

We are amending the PPQ Treatment Manual, which is incorporated by reference at 7 CFR 300.1, to allow imported limes that are found to be infested with mealybugs (Pseudococcidae) and other surface pests to be treated with a hot water treatment. This action will provide an alternative to treating infested limes with methyl bromide.

Methyl bromide may still be used as a treatment method. It costs about \$18.40 to fumigate a ton of limes with methyl bromide. Hot water treatment will cost about \$9.10 per ton, taking into account labor and fuel costs. Hot water treatment will also take less time than methyl bromide fumigation. A hot water treatment tank fitted with 4 bins has a capacity to treat about 8 tons per hour. Depending on the amount of limes to be treated and the capacity of the treatment facility, it typically takes approximately 2 hours to fumigate limes with methyl bromide.

This rule does not require the use of hot water treatment for infested limes; rather, it establishes hot water treatment as an alternative to methyl bromide fumigation. The hot water treatment provided for by this rule may lower treatment costs for lime importers who choose it over methyl bromide fumigation, but we do not expect that its availability will have any substantial economic effects on any entities, large or small.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This rule contains no new information collection or recordkeeping requirements under the Paperwork

Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 7 CFR Part 300

Incorporation by reference, Plant diseases and pests, Quarantine.

Accordingly, 7 CFR part 300 is amended as follows:

PART 300—INCORPORATION BY REFERENCE

1. The authority citation for part 300 continues to read as follows:

Authority: 7 U.S.C. 7701–7772; 7 CFR 2.22, 2.80, and 371.3.

2. In § 300.1, paragraph (a), the introductory text is revised to read as follows:

§ 300.1 Materials incorporated by reference.

(a) *Plant Protection and Quarantine Treatment Manual.* In accordance with 5 U.S.C. 552(a) and 1 CFR part 51, the Director of the Office of the Federal Register has approved, for incorporation by reference in 7 CFR chapter III, the Plant Protection and Quarantine Treatment Manual, which was reprinted November 30, 1992, and all revisions through May 2000; and Treatments T101–n–2, T102–b, and T102–e, and Table 5–2–5, revised July 2001.

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Done in Washington, DC, this 2nd day of November 2001.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 01–28065 Filed 11–7–01; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 01–092–1]

Asian Longhorned Beetle; Addition to Quarantined Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the Asian longhorned beetle regulations to include additional quarantined areas in Illinois and New York. As a result of this action, the interstate movement of regulated articles from those areas is restricted. This action is necessary on an emergency basis to prevent the artificial

spread of the Asian longhorned beetle to noninfested areas of the United States.

DATES: This interim rule was effective November 2, 2001. We invite you to comment on this docket. We will consider all comments we receive that are postmarked by January 7, 2002.

ADDRESSES: Please send your comment and three copies to: Docket No. 01–092–1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Please state that your comment refers to Docket No. 01–092–1.

You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS dockets, are available on the Internet at <http://www.aphis.usda.gov/ppd/rad/webrepor.html>.

FOR FURTHER INFORMATION CONTACT: Mr. Michael B. Stefan, Emergency Programs Coordinator, Surveillance and Emergency Programs Planning and Coordination Staff, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737–1231; (301) 734–7338.

SUPPLEMENTARY INFORMATION:

Background

The Asian longhorned beetle (ALB) (*Anoplophora glabripennis*), an insect native to China, Japan, Korea, and the Isle of Hainan, is a destructive pest of hardwood trees. It attacks many healthy hardwood trees, including maple, horse chestnut, birch, poplar, willow, and elm. In addition, nursery stock, logs, green lumber, firewood, stumps, roots, branches, and wood debris of a half an inch or more in diameter are subject to infestation. The beetle bores into the heartwood of a host tree, eventually killing the tree. Immature beetles bore into tree trunks and branches, causing heavy sap flow from wounds and sawdust accumulation at tree bases. They feed on, and over-winter in, the interiors of trees. Adult beetles emerge in the spring and summer months from round holes approximately three-eighths of an inch in diameter (about the size of a dime) that they bore through branches and trunks of trees. After

emerging, adult beetles feed for 2 to 3 days and then mate. Adult females then lay eggs in oviposition sites that they make on the branches of trees. A new generation of ALB is produced each year. If this pest moves into the hardwood forests of the United States, the nursery, maple syrup, and forest product industries could experience severe economic losses. In addition, urban and forest ALB infestations will result in environmental damage, aesthetic deterioration, and a reduction in public enjoyment of recreational spaces.

The Asian longhorned beetle regulation (7 CFR 301.51-1 through 301.51-9, referred to below as the regulations) restrict the interstate movement of regulated articles from quarantined areas to prevent the artificial spread of ALB to noninfested areas of the United States. Portions of the State of Illinois and portions of New York City and Nassau and Suffolk Counties in the State of New York are already designated as quarantined areas.

Recent surveys conducted by inspectors of State, county, and city agencies and by inspectors of the Animal and Plant Health Inspection Service (APHIS) have revealed that infestations of ALB have occurred outside the quarantined areas in Cook and DuPage Counties, IL, and in New York City, NY. Officials of the U.S. Department of Agriculture and officials of State, county, and city agencies in Illinois and New York are conducting an intensive survey and eradication program in the infested areas. Both Illinois and New York have quarantined the infested areas and are restricting the intrastate movement of regulated articles from the quarantined areas to prevent the spread of ALB within those States. However, Federal regulations are necessary to restrict the interstate movement of regulated articles from the quarantined areas to prevent the spread of ALB to other States and other countries.

The regulations in § 301.51-3(a) provide that the Administrator of APHIS will list as a quarantined area each State, or each portion of a State, where ALB has been found by an inspector, where the Administrator has reason to believe that ALB is present, or where the Administrator considers regulation necessary because of its inseparability for quarantine enforcement purposes from localities where ALB has been found.

Less than an entire State will be quarantined only if (1) the Administrator determines that the State has adopted and is enforcing restrictions on the interstate movement of regulated

articles; and (2) the designation of less than an entire State as a quarantined area will be adequate to prevent the artificial spread of ALB.

In accordance with these criteria and the recent ALB findings described above, we are amending § 301.51-3(c) to include additional quarantined areas in Cook and DuPage Counties, IL, and in New York City, NY. The additional quarantined areas are described in the rule portion of this document.

Emergency Action

This rulemaking is necessary on an emergency basis to prevent the spread of ALB into noninfested areas of the United States. Under these circumstances, the Administrator has determined that prior notice and opportunity for public comment are contrary to the public interest and that there is good cause under 5 U.S.C. 553 for making this rule effective less than 30 days after publication in the **Federal Register**.

We will consider comments we receive that are postmarked within 60 days of publication of this rule in the **Federal Register**. After the comment period closes, we will publish another document in the **Federal Register**. The document will include a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required under Executive Order 12866.

This emergency situation makes timely compliance with section 604 of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) impracticable. We are currently assessing the potential economic effects of this action on small entities. Based on that assessment, we will either certify that the rule will not have a significant economic impact on a substantial number of small entities or publish a final regulatory flexibility analysis.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice

Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

National Environmental Policy Act

An environmental assessment and finding of no significant impact have been prepared for this ongoing program. The environmental assessment provides a basis for our conclusion that the Federal quarantine for ALB will not have a significant impact on the quality of the human environment. Based on the finding of no significant impact, the Administrator of the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

The environmental assessment and finding of no significant impact were prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500-1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Copies of the environmental assessment and finding of no significant impact are available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect copies are requested to call ahead on (202) 690-2817 to facilitate entry into the reading room. In addition, copies may be obtained by writing to the individual listed under **FOR FURTHER INFORMATION CONTACT** or by calling the Plant Protection and Quarantine fax service at (301) 734-3560 and requesting document number 0023. The documents may also be viewed on the Internet at <http://www.aphis.usda.gov/ppd/es/ppqdocs.html>.

Paperwork Reduction Act

This interim rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, we are amending 7 CFR part 301 as follows:

PART 301—DOMESTIC QUARANTINE NOTICES

1. The authority citation for part 301 continues to read as follows:

Authority: 7 U.S.C. 166, 7711, 7712, 7714, 7731, 7735, 7751, 7752, 7753, and 7754; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75–15 also issued under Sec. 204, Title II, Pub. L. 106–113, 113 Stat. 1501A–293; sections 301.75–15 and 301.75–16 also issued under Sec. 203, Title II, Pub. L. 106–224, 114 Stat. 400 (7 U.S.C. 1421 note).

2. In § 301.51–3, paragraph (c) is amended as follows:

a. Under the heading **Illinois**, by revising the first paragraph in the entry for Cook County and by adding, in alphabetical order, a new entry for Cook and DuPage Counties.

b. Under the heading **New York**, by revising the entry for New York City.

§ 301.51–3 Quarantined areas.

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(c) * * *

Illinois

Cook County. That area in the Ravenswood community in the city of Chicago that is bounded as follows: Beginning on the shoreline of Lake Michigan at Howard Street; then west on Howard Street to Western Avenue; then south on Western Avenue to Bryn Mawr Avenue; then west on Bryn Mawr Avenue to Central Park Avenue; then south on Central Park Avenue to Diversey Avenue; then east on Diversey Avenue to the shoreline of Lake Michigan; then north along the shoreline of Lake Michigan to the point of beginning.

* * * * *

Cook and DuPage Counties. That area in Cook and DuPage Counties that is bounded as follows: Beginning at the intersection of Supreme Drive and Thomas Drive in the Village of Bensenville; then south on Thomas Drive to its end; then on a line southwest from the end of Thomas Drive to Church Road; then south on Church Road to Jefferson Street; then east on Jefferson Street to the Redmond Recreational Complex property line; then south and east along the Redmond Recreational Complex property line to John Street; then north on John Street to Jefferson Street; then east on Jefferson Street to County Line Road; then continuing east on an imaginary line from the intersection of Jefferson Street and County Line Road through the Chicago, Milwaukee, St. Paul and

Pacific Railroad Yards to the intersection of Waveland Avenue and Centrella Street in the Village of Franklin Park; then east on Waveland Avenue to Mannheim Road (State Route 12); then north on Mannheim Road to Interstate 190; then west on Interstate 190 to Bessie Coleman Drive; then north on Bessie Coleman Drive to a point in line with Runway 27 Right on the grounds of O'Hare International Airport; then west along an imaginary line from Bessie Coleman Drive following the line of Runway 27 Right across the grounds of O'Hare International Airport to North York Road; then north on North York Road to Supreme Drive; then west on Supreme Drive to the point of beginning.

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New York

New York City. That area in the boroughs of Manhattan, Brooklyn, and Queens in the City of New York that is bounded by a line beginning at the point where the Brooklyn Battery Tunnel intersects the Manhattan shoreline of the East River; then west and north along the shoreline of the Hudson River to Martin Luther King Jr. Boulevard; then east on Martin Luther King Jr. Boulevard and across the Triborough Bridge to its intersection with the west shoreline of Randall's and Ward's Island; then east and south along the shoreline of Randall's and Ward's Island to its intersection with the Triborough Bridge; then east along the Triborough Bridge to its intersection with the Queens shoreline; then north and east along the Queens shoreline to its intersection with the City of New York/Nassau County line; then southeast along the City of New York/Nassau County line to its intersection with Grand Central Parkway; then west on Grand Central Parkway to Jackie Robinson Parkway; then west on Jackie Robinson Parkway to Woodhaven Boulevard; then south on Woodhaven Boulevard to Atlantic Avenue; then west on Atlantic Avenue to the Eastern Parkway Extension; then south and west along the Eastern Parkway Extension and Eastern Parkway to Grand Army Plaza; then west along the south side of Grand Army Plaza to Union Street; then west on Union Street to Van Brunt Street; then south on Van Brunt Street to Hamilton Avenue and the Brooklyn Battery Tunnel; then north on Hamilton Avenue and the Brooklyn Battery Tunnel to the East River; then north along the Brooklyn Battery Tunnel across the East River to the point of beginning.

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Done in Washington, DC, this 2nd day of November 2001.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 01–28068 Filed 11–7–01; 8:45 am]

BILLING CODE 3410–34–U

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 101

[T.D 01–81]

Customs Preclearance in Foreign Countries

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to reflect that Customs has added two new preclearance facilities and to provide that the Customs officer exercising supervisory control over all of the preclearance facilities will be located at Customs Headquarters.

EFFECTIVE DATE: November 8, 2001.

FOR FURTHER INFORMATION CONTACT: Glenn Ross, Office of Field Operations, 202–927–2301.

SUPPLEMENTARY INFORMATION:

Background

Customs preclearance operations have been in existence since 1952. There are presently 11 preclearance facilities operating in both Canada and the Caribbean. Each facility is responsible for preclearing U.S. bound passengers and their personal effects and baggage. In most cases, U.S. bound passengers who are precleared in either Canada or the Caribbean are permitted to arrive at a U.S. domestic facility and either directly connect to a U.S. domestic flight or leave the airport. Preclearance facilities primarily serve to facilitate low risk passengers and to relieve passenger congestion at federal inspection facilities in the United States. In fiscal year 2000, 12.5 million passengers were precleared. This figure represents 15% of all commercial air passengers cleared by Customs.

Section 101.5, Customs Regulations (19 CFR 101.5), sets forth a list of Customs preclearance offices in foreign countries and of the Customs officers under whose supervision the preclearance offices function.

The Customs Regulations reflect that there are 9 preclearance offices. This document amends § 101.5, Customs