Duggard, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., N.W., Washington, DC 20460-0001;

telephone number: (703) 308-0028; fax number: (703) 308-7026; e-mail address: duggard.mari@epa.gov.

SUPPLEMENTARY INFORMATION: EPA issued a direct final rule in the **Federal Register** of December 6, 2006 excepting from the definitions of “pesticide chemical” and “pesticide chemical residue” under section 201(q) of the FFDCA, food packaging (e.g., paper and paperboard, coatings, adhesives, and polymers) that is treated with a pesticide. We received adverse comment on that direct final rule and are therefore withdrawing the rule. EPA may issue a notice of proposed rulemaking in a future edition of the **Federal Register** to initiate action to repromulgate the rule provisions that are being withdrawn today. In any such action, EPA would address the adverse comments it received on the direct final rule.

Accordingly, the amendment to 40 CFR 180.4 published in the **Federal Register** on December 6, 2006 (71 FR 70667) is withdrawn effective January 25, 2007.

The Adverse comment is publicly available available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive, Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and record-keeping requirements.

Dated: January 17, 2007.

Janet L. Andersen,

Division Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 07–485 Filed 1–31–07; 12:19 pm]

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