

• Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

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

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

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

Dated: September 11, 2014.

**H. Curtis Spalding,**

*Regional Administrator, EPA New England.*

[FR Doc. 2014-25354 Filed 10-23-14; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### 33 CFR Part 328

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Parts 110, 112, 116, 117, 122, 230, 232, 300, 302, and 401

[EPA-HQ-OW-2011-0880; FRL-9918-34-OW]

RIN 2040-AF30

#### Definition of “Waters of the United States” Under the Clean Water Act Proposed Rule; Notice of Availability

**AGENCIES:** U.S. Army Corps of Engineers (Corps), Department of the Army, Department of Defense; and Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; notice of availability.

**SUMMARY:** This document announces the availability of the Science Advisory Board’s (SAB) final peer review of the EPA’s draft report *Connectivity of Streams and Wetlands to Downstream*

*Waters: A Review and Synthesis*. This document has been placed in the docket for the EPA and the Corps proposed rule “Definition of ‘Waters of the United States’ Under the Clean Water Act.”

**DATES:** The public comment for the proposed rule closes on November 14, 2014.

**FOR FURTHER INFORMATION CONTACT:** Ms. Donna Downing, Office of Water (4502-T), Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone number 202-566-2428; email address: [CWAwaters@epa.gov](mailto:CWAwaters@epa.gov).

**SUPPLEMENTARY INFORMATION:** On April 21, 2014, EPA and the Corps published the proposed rule “Definition of ‘Waters of the United States’ Under the Clean Water Act” in the **Federal Register** (79 FR 22188). The public comment for the proposed rule closes on November 14, 2014. The independent SAB has completed a peer review of the proposed rule’s primary supporting document, EPA’s draft report *Connectivity of Streams and Wetlands to Downstream Waters: A Review and Synthesis*. The peer review was drafted by the SAB’s Panel for the Review of the EPA Water Body Connectivity Report and approved by the chartered SAB. The final peer review has been placed as a supporting document in the docket for this proposed rulemaking and is available on the SAB’s Web site, <http://yosemite.epa.gov/sab/sabpeople.nsf/WebCommittees/BOARD>.

*How can I get copies of this document and other related information?*

1. *Docket.* EPA has established a docket for this action under Docket ID No. EPA-HQ-OW-2011-0880; FRL-9901-47-OW. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the Docket in the EPA Docket Center, (EPA/DC) EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The EPA Docket Center 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 Water Docket is (202) 566-2426.

2. *Electronic Access.* You may access this **Federal Register** document electronically from the Government Printing Office under the “**Federal Register**” listings at FDSys (<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR>).

Dated: October 14, 2014.

**Benita Best-Wong,**

*Director, Office of Wetlands, Oceans and Watersheds, Environmental Protection Agency.*

Dated: October 14, 2014.

**James Hannon,**

*Chief, Operations and Regulatory Division, U.S. Army Corps of Engineers.*

[FR Doc. 2014-25138 Filed 10-23-14; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Parts 174 and 180

[EPA-HQ-OPP-2014-0008; FRL-9916-03]

#### Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals In or On Various Commodities

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

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

**SUMMARY:** This document announces the Agency’s receipt of several initial filings of pesticide petitions 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 November 24, 2014.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number and the pesticide petition number (PP) of interest as shown in the body of this document, 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) and Daniel Rosenblatt, Registration Division (RD) (7505P); main telephone number: (703) 305-7090; email address: [RDfRNotices@epa.gov](mailto:RDfRNotices@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 pesticide petition 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).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT** for the division listed at the end of the pesticide petition summary of interest.

#### 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 its receipt of several pesticide petitions 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 parts 174 and 180 for residues of pesticide chemicals in or on various food commodities. The Agency is taking public comment on the requests before responding to the petitioners. EPA is not proposing any particular action at this time. EPA has determined that the pesticide petitions described in this document contain the data or information prescribed in FFDCA section 408(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 petitions. 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 these pesticide petitions.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions that are the subject of this document, prepared by the petitioner, is included in a docket EPA has created for each rulemaking. The docket for each of the petitions 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.

#### New Tolerance

1. *PP 4G8247.* (EPA-HQ-OPP-2014-0379). Cheminova, Inc., 1600 Wilson Blvd., Suite 700, Arlington, VA 22209-2510, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide flutriafol, ( $\pm$ )- $\alpha$ -(2-fluorophenyl)- $\alpha$ -(4-fluorophenyl)-1*H*-1,2,4-triazole-1-ethanol, including its metabolites and degradates, in or on corn, sweet, forage at 5 parts per million (ppm); corn, sweet, kernel plus cob with husks removed at 0.01 ppm; and corn, sweet, stover at 15 ppm. The Zeneca Agrochemicals Method RAM 219/04, entitled "The Determination of Residues of Flutriafol (R122450) in Crops," dated July 5, 2000, and various subsequent modifications is used to measure and evaluate the chemical flutriafol. RD

2. *PP 4F8277.* (EPA-HQ-OPP-2014-0496). Syngenta Crop Protection, LLC, 410 Swing Rd., Greensboro, NC 27419, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, fludioxonil, in or on rapeseed, subgroup 20A, except flax seed at 0.01 parts per million (ppm). The Syngenta Crop Protection Method AG-597B is used to measure and evaluate the chemical fludioxonil, 4-(2,2-difluoro-1,3-benzodioxol-4-yl)-1*H*-pyrrole-3-carbonitrile. RD

#### New Tolerance Exemption

1. *PP 3F8221.* (EPA-HQ-OPP-2014-0560). SciReg International, 12733 Director's Loop, Woodbridge, VA 22192, on behalf of Andermatt Biocontrol AG., Stahlermatten 6 CH-6146, Grossdietwil, Switzerland, requests to establish an exemption from the requirement of a tolerance for residues of the microbial pesticide, *Bacillus amyloliquefaciens* strain FZB42, in or on all food commodities. The pesticide is intended to control soil borne diseases. The petitioner believes no analytical method is needed because *Bacillus amyloliquefaciens* strain FZB42 is virtually non-toxic and is not pathogenic. Andermatt Biocontrol AG is, therefore, submitting a petition to establish an exemption from the requirement of a tolerance and an analytical method is not required. BPPD

2. *PP 4F8251.* (EPA-HQ-OPP-2014-0457). J.R. Simplot Company, 5369 W. Irving St., Boise, IN 83706, requests to establish an exemption from the requirement of a tolerance for residues of the plant incorporated protectant (PIP), Potato Late Blight Resistance Gene (also known as *Rpi-vnt1*), in or on potato. The petitioner believes no

analytical method is needed because the petitioner is seeking an exemption from the requirement of a tolerance. BPPD

3. *PP 4F8275*. (EPA-HQ-OPP-2014-0454). Monsanto Company, 800 North Lindbergh Blvd., St. Louis, MO 63167, requests to establish an exemption from the requirement of a tolerance for residues of the plant-incorporated protectant (PIP), *Bacillus thuringiensis* Cry1A.105 protein, in or on soybean. The petitioner believes no analytical method is needed because the petitioner is seeking an exemption from the requirement of a tolerance. BPPD

4. *PP 4F8276*. (EPA-HQ-OPP-2014-0454). Monsanto Company, 800 North Lindbergh Blvd., St. Louis, Missouri 63167, requests to establish an exemption from the requirement of a tolerance for residues of the plant-incorporated protectant (PIP), *Bacillus thuringiensis* Cry2Ab2 protein, in or on soybean. The petitioner believes no analytical method is needed because the petitioner is seeking an exemption from the requirement of a tolerance. BPPD

5. *PP IN-10661*. (EPA-HQ-OPP-2014-0122). Exponent, 1150 Connecticut Ave. NW., Suite 1100, Washington, DC 20036, on behalf of Clariant Corporation, 4000 Monroe Rd., Charlotte, NC 28205, requests to establish an exemption from the requirement of a tolerance for residues of C.I. Pigment Yellow 1 (butanamide, 2-(4-methyl-2-nitrophenyl)azo-3-oxo-N-phenyl-) (CAS No. 2512-29-0) when used as a pesticide inert ingredient in pesticide formulations for pre-harvest use (seed treatments) not to exceed 10% weight (wt)/wt. The petitioner believes no analytical method is needed because it is not required for the establishment of a tolerance exemption for inert ingredients. RD

6. *PP IN-10682*. (EPA-HQ-OPP-2014-0265). Exponent, Inc., 1150 Connecticut Ave. NW., Suite 1100, Washington, DC 20036, on behalf of Huntsman Corp., 8600 Gosling Rd., The Woodlands, TX 77381, requests to establish an exemption from the

requirement of a tolerance for residues of *n*-butyl benzoate (CAS No. 136-60-7) when used as a pesticide inert ingredient in pesticide formulations for pre- and post-harvest use and in antimicrobial formulations (food-contact surface sanitizing solutions). The petitioner believes no analytical method is needed because it is not required for the establishment of a tolerance exemption for inert ingredients.

RD

#### List of Subjects in Parts 174 and 180

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 16, 2014.

**Daniel J. Rosenblatt,**

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

[FR Doc. 2014-25376 Filed 10-23-14; 8:45 am]

**BILLING CODE 6560-50-P**