

section 5(a) submission and the chemical identity (generic name if the specific name is claimed as CBI).

- J-24-0005-0008, Biofuel-producing modified microorganism(s), with chromosomally borne modifications (Generic Name).

- J-24-0014-0015, Biopolymer producing modified microorganism, with chromosomally located modifications (Generic Name).

- J-24-0016-0019, Chromosomally modified *Saccharomyces cerevisiae* (Generic Name).

To access EPA's decision document describing the basis of the "not likely to present an unreasonable risk" finding made by EPA under TSCA section 5(a)(3)(C), look up the specific case number at <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/chemicals-determined-not-likely>.

Authority: 15 U.S.C. 2601 *et seq.*

Dated: September 10, 2024.

**Lisa Christ,**

Acting Director, New Chemicals Division,  
Office of Pollution Prevention and Toxics.

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2022-0223; FRL-12245-01-OCSP]P

### Chlorpyrifos; Amendment to Existing Stocks Provisions in Kaizen Product Cancellation Orders

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

**ACTION:** Notice.

**SUMMARY:** On August 31, 2022, EPA issued a final order cancelling several products, including one product for which Kaizen Technologies, LLC voluntarily requested cancellation, pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The Agency is issuing this notice to amend the existing stocks provisions in the August 31, 2022 order, for the product listed in this document.

**ADDRESSES:** The docket for this action, identified under docket identification (ID) number EPA-HQ-OPP-2022-0223, is available online at <https://www.regulations.gov>. Additional instructions on visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Patricia Biggio, Pesticide Re-Evaluation Division (7508M), Office of Pesticide

Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 566-0700; email address: [OPPChlorpyrifosInquiries@epa.gov](mailto:OPPChlorpyrifosInquiries@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

*Does this action apply to me?*

This action is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

##### II. What action is the Agency taking?

In its August 31, 2022 Cancellation Order for Certain Chlorpyrifos Registrations (87 FR 53471) (FRL-10138-01-OCSP), EPA granted Kaizen's request to cancel its one chlorpyrifos product: Bifenchlor (EPA Registration Number 86363-11). This order noted that all chlorpyrifos tolerances had been revoked, and thus all use on food and all sale and distribution of existing stocks for the products identified in that order were inconsistent with the purposes of FIFRA, with some exceptions. The August 31, 2022 order permitted existing stocks to be sold and distributed for export and for proper disposal.

Subsequent to the issuance of the August 31, 2022 cancellation order, the U.S. Court of Appeals for the Eighth Circuit vacated EPA's rule revoking all tolerances. *See Red River Valley Sugarbeet Growers Associations, et al. v. Regan*, 85 F.4th 881 (8th Cir. 2023). On February 5, 2024, EPA issued a **Federal Register** notice to amend the Code of Federal Regulations (CFR) to reflect the court's reinstatement of those tolerances (89 FR 7625) (FRL-5993-06-OCSP). At this time, all chlorpyrifos tolerances in effect prior to the 2021 tolerance rule have been reinstated and are currently in effect. *See* 40 CFR 180.342. With the tolerances in place, Kaizen requested an amendment to the terms of the August 31, 2022 cancellation order governing disposition of existing stocks to allow for sale, distribution, and use.

Because the reinstatement of the chlorpyrifos tolerances means that chlorpyrifos products can be used in accordance with their labeling without concern for adulterated food, EPA is amending the August 31, 2022

cancellation order to update the existing stocks provisions as they apply to the following Kaizen product:

- Bifenchlor (EPA Reg. No. 86363-11).

The registrant for the listed product is Kaizen Technologies, LLC., 2225 Q Street, Aurora, NE 68818.

##### III. Provisions for Disposition of Existing Stocks

Section 6(f)(1) of FIFRA (7 U.S.C. 136d(f)(1)) provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be cancelled or amended to terminate one or more registered uses. Since the tolerances for chlorpyrifos residues on food commodities have been reinstated by the Eighth Circuit, food bearing chlorpyrifos residues could be sold in interstate commerce. EPA has noted however, that it intends to issue a new rulemaking revoking several chlorpyrifos tolerances in the near future. In the meantime, the following amendment to the existing stocks provisions for the Kaizen product is consistent with the path forward for disposition of existing stocks for several other existing stocks amendment requests and post-tolerance-reinstatement voluntary cancellations for chlorpyrifos requested by registrants.

Existing stocks for the product identified in this order are those stocks of registered pesticide products that are currently in the United States and that were packaged, labeled, and released for shipment prior to August 31, 2022.

At this time, EPA is amending the existing stocks provisions in the August 31, 2022 cancellation order as they apply to the Kaizen chlorpyrifos product mentioned in this notice. EPA has determined that the following existing stocks provisions are not inconsistent with the purposes of FIFRA, given the limited amount of existing stocks and the limited time allowed for use of the existing stocks outlined below:

- Sale and distribution of existing stocks of Bifenchlor (EPA Reg. No. 86363-11) is permitted until April 30, 2025.
- Use of existing stocks of Bifenchlor (EPA Reg. No. 86363-11) must be consistent with the product labeling. Such use is permitted until June 30, 2025. Use of existing stocks of Bifenchlor (EPA Reg. No. 86363-11) for non-food purposes is permitted until existing stocks are exhausted, as long as such use is in accordance with the labeling.

After these dates, all sale, distribution, and use of existing stocks is prohibited, except for sale and

distribution for export consistent with FIFRA section 17 (7 U.S.C. 136o) and for proper disposal.

Dated: September 10, 2024.

**Jean Anne Overstreet,**

*Director, Pesticide Re-Evaluation Division,  
Office of Pesticide Programs.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL–12171–01–OEJECR]

### **Notification of Request for Nominations to the National Environmental Justice Advisory Council**

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

**ACTION:** Request for nominations to the National Environmental Justice Advisory Council (NEJAC).

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) invites nominations from a diverse range of qualified candidates to be considered for appointment to its National Environmental Justice Advisory Council (NEJAC). The NEJAC was chartered to provide advice regarding broad, cross-cutting issues related to environmental justice. This notice solicits nominations to fill approximately seven (7) new vacancies for terms through February 2026. To maintain the representation outlined by the charter, nominees will be selected to represent: academia, business and industry; community-based; non-governmental organizations; State and local governments; and Tribal governments and indigenous organizations. We are interested in adding members located in all EPA regions. Vacancies are anticipated to be filled by January 31, 2025. Sources in addition to this **Federal Register** Notice will be utilized in the solicitation of nominees.

**DATES:** Nominations should be submitted in time to arrive no later than Tuesday, October 15, 2024.

**ADDRESSES:** Submit nominations electronically with the subject line NEJAC Membership 2024 to [nejac@epa.gov](mailto:nejac@epa.gov). The Office of Environmental Justice and External Civil Rights will acknowledge receipt of nominations.

**FOR FURTHER INFORMATION CONTACT:** Paula Flores Gregg, NEJAC Designated Federal Officer, U.S. EPA; email: [nejac@epa.gov](mailto:nejac@epa.gov); telephone: (214) 665–8123.

**SUPPLEMENTARY INFORMATION:** The NEJAC is a Federal advisory committee

chartered under the Federal Advisory Committee Act (FACA), Public Law 92–463. EPA established the NEJAC in 1993 to provide independent consensus advice to the EPA Administrator about a broad range of environmental issues related to environmental justice. The NEJAC conducts business in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. app. 2) and related regulations. In accordance with Executive Order 14035, EPA values and welcomes opportunities to increase diversity, equity, inclusion, and accessibility on its Federal advisory committees. EPA's Federal advisory committees have a workforce that reflects the diversity of the American people.

The Council consists of 32 members (including two Co-Chairpersons and one Vice-Chairpersons) appointed by EPA's Administrator. Members serve as non-Federal stakeholders who represent academia, business and industry; community-based organizations; non-governmental/environmental organizations; State and local governments; Tribal governments and indigenous organizations, of which one member serves as a liaison to the National Tribal Caucus. Members are appointed for one (1); two (2) or three (3)-year terms with the possibility of reappointment for another term.

The NEJAC usually convenes 4 to 6 times a year, generally meeting face-to-face twice (2) a year in the Spring and the Fall and virtually for the remaining meetings. Additionally, members will be asked to participate in work groups to develop recommendations, advice letters, and reports to address specific policy issues. The average workload for members is approximately 20 to 25 hours per month, not including public meeting hours and with the expectation that the member will take part in two (2) or more workgroup activities. EPA provides reimbursement for travel and other incidental expenses associated with official government business.

**Nominations:** Any interested person and/or organization may nominate qualified individuals for membership. Individuals are encouraged to self-nominate. The EPA values and welcomes opportunities to increase diversity, equity, inclusion and accessibility on its Federal advisory committees and is seeking to obtain nominations from all geographic locations of the United States of America. All nominations will be fully considered, but applicants need to be aware of the specific representation sought as outlined in the summary above. In addition, EPA is seeking nominees with knowledge in

environmental measures; public health/health disparities; water infrastructure and other water concerns; climate justice; farmworkers and pesticides; community sustainability and resiliency; air quality; youth perspectives; green jobs and green infrastructure; land use and equitable development; and emerging inclusion of sub-populations such as the unhoused individuals, veterans, individuals in the criminal justice system, etc. Other criteria used to evaluate nominees will include:

- the background and experience that would help members contribute to the diversity of perspectives on the committee (e.g., geographic, economic, social, cultural, educational background, professional affiliations, and other considerations,
- demonstrated experience with environmental justice and community sustainability issues at the national, State, or local level,
- excellent interpersonal and consensus-building skills,
- ability to volunteer time to attend meetings 4–6 times a year, participate in virtual and in-person meetings, volunteer time to take part in two (2) or more workgroup activities, attend listening sessions with the Administrator or other senior-level officials, develop policy recommendations to the Administrator, and prepare reports and advice letters; and
- willingness to commit time to the committee and demonstrated ability to work constructively and effectively on committees. The average workload for members is approximately 20 to 25 hours per month, not including public meeting hours and with the expectation that the member will take part in two (2) or more workgroup activities.

**How to Submit Nominations:** Any interested person or organization may nominate qualified persons to be considered for appointment to this advisory committee. Individuals are encouraged to self-nominate. Nominations will be submitted in electronic format following the template available at <https://www.epa.gov/environmentaljustice/nominations-nejac>. To be considered, all nominations should include:

- Current contact information for the nominee/applicant, including the nominee's/applicant's name, organization (and position within that organization), current business address, email address, telephone numbers and the stakeholder category position you are interested in.