

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
  - Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
  - Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
  - Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
  - Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
  - Does not provide the EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).
- In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: May 1, 2020.

**John Busterud,**

*Regional Administrator, EPA Region IX.*

[FR Doc. 2020–09733 Filed 5–7–20; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA–HQ–OPP–2020–0053; FRL–10008–38]

### Receipt of a Pesticide Petition Filed for Residues of Pesticide Chemicals in or on Various Commodities

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

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

**SUMMARY:** This document announces the Agency's receipt of an initial filing of a pesticide petition requesting the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities.

**DATES:** Comments must be received on or before June 8, 2020.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number by one of the following methods:

- *Federal eRulemaking Portal:* <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 <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

#### FOR FURTHER INFORMATION CONTACT:

Robert McNally, Biopesticides and Pollution Prevention Division (BPPD) (7511P), main telephone number: (703) 305–7090, email address: [BPPDFRNotices@epa.gov](mailto:BPPDFRNotices@epa.gov); or Michael Goodis, Registration Division (RD) (7505P), main telephone number: (703) 305–7090, email address: [RDPRNotices@epa.gov](mailto:RDPRNotices@epa.gov). The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001. As part of the mailing address, include the contact person's name, division, and mail code. The division to contact is listed at the end of each application summary.

#### 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).

##### 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 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 <http://www.epa.gov/dockets/comments.html>.

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 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 174 and/or part 180] for residues of pesticide chemicals in or on various food commodities. The Agency 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 supports 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 the docket EPA has created for this rulemaking. The docket for this petition is available 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.

#### *A. Amended Tolerance Exemptions for Non-Inerts (Except PIPS)*

*PP 0F8822.* (EPA-HQ-OPP-2020-0145). Spring Regulatory Sciences on behalf of FB Sciences, Inc., 153 N. Main St., Ste. 100, Collierville, TN 38017 requests to amend an exemption from the requirement of a tolerance in 40 CFR 180.1321 for residues of the plant growth regulator Complex Polymeric Polyhydroxy Acids (CPPA) in or on all food commodities when applied to foliage, soil and as a seed treatment to include use as a nematocide when applied to foliage, soil, and as a seed treatment in accordance with good agricultural practices. The petitioner believes no analytical method is needed because CPPA is exempt from the requirement of a tolerance based upon the information provided in this petition. *Contact:* BPPD,

#### *B. Amended Tolerances for Non-Inerts*

*PP 9E8803.* (EPA-HQ-OPP-2019-0665). Interregional Research Project Number 4 (IR-4), Rutgers, The State University of New Jersey, 500 College Road East, Suite 201 W, Princeton, NJ 08540, proposes upon establishment of tolerances referenced in this document under "New Tolerances" for *PP9E8803*, to remove existing tolerances in 40 CFR 180.441 for residues of the herbicide

quizalofop ethyl, including its metabolites and degradates. Compliance with the tolerance levels is to be determined by measuring only those quizalofop ethyl residues convertible to 2-methoxy-6-chloroquinoline, expressed as the stoichiometric equivalent of quizalofop ethyl in or on Cotton, undelinted seed at 0.1 parts per million (ppm); Sunflower, seed at 1.9 ppm. *Contact:* RD.

#### *C. New Tolerance Exemptions for Inerts (Except PIPS)*

1. *PP IN-11370.* (EPA-HQ-OPP-2020-0112). SciReg, Inc. (12733 Director's Loop, Woodbridge, VA 22192) on behalf of Valagro S.p.A. (Zona Industriale, Via Cagliari, 1, 66041 Atessa (CH), Italy) requests to establish an exemption from the requirement of a tolerance for residues of vitamin B1 (CAS Reg. No. 532-43-4) when used as an inert ingredient (enzymatic cofactor) in pesticide formulations applied to growing crops pre-harvest under 40 CFR 180.920, limited to 0.1% (by weight) in pesticide formulations. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

2. *PP IN-11371.* (EPA-HQ-OPP-2020-0117). SciReg, Inc. (12733 Director's Loop, Woodbridge, VA 22192) on behalf of Valagro S.p.A. (Zona Industriale, Via Cagliari, 1, 66041 Atessa (CH), Italy) requests to establish an exemption from the requirement of a tolerance for residues of vitamin B5 (CAS Reg. No. 137-08-6) when used as an inert ingredient (enzymatic cofactor) in pesticide formulations applied to growing crops pre-harvest under 40 CFR 180.920, limited to 0.1% (by weight) in pesticide formulations. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

#### *D. New Tolerance Exemptions for Non-Inerts (Except PIPS)*

*PP 9F8742.* (EPA-HQ-OPP-2019-0169). J.R. Simplot Company, PO Box 27, Boise, ID 83707, requests to establish an exemption from the requirement of a tolerance in 40 CFR part 180.1019 for residues of the desiccant sulfuric acid in or on Hop Vines. The petitioner believes no analytical method is needed because the agency is establishing an exemption from the requirement of a tolerance without numerical limitation. *Contact:* RD.

#### *E. New Tolerances for Non-Inerts*

1. *PP 7F8634.* (EPA-HQ-OPP-2018-0038). Valent U.S.A. LLC, 1600 Riviera

Avenue, Suite 200, Walnut Creek, CA 94596, requests to establish tolerances in 40 CFR part 180 for residues of the fungicide ipyrfluxam, S-2399, in or on corn, sweet, stover at 0.02 ppm; corn, sweet, forage at 0.02 ppm; cattle, fat at 0.01 ppm; cattle, meat at 0.01 ppm; cattle, meat byproducts at 0.01 ppm; eggs at 0.01 ppm; goat, fat at 0.01 ppm; goat, meat at 0.01 ppm; goat, meat byproducts at 0.01 ppm; hog, fat at 0.01 ppm; hog, meat at 0.01 ppm; hog, meat byproducts at 0.01 ppm; horse, fat at 0.01 ppm; horse, meat at 0.01 ppm; horse, meat byproducts at 0.01 ppm; milk at 0.01 ppm; poultry, fat at 0.01 ppm; poultry, meat at 0.01 ppm; poultry, meat byproducts at 0.01 ppm; sheep, fat at 0.01 ppm; sheep, meat at 0.01 ppm; sheep, meat byproducts at 0.01 ppm. The HPLC-MS/MS method is used to measure and evaluate the chemical ipyrfluxam. *Contact:* RD.

2. *PP 9E8800.* (EPA-HQ-OPP-2019-0652). Interregional Research Project No. 4 (IR-4), Rutgers, The State University of NJ, 500 College Road East, Suite 201 W, Princeton, NJ 08540, requests to establish a tolerance in 40 CFR part 180.368 for residues of s-metolachlor, including its metabolites and degradates, S-metolachlor, S-2-chloro-N-(2-ethyl-6-methylphenyl)-N-(2-methoxy-1-methylethyl)acetamide, its R-enantiomer, and its metabolites, determined as the derivatives, 2-(2-ethyl-6-methylphenyl)amino-1-propanol and 4-(2-ethyl-6-methylphenyl)-2-hydroxy-5-methyl-3-morpholinone, calculated as the stoichiometric equivalent of S-metolachlor in or on dillweed at 5 ppm; dillweed, dried leaves at 9 ppm; dill, seed at 15 ppm; rosemary, dried leaves at 2 ppm; and rosemary, fresh leaves 1.5 ppm. A gas chromatography-nitrogen phosphorus detection (GC/NPD) method has been submitted to the Agency for determining residues in/on crop commodities and is published in PAM Vol. II, Method I. A gas chromatography-mass selective detection (GC/MSD) method has been submitted to the Agency for determining residues in livestock commodities and is published in PAM Vol. II, Method II is used to measure and evaluate the chemical. *Contact:* RD.

3. *PP 9E8803.* (EPA-HQ-OPP-2019-0665). IR-4, Rutgers, The State University of New Jersey, 500 College Road East, Suite 201 W, Princeton, NJ 08540, requests to establish a tolerance in 40 CFR part 180.441 for residues of the herbicide quizalofop ethyl, including its metabolites and degradates. Compliance with the tolerance levels is to be determined by measuring only those quizalofop ethyl residues convertible to 2-methoxy-6-

chloroquinoxaline, expressed as the stoichiometric equivalent of quizalofop ethyl in or on carinata at 1.5 ppm; cottonseed subgroup 20C at 0.1 ppm; fruit, pome, group 11–10 at 0.1 ppm; fruit, small, vine climbing, except fuzzy kiwifruit, subgroup 13–07F at 0.1 ppm; fruit, stone, group 12–12 at 0.1 ppm; pennycress, meal at 2 ppm; pennycress, seed at 1.5 ppm; and sunflower subgroup 20B at 3 ppm. The high-pressure liquid chromatography using either ultraviolet or fluorescence detection is used to measure and evaluate the chemical. *Contact:* RD.

4. *PP 9E8807*. (EPA–HQ–OPP–2020–0067). IR–4, Rutgers, The State University of New Jersey, 500 College Road East, Suite 201 W, Princeton, NJ 08540, requests to establish a tolerance in 40 CFR part 180.675 for residues of the insecticide tolfenpyrad, (4-chloro-3-ethyl-1-methyl-N-[[4-(4-methylphenoxy)phenyl]methyl]-1H-pyrazole-5-carboxamide in or on artichoke, globe at 5 ppm. The acceptable high-performance liquid chromatography method with tandem mass spectrometry detection (LC/MS/MS) is used to measure and evaluate the chemical. *Contact:* RD.

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

Dated: April 13, 2020.

**Delores Barber,**

*Director, Information Technology and Resources Management Division, Office of Pesticide Programs.*

[FR Doc. 2020–09165 Filed 5–7–20; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 258

[EPA–R09–RCRA–2018–0568; FRL–10007–02–Region 9]

### Tentative Determination To Approve Site Specific Flexibility for the Cocopah Landfill

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is making a tentative determination to approve two Site Specific Flexibility Requests (SSFRs) from Cocopah Landfill, Inc. (CLI), a Republic Services (Republic) company, to close and monitor the Cocopah Landfill. The Cocopah Landfill is located within Indian Country on the Cocopah Indian Reservation near Somerton, Arizona and was operated by Republic and its predecessors from the

1960's to the present. Republic is seeking approval from EPA for an alternative final cover and an alternative location for the storage of facility records. EPA is now seeking public comment on EPA's tentative determination to approve the SSFRs. EPA will consider timely comments before making a final determination.

**DATES:** Comments must be received on or before June 8, 2020. If sufficient public interest is expressed by May 26, 2020, EPA will hold a virtual public hearing on June 8, 2020 from 6:00 p.m. to 8:00 p.m. If by May 26, 2020 EPA does not receive information indicating sufficient public interest for a public hearing, EPA will cancel the public hearing and provide notice of the cancelled public hearing on <http://www.regulations.gov> under Docket ID No. EPA–R09–RCRA–2018–0568. If there is sufficient public interest for a public meeting EPA will announce further details on <http://www.regulations.gov> under Docket ID No. EPA–R09–RCRA–2018–0568 in advance of the hearing. If you are interested in attending the public hearing, contact Steve Wall at (415) 972–3381 to verify that a hearing will be held.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R09–RCRA–2018–0568 at <http://www.regulations.gov>, or via email to [R9LandSubmit@epa.gov](mailto:R9LandSubmit@epa.gov). Due to COVID–19, we are not providing facsimile or regular mail options, because those are not viable at this time. For comments submitted at [Regulations.gov](http://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be removed or edited from [Regulations.gov](http://www.regulations.gov). For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on

making effective comments, please visit <http://www.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Steve Wall, EPA Region IX, (415) 972–3381, [wall.steve@epa.gov](mailto:wall.steve@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, “we,” “us,” or “our” refer to the EPA.

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## I. Legal Authority for This Proposal

Under sections 1008, 2002, 4004, and 4010 of the Resource Conservation and Recovery Act of 1976 (RCRA) as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. 6901 *et seq.*, Congress required EPA to establish revised minimum federal criteria for Municipal Solid Waste Landfills (MSWLFs), including landfill location restrictions, operating standards, design standards, and requirements for ground water monitoring, corrective action, closure and post-closure care, and financial assurance. Under RCRA section 4005, states are to develop permit programs for facilities that may receive household hazardous waste or waste from conditionally exempt small quantity generators of hazardous waste, and EPA is to determine whether the state's program is adequate to ensure that facilities will comply with the revised federal criteria.

The MSWLF criteria are in the Code of Federal Regulations at 40 CFR part 258. These regulations are prescriptive, self-implementing and apply directly to owners and operators of MSWLFs. Many of these criteria include a flexible performance standard as an alternative to the prescriptive, self-implementing regulation. The flexible standard is not self-implementing and requires approval by the Director of an EPA-approved state MSWLF permitting program.

However, EPA's approval of a state program generally does not extend to Indian Country because states generally do not have authority over Indian Country. For this reason, owners and operators of MSWLF units located in Indian Country cannot take advantage of the flexibilities available to those facilities that are within the jurisdiction of an EPA-approved state program.