

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticides discussed in this document, compared to the general population.

## II. What action is the agency taking?

EPA is announcing its receipt of several pesticide petitions filed under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, proposing the establishment or modification of regulations in 40 CFR part 174 or part 180 for residues of pesticide chemicals in or on various food commodities. EPA has determined that the pesticide petitions described in this notice contain the data or information prescribed in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petitions. Additional data may be needed before EPA can make a final determination on these pesticide petitions.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions that are the subject of this notice, prepared by the petitioner, is included in a docket EPA has created for each rulemaking. The docket for each of the petitions is available on-line at <http://www.regulations.gov>.

As specified in FFDCA section 408(d)(3), (21 U.S.C. 346a(d)(3)), EPA is publishing notice of the petition so that the public has an opportunity to comment on this request for the establishment or modification of regulations for residues of pesticides in or on food commodities. Further information on the petition may be obtained through the petition summary referenced in this unit.

### *New Tolerance*

PP 9E7517. (EPA-HQ-OPP-2005-0477). Dow AgroSciences LLC, 9330 Zionsville Road, Indianapolis, IN 46268, proposes to establish a permanent tolerance in 40 CFR part 180 for residues of the herbicide safener dichlormid, acetamide, 2,2-dichloro-*N,N*-di-2-propenyl- (CAS Reg. No. 37764-25-3) in or on corn, field, forage; corn, field, grain; corn, field, stover; corn, pop, grain; corn, pop, stover; corn, sweet, forage; corn, sweet, kernel plus cob with husks removed; and corn, sweet, stover at 0.05 parts per million (ppm). Dichlormid (R-25788) is an herbicide safener that is used in the Dow AgroSciences LLC, acetochlor product line that is used for the control of grasses and broadleaf weeds in field corn, pop corn and sweet corn. Currently, time-limited tolerances on corn commodities are established with an expiration/revocation date of December 31, 2010. An adequate enforcement method for residues of dichlormid in corn has been developed and validated by the Analytical Chemical Laboratory (ACL) of EPA. Analysis is carried out using gas chromatography (GC) with nitrogen selective thermionic detection. A revised method was resubmitted to the EPA on October 29, 1999. Contact: Susan Stanton, (703) 305-5218, e-mail address: [stanton.susan@epa.gov](mailto:stanton.susan@epa.gov).

### *New Tolerance Exemptions*

1. PP 9E7654. (EPA-HQ-OPP-2010-1004). Thro GmbH, c/o Thor Specialties, Inc., Trumbull, CT 06611, proposes to establish an exemption from the requirement of a tolerance for residues of 5-chloro-2-methyl-4-isothiazolin-3-one (in combination with 2-methyl-4-isothiazolin-3-one) (CAS Reg. Nos. 26172-55-4 and 2682-20-4) under 40 CFR 180.910 and under 40 CFR 180.930 when used as an inert ingredient as an "in-can" materials preservative with a maximum concentration of 50 parts per million (ppm) in pesticide formulations. The petitioner believes no analytical method is needed because requirements for an analytical method are not applicable to a request to establish an exemption from the requirement of a tolerance. Contact: Kerry Leifer, (703) 308-8811; e-mail address: [leifer.kerry@epa.gov](mailto:leifer.kerry@epa.gov).

2. PP 9F7653. (EPA-HQ-OPP-2010-1005). Thor GmbH, c/o Thor Specialties, Inc., Trumbull, CT 06611, proposes to establish an exemption from the requirement of a tolerance for residues of 2-methyl-4-isothiazolin-3-one (CAS Reg. No. 2682-20-4) under 40 CFR 180.910 and under 40 CFR 180.930

when used as an inert ingredient as an "in-can" materials preservative with a maximum concentration of 250 parts per million (ppm) in pesticide formulations. The petitioner believes no analytical method is needed because requirements for an analytical method are not applicable to a request to establish an exemption from the requirement of a tolerance. Contact: Kerry Leifer, (703) 308-8811; e-mail address: [leifer.kerry@epa.gov](mailto:leifer.kerry@epa.gov).

3. PP 0E7811. (EPA-HQ-OPP-2007-1077). Whitmire Micro-Gen Research Laboratories, Inc., c/o Landis International, Inc., P.O. Box 5126, Valdosta, GA 31603-5126, proposes to establish an exemption from the requirement of a tolerance for residues of carbon dioxide (CAS Reg. No. 124-38-9) under 40 CFR 180.910 and under 40 CFR 180.930 when used as an inert ingredient as a propellant in pesticide formulations. The petitioner believes no analytical method is needed because requirements for an analytical method are not applicable to a request to establish an exemption from the requirement of a tolerance. Contact: Karen Samek, (703) 347-8825; e-mail address: [samek.karen@epa.gov](mailto:samek.karen@epa.gov).

### **List of Subjects**

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: December 9, 2010.

**Lois Rossi,**

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 2010-31872 Filed 12-21-10; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2010-0889; FRL-8856-8]**

### **Pesticide Products; Registration Applications**

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

**ACTION:** Notice.

**SUMMARY:** EPA has received applications to register pesticide products containing active ingredients not included in any previously registered pesticide products. Pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and opportunity to comment on these applications.

**DATES:** Comments must be received on or before January 21, 2011.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0889, by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- **Mail:** Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- **Delivery:** OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPP-2010-0889. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other

information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are 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 Bldg.), 2777 S. Crystal Dr., 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 Facility telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:**

Kable Bo Davis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 306-0415; e-mail address: [davis.kable@epa.gov](mailto:davis.kable@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 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. What should I consider as I prepare my comments for EPA?*

1. **Submitting CBI.** Do not submit this information to EPA through [www.regulations.gov](http://www.regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the

disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. **Tips for preparing your comments.** When submitting comments, remember to:

- Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- Describe any assumptions and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- Make sure to submit your comments by the comment period deadline identified.

**II. Registration Applications**

EPA has received applications to register pesticide products containing active ingredients not included in any previously registered pesticide products. Pursuant to the provisions of section 3(c)(4) of FIFRA, EPA is hereby providing notice of receipt and opportunity to comment on these applications. Notice of receipt of these applications does not imply a decision by the Agency on these applications.

**File symbol:** 62719-AGR. **Applicant:** Dow AgroSciences, 9330 Zionsville Rd., Indianapolis, IN 46268. **Product name:** Sulfoxaflor Technical. **Active ingredient:** Insecticide and sulfoxaflor at 97.9%. **Proposed classification/Use:** Food and nonfood uses on the following use sites: Barly, Brassica (cole) leafy vegetables, bulb vegetables, canola (rapeseed), citrus, cotton, cucurbit vegetables, fruiting vegetables, leafy vegetables (except Brassica), leaves of root and

tuber vegetables, low growing berry, okra, ornamentals (herbaceous and woody), pistachio, pome fruits, root and tuber vegetables, small fruit vine climbing (except fuzzy kiwifruit), soybean, stone fruits, succulent, edible podded, and dry beans, tree nuts, triticale, turfgrass, watercress and wheat. Contact: Kable Bo Davis, (703) 306-0415, [davis.kable@epa.gov](mailto:davis.kable@epa.gov).

*File symbol:* 62719-AEL. *Applicant:* Dow AgroSciences, 9330 Zionsville Rd., Indianapolis, IN 46268. *Product name:* Transform WG. *Active ingredient:* Insecticide and sulfoxaflor at 50%. *Proposed classification/Use:* Food and nonfood uses on the following use sites: Barly, Brassica (cole) leafy vegetables, bulb vegetables, canola (rapeseed), citrus, cotton, cucurbit vegetables, fruiting vegetables, leafy vegetables (except Brassica), leaves of root and tuber vegetables, low growing berry, okra, ornamentals (herbaceous and woody), pistachio, pome fruits, root and tuber vegetables, small fruit vine climbing (except fuzzy kiwifruit), soybean, stone fruits, succulent, edible podded, and dry beans, tree nuts, triticale, turfgrass, watercress and wheat. Contact: Kable Bo Davis, (703) 306-0415, [davis.kable@epa.gov](mailto:davis.kable@epa.gov).

*File symbol:* 62719-AEG. *Applicant:* Dow AgroSciences, 9330 Zionsville Rd., Indianapolis, IN 46268. *Product name:* GF-2032 SC. *Active ingredient:* Insecticide and sulfoxaflor at 21.8%. *Proposed classification/Use:* Food and nonfood uses on the following use sites: Barly, Brassica (cole) leafy vegetables, bulb vegetables, canola (rapeseed), citrus, cotton, cucurbit vegetables, fruiting vegetables, leafy vegetables (except Brassica), leaves of root and tuber vegetables, low growing berry, okra, ornamentals (herbaceous and woody), pistachio, pome fruits, root and tuber vegetables, small fruit vine climbing (except fuzzy kiwifruit), soybean, stone fruits, succulent, edible podded, and dry beans, tree nuts, triticale, turfgrass, watercress and wheat. Contact: Kable Bo Davis, (703) 306-0415, [davis.kable@epa.gov](mailto:davis.kable@epa.gov).

#### List of Subjects

Environmental protection, Pesticides and pest.

Dated: December 9, 2010.

**Lois Rossi,**

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 2010-32033 Filed 12-21-10; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0854; FRL-8851-3]

### Petition for Rulemaking To Establish Procedures Consistent With Section 1010 of the 1988 Amendments to the Endangered Species Act; Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** EPA is announcing the availability of a September 16, 2010 petition from Growers for ESA Transparency ("GET"). GET is a coalition of growers throughout the western United States. GET is committed to improving the consultation process for, the transparency of, and accessibility to the Endangered Species Act (ESA). GET is requesting EPA to take immediate action to establish, by rulemaking, clear and equitable procedures for notice and comment on the Agency's pesticide effects determinations for endangered species and subsequent actions, including draft biological opinions and potential product restrictions consistent with section 1010 of the 1988 amendments to the ESA. This petition is similar to the petition filed on January 19, 2010 by DOW AgroSciences LLC, Makhteshim Agan of North America, and Cheminova, Inc. USA requesting EPA to promulgate a rule for amending Endangered Species Protection Bulletins (EPA-HQ-OPP-2010-0474).

**DATES:** Comments must be received on or before February 22, 2011.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0854, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

*Instructions:* Direct your comments to docket ID number EPA-HQ-OPP-2010-0854. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are 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 Bldg.), 2777 S. Crystal Dr., 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 Facility telephone number is (703) 305-5805.

#### FOR FURTHER INFORMATION CONTACT:

Catherine Eiden, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-