

2060–0632; expires on 05/31/2010; Approved with change.

*EPA ICR Number 1573.12*; Part B Permit Application, Permit Modifications and Special Permits (Renewal); 40 CFR part 264 and 40 CFR part 270; was approved on 02/26/2010; OMB Number 2050–0009; expires on 02/28/2013; Approved without change.

*EPA ICR Number 2348.02*; NESHAP for Paints and Allied Products Manufacturing Area Source Category; 40 CFR part 63, subpart A and 40 CFR part 63, subpart CCCCCC; was approved on 02/26/2010; OMB Number 2060–0633; expires on 02/28/2013; Approved without change.

*EPA ICR Number 2352.02*; NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing; 40 CFR part 63, subpart A and 40 CFR part 63, subpart AAAAAA; was approved on 02/26/2010; OMB Number 2060–0634; expires on 02/28/2013; Approved without change.

*EPA ICR Number 2279.02*; National Primary Drinking Water Regulations: Aircraft Drinking Water Rule; 40 CFR part 141; was approved on 02/25/2010; OMB Number 2040–0277; expires on 02/28/2013; Approved without change.

*EPA ICR Number 1969.04*; NESHAP for Miscellaneous Organic Chemical Manufacturing; 40 CFR part 63, subpart FFFF; was approved on 02/26/2010; OMB Number 2060–0533; expires on 02/28/2013; Approved without change.

#### Comment Filed

*EPA ICR Number 0783.56*; Certification and In-use Testing of Motor Vehicles: Revisions to Reduce Emissions of Greenhouse Gasses (Proposed Rule); in 40 CFR parts 85 and 86, 40 CFR 86.412, 40 CFR 86.1845, 40 CFR 85.1901–1908, 40 CFR part 600.; OMB filed comment on 02/19/2010.

*EPA ICR Number 2326.01*; Effluent Guidelines and Standards for the Airport Deicing Category (Proposed Rule); in 40 CFR part 449; OMB filed comment on 02/25/2010. EPA ICR Number 1715.11; Opt-out and Recordkeeping Proposed Rule ICR Addendum; in 40 CFR part 745, subpart L, 40 CFR 745.225; OMB filed comment on 02/26/2010.

*EPA ICR Number 1361.14*; Withdrawing the Comparable Fuels Exclusion under RCRA (Proposed Rule); in 40 CFR 261.38; OMB filed comment on 02/26/2010.

#### Short Term Extensions of Expiration Date

*EPA ICR Number 1363.20*; Toxic Chemical Release Reporting (Form R); 40 CFR 372; OMB Number 2025–0009; expires on 07/31/2011; a short term

extension of the expiration date was approved on 02/17/2010.

*EPA ICR Number 1704.12*; Toxic Chemical Release Reporting, Alternate Threshold for Low Annual Reportable Amounts (Form A); 40 CFR 372; OMB Number 2025–0010; expires on 07/31/2011; a short term extension of the expiration date was approved on 02/17/2010.

Dated: March 1, 2010.

**John Moses,**

*Director, Collections Strategies Division.*

[FR Doc. 2010–4698 Filed 3–4–10; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2010–0179; FRL–8815–3]

### Kasugamycin; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

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

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Oregon Department of Agriculture to use the pesticide kasugamycin (CAS No. 6980–18–3) to treat up to 2,000 acres of newly planted, non-bearing sweet or sour cherry orchards to control bacterial canker. The applicant proposes the use of a new chemical which has not been registered by the EPA.

EPA is soliciting public comment before making the decision whether or not to grant the exemption.

**DATES:** Comments must be received on or before March 15, 2010.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2010–0179, 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–2010–0179. 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) website 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:** Keri Grinstead, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200

Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8373; fax number: (703) 605-0781; e-mail address: [grinstead.keri@epa.gov](mailto:grinstead.keri@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:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

ii. 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.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns and suggest alternatives.

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 pesticide(s) discussed in this document, compared to the general population.

##### II. What Action is the Agency Taking?

Under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), at the discretion of the Administrator, a Federal or State agency may be exempted from any provision of FIFRA if the Administrator determines that emergency conditions exist which require the exemption. The Oregon Department of Agriculture has requested the Administrator to issue a specific exemption for the use of kasugamycin on newly planted, non-bearing sweet or sour cherry orchards to control bacterial canker. Information in accordance with 40 CFR part 166 was submitted as part of this request and may be found in the docket for this notice.

As part of this request, the applicant asserts that kasugamycin is needed to control alternative chemical-resistant strains of *Pseudomonas syringae* pv. *syringae*, the major causal pathogen of

bacterial canker of young sweet and sour cherry trees. Bacterial canker is a risk to the establishment of new cherry orchards and has become resistant to the alternative chemical products. The applicant states that the use of kasugamycin "in 2,000 acres of newly planted, high density sweet cherry orchards could help growers avert economic losses of nearly \$5.1 million due to bacterial canker."

The Applicant proposes to make no more than two applications of Kasumin 2L (2.0% kasugamycin) on a maximum of 2,000 acres of newly planted, non-bearing sweet or sour cherry orchards between March 1, 2010 and November 30, 2010 in Benton, Clackamas, Lane, Linn, Marion, Multnomah, Polk, Washington, Yamhill, Hood River, Sherman, Wasco, Umatilla, and Union counties in Oregon. As currently proposed, the maximum amount of product to be applied would be 2,000 gallons. EPA has decided to open a shortened comment period and solicit input and comments from the public for 10 days. In general, the length of a comment period for an emergency exemption application is 15 days. However, EPA is shortening this comment period to 10 days due to the limited time available to consider this request with regard to the requested use season. Because of these factors, EPA determined that a 10-day comment period is appropriate.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 of FIFRA require publication of a notice of receipt of an application for a specific exemption proposing use of a new chemical (i.e., an active ingredient) which has not been registered by EPA.

The notice provides an opportunity for public comment on the application.

The Agency will review and consider all comments received during the comment period in determining whether to issue the specific exemption requested by the Oregon Department of Agriculture.

##### List of Subjects

Environmental protection, Pesticides and pests.

Dated: March 1, 2010.

**Lois Rossi,**

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

[FR Doc. 2010-4816 Filed 3-4-10; 8:45 am]

**BILLING CODE 6560-50-S**