

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 80****[EPA-HQ-OAR-2020-0240; FRL-10017-21-OAR]****Final Anti-Backsliding Determination for Renewable Fuels and Air Quality****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) has determined that no additional measures are necessary pursuant to Clean Air Act (CAA) section 211(v) to mitigate the adverse air quality impacts of the renewable fuel volumes required under CAA section 211(o).

**DATES:** January 15, 2021.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2020-0240. All documents in the docket are listed at the <https://www.regulations.gov> website. 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 electronically through <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Rich Cook, Office of Transportation and Air Quality, Assessment and Standards Division, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105; telephone number: 734-214-4827; email address: [cook.rich@epa.gov](mailto:cook.rich@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. Background**

CAA section 211(v) requires EPA to take two actions. First, EPA must complete “a study to determine whether the renewable fuel volumes required under [CAA section 211(o)] will adversely impact air quality as a result in changes of vehicle and engine emissions of air pollutants.” The study, commonly known as the “anti-backsliding study,” must include consideration of different blend levels, types of renewable fuels, and available vehicle technologies, as well as appropriate national, regional, and local air quality control measures. EPA has completed the required study, which is available in the docket for this action and at <https://www.epa.gov/renewable-fuel-standard-program/anti-backsliding-determination-and-study>.

Second, considering the results of the study, EPA must proceed down one of two paths: Either “promulgate fuel regulations to implement appropriate measures to mitigate, to the greatest extent achievable, . . . any adverse impacts on air quality, as a result of the renewable volumes required by [Section 211]” or “make a determination that no such measures are necessary.”

EPA announced its proposed determination on June 8, 2020 (85 FR 35048) and invited public comment. The proposed determination is available in the docket for this action and at <https://www.epa.gov/renewable-fuel-standard-program/anti-backsliding-determination-and-study>.

**II. Final Determination**

After considering public comment, we determine, as proposed, that no additional appropriate fuel control measures are necessary to mitigate adverse air quality impacts of required renewable fuel volumes. More information on this determination can be found in the supporting document, which is available in the docket for this action and at <https://www.epa.gov/renewable-fuel-standard-program/anti-backsliding-determination-and-study>.

Dated: January 5, 2021.

**Andrew Wheeler,**  
Administrator.

[FR Doc. 2021-00271 Filed 1-14-21; 8:45 am]

**BILLING CODE 6560-50-P****ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 174****[EPA-HQ-OPP-2018-0403; FRL-10015-98]**

**Bacillus Thuringiensis Cry1Ab/Cry2Aj Protein and G10-evo Enolpyruvylshikimate-3-Phosphate Synthase (G10evo-EPSPS) Protein; Exemptions From the Requirement of a Tolerance**

**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

**SUMMARY:** This regulation establishes exemptions from the requirement of a tolerance for residues of the insecticide *Bacillus thuringiensis* Cry1Ab/Cry2Aj protein in or on the food and feed commodities of corn; corn, field; corn, sweet; and corn, pop, and for residues of the inert ingredient G10-evo Enolpyruvylshikimate-3-phosphate synthase (G10evo-EPSPS) protein in or on the food and feed commodities of all crops when used in a plant-incorporated protectant. Hangzhou Ruifeng

Biosciences Co., Ltd. submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting exemptions from the requirement of a tolerance for these pesticide chemical residues. This regulation eliminates the need to establish a maximum permissible level for residues of *Bacillus thuringiensis* Cry1Ab/Cry2Aj and G10evo-EPSPS proteins.

**DATES:** This regulation is effective January 15, 2021. Objections and requests for hearings must be received on or before March 16, 2021, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2018-0403, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave, NW, Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Charles Smith, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave, NW, Washington, DC 20460-0001; main telephone number: (703) 305-7090; email address: [BPPDFRNotices@epa.gov](mailto:BPPDFRNotices@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. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

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