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[Proposed Rules]

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[FR Doc No: 2020-11574]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA-HQ-OPP-2019-0692; FRL-10009-29]

Receipt of a Pesticide Petition Filed for Residues of a Pesticide

Chemical in or on Various Commodities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing of petition and request for comment.

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SUMMARY: This document announces EPA's receipt of an initial filing of

a pesticide petition requesting the establishment or modification of

regulations for residues of a pesticide chemical in or on various

commodities.

DATES: Comments must be received on or before July 1, 2020.

ADDRESSES: Submit your comments, identified by docket identification

number EPA-HQ-OPP-2019-0692, by one of the following methods:

Federal eRulemaking Portal: [http://www.regulations.gov](http://www.regulations.gov/).

Follow the online instructions for submitting comments. Do not submit

electronically any information you consider to be Confidential Business

Information (CBI) or other information whose disclosure is restricted

by statute.

Mail: OPP Docket, Environmental Protection Agency Docket

Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC

20460-0001.

Hand Delivery: To make special arrangements for hand

delivery or delivery of boxed information, please follow the

instructions at <https://www.epa.gov/dockets/where-send-comments-epa-docket>.

Please note that, due to the public health emergency, the EPA

Docket Center (EPA/DC) and Reading Room was closed to public visitors

on March 31, 2020. Our EPA/DC staff will continue to provide customer

service via email, phone, and webform. For further information on EPA/

DC services, docket contact information, and the current status of the

EPA/DC and Reading Room, please visit <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Robert McNally, 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).

Pesticide manufacturing (NAICS code 32532).

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

[regulations.gov](http://regulations.gov/) or email. 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

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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 preparing and submitting

your comments, see the commenting tips at <https://www.epa.gov/dockets/commenting-epa-dockets>.

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, EPA

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

discussed in this document, compared to the general population.

II. What action is EPA taking?

EPA is announcing receipt of a pesticide petition filed under

section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21

U.S.C. 346a, requesting the establishment or modification of

regulations in 40 CFR part 180 for residues of a pesticide chemical in

or on various food commodities. EPA is taking public comment on the

request before responding to the petitioner. EPA is not proposing any

particular action at this time. EPA has determined that the pesticide

petition described in this document contains data or information

prescribed in FFDCA section 408(d)(2), 21 U.S.C. 346a(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

petition. After considering the public comments, EPA intends to

evaluate whether and what action may be warranted. Additional data may

be needed before EPA can make a final determination on this pesticide

petition.

Pursuant to 40 CFR 180.7(f), a summary of the petition that is the

subject of this document, prepared by the petitioner, is included in a

docket EPA has created for this rulemaking. The docket for this

petition is available at [http://www.regulations.gov](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 a pesticide chemical in or

on various food commodities. Further information on the petition may be

obtained through the petition summary referenced in this unit.

PP 9F8780. Syngenta Crop Protection, LLC, 410 South Swing Rd.,

Greensboro, NC 27409, requests to amend an exemption from the

requirement of a tolerance in 40 CFR 180.1254 to include residues of

the fungicide Aspergillus flavus strain NRRL 21882 in or on all food

and feed commodities of almond; corn, field; corn, pop; corn, sweet;

peanut; and pistachio. The petitioner believes no analytical method is

needed because a petition for an amendment to the currently existing

exemption from tolerance for Aspergillus flavus strain NRRL 21882 has

been submitted. Note: In the Federal Register of February 10, 2020 (85

FR 7499) (FRL-10004-54), EPA announced the filing of this petition to

amend an exemption from the requirement of a tolerance for residues of

Aspergillus flavus strain NRRL 21882 to include residues in or on

almond and pistachio. Since that time, the petitioner provided a

revised petition requesting a revision to the existing tolerance

exemption to include all food and feed commodities of almond; corn,

field; corn, pop; corn, sweet; peanut; and pistachio. In order to give

the public an opportunity to comment on this new information, EPA is

republishing its receipt of this tolerance exemption petition filing

with an updated and accurate description.

Authority: 21 U.S.C. 346a.

Dated: May 13, 2020.

Robert McNally,

Director, Biopesticides and Pollution Prevention Division, Office of

Pesticide Programs.

[FR Doc. 2020-11574 Filed 5-29-20; 8:45 am]

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