

and trimethyl derivatives alkylated at 3% by weight with C<sub>6</sub>-C<sub>9</sub> linear olefins. (Demonstration of Support)

ix. Oxirane, methyl-, polymer with oxirane, ether with (1,2-ethanediyldinitrilo)tetrakis [propanol] (4:1). (No Demonstration of Support)

#### List of Subjects

Environmental protection.

Dated: October 24, 2007.

**Lois Rossi,**

Director, Registration Division, Office of Pesticide Programs.

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#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2007-1015; FRL-8153-8]

#### Notice of Filing of Pesticide Petitions for Residues of Pesticide Chemicals in or on Various Commodities

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of pesticide petitions proposing the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities.

**DATES:** Comments must be received on or before December 3, 2007.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2007-1015 and the pesticide petition number (PP) of interest, 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'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 EPA-HQ-OPP-2007-1015 and the pesticide petition number of interest.

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 [regulations.gov](http://www.regulations.gov) or e-mail. The [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 [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 in [regulations.gov](http://www.regulations.gov). To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the [regulations.gov](http://www.regulations.gov) website to view the docket index or access available documents. 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. Publicly available docket materials are available electronically 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:** The person listed at the end of the pesticide petition summary of interest.

#### 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 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://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.

## II. Docket ID Numbers

When submitting comments, please use the docket ID number and the pesticide petition number of interest, as shown in the table.

PP Number	Docket ID Number
PP 7F7236	EPA-HQ-OPP-2007-1020
PP 7F7254	EPA-HQ-OPP-2007-0830
PP 7F7249	EPA-HQ-OPP-2007-1025

## III. What Action is the Agency Taking?

EPA is printing notice of the filing of pesticide petitions received under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, proposing the establishment or modification of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities. EPA has determined that the pesticide petitions described in this notice contain data or information regarding the elements set forth 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. Additional data may be needed before EPA rules on these pesticide petitions.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions included in this notice, prepared by the petitioner, is included in a docket EPA has created for each rulemaking. The docket for each of the petitions is available on-line at <http://www.regulations.gov>.

### A. Amendment to Existing Tolerance Exemption

1. *PP 7F7236*. Growth Products Ltd., P.O. Box 1259, White Plains, NY 10602,

proposes to amend the tolerance exemption in 40 CFR 180.1111 for residues of the fungicide *Bacillus subtilis* GB03 tolerance in or on all raw agricultural commodities when applied as a seed treatment for growing agricultural crops in accordance with good agricultural practice. Because this petition is a request for an exemption from the requirement of a tolerance without numerical limitations, no analytical method is required. Contact: Susanne Cerrelli, (703) 308-8077, [cerrelli.susanne@epa.gov](mailto:cerrelli.susanne@epa.gov).

### B. New Exemptions from Tolerance

2. *PP 7F7254*. Syngenta Seeds, Inc., P.O. Box 12257, 3054 E. Cornwallis Rd., Research Triangle Park, NC 27709, proposes to establish an exemption from the requirement of a tolerance for residues of the plant-incorporated protectant, *Bacillus thuringiensis* Vip3Aa proteins in all plants when used as plant-incorporated protectants in all crops and agricultural commodities. Syngenta's original petition requested an exemption for *Bacillus thuringiensis* Vip3Aa19 and Vip3Aa20 proteins in all plants; however, this original request was amended by Syngenta in a letter to the Agency dated September 6, 2007 to *Bacillus thuringiensis* Vip3Aa proteins in all plants. The petition includes a reference to a description of the analytical methods available to EPA for the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed. Contact: Alan Reynolds, (703) 605-0515, [reynolds.alan@epa.gov](mailto:reynolds.alan@epa.gov).

3. *PP 7F7249*. Plasma Power Limited of India, c/o OMC Ag Consulting, 828 Tanglewood Lane, East Lansing, MI 48823, proposes to establish an exemption from the requirement of a tolerance for residues of the insecticide, Plasma Neem Oil™ Manufacturing Use Product in or on all food commodities. Because this petition is a request for an exemption from the requirement of a tolerance without numerical limitations, no analytical method is required. Contact: Driss Benmhend, (703) 308-9525, [benmhend.driss@epa.gov](mailto:benmhend.driss@epa.gov).

### List of Subjects

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

Dated: October 24, 2007.

**Janet L. Andersen,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2004-0076; FRL-8490-4]

### Final Notice of Data Availability for EGU NO<sub>x</sub> Annual and NO<sub>x</sub> Ozone Season Allocations for the Clean Air Interstate Rule Federal Implementation Plan Trading Programs

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

**ACTION:** Notice of data availability (NODA).

**SUMMARY:** On March 15, 2006, EPA promulgated Federal Implementation Plans (FIPs) for all States covered by the Clean Air Interstate Rule (CAIR). The CAIR FIPs will regulate electric generating units (EGUs) in the affected States and achieve the emission reductions required by CAIR until each affected State has an approved CAIR State Implementation Plan (SIP) to achieve the reductions. EPA will withdraw a State's FIP in coordination with approval of a full CAIR SIP implementing the requirements of CAIR.

The CAIR FIP indicates that the Administrator will determine by order the CAIR NO<sub>x</sub> allowance allocations. In the CAIR FIP, EPA stated that it would publish a NODA with NO<sub>x</sub> allowance allocations for 2009 through 2014, provide the public with the opportunity to object to the allocations and underlying data, and then publish a final NODA (adjusted if necessary). On August 4, 2006, EPA published a preliminary NODA in the **Federal Register** and accepted objections to the data through an electronic docket. This action constitutes the final NODA and indicates the existing units receiving CAIR NO<sub>x</sub> allowances under the FIPs and the quantity of allowances to be allocated to each unit. These FIP allowances will only be recorded for sources located in States that do not have an approved SIP in place. Most States have an approved SIP in place, and the State determined allowances will be recorded for sources in these states.

In this NODA, the EPA is making available to the public the Agency's final determination of the NO<sub>x</sub> annual and NO<sub>x</sub> ozone season allocations under the CAIR FIPs that EPA is making