

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. Background

IR-4, Rutgers University, 500 College Road East, Suite 201W, Princeton, NJ 08540, on behalf of Arizona Cotton Research and Protection Council, 3721 East Wier Avenue, Phoenix, AZ 85040-2933, is requesting an EUP to apply *Aspergillus flavus* AF36 on corn in certain counties in Arizona and Texas. This microbial pesticide, *Aspergillus flavus* AF36, is conditionally registered for use on cotton in Arizona, California, and Texas. The registrant has requested a temporary exemption from a tolerance for the proposed EUP on corn in a non-crop destruct program.

## III. What Action is the Agency Taking?

Following the review of the IR-4 application and any comments and data received in response to this notice, EPA will decide whether to issue or deny the EUP request for this EUP program, and if issued, the conditions under which it is to be conducted. Any issuance of an EUP will be announced in the **Federal Register**.

## IV. What is the Agency's Authority for Taking this Action?

The Agency's authority for taking this action is under FIFRA section 5.

### List of Subjects

Environmental protection,  
Experimental use permits.

Dated: July 13, 2007.

**Janet L. Andersen,**

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

[FR Doc. E7-14769 Filed 7-31-07; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2007-515; FRL-8139-4]

### Experimental Use Permit; Receipt of Application

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

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of an application 67979-EUP-6 from Syngenta Seeds, Inc. requesting an experimental use permit (EUP) for the plant-incorporated protectants MIR162 *Bacillus thuringiensis* Vip3Aa20 protein and the genetic material (plasmid vector pNOV1300) necessary for its production in corn, Bt11 *Bacillus thuringiensis* Cry1Ab protein and the genetic material (plasmid vector pZO1502) necessary for its production in corn, and MIR604 *Bacillus thuringiensis* mCry3A protein and the genetic material (plasmid vector pZM26) necessary for its production in corn. The Agency has determined that the application may be of regional and national significance. Therefore, in accordance with 40 CFR 172.11(a), the Agency is soliciting comments on this application.

**DATES:** Comments must be received on or before August 31, 2007.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2007-515, 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 docket ID number EPA-HQ-OPP-2007-515. 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://regulations.gov) or e-mail. The [regulations.gov](http://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://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://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://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 form. Publicly available docket materials are available either in the electronic docket 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:** Alan Reynolds, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number:

(703) 605-0515; e-mail address: [reynolds.alan@epa.gov](mailto:reynolds.alan@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to those interested in agricultural biotechnology and those persons who are or may be required to conduct testing of chemical substances under the Federal Food, Drug, and Cosmetic Act (FFDCA) or the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. 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 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 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. Background

In the **Federal Register** of June 20, 2007 (72 FR 34009) (FRL-8133-5), EPA announced the issuance of EUP 67979-EUP-6 to Syngenta Seeds, Inc., 3054 Cornwallis Road, P.O. Box 12257, Research Triangle Park, NC 27709. Syngenta has requested to further extend this EUP to October 31, 2009 and to amend it by allowing an additional 4,844 acres to be planted in 2008 and 4,856 acres to be planted in 2009. For 2008, the proposed acreage includes 659 acres of MIR162, 465 acres of Bt11, 465 acres of MIR604, 575 acres of Bt11 x MIR162, 575 acres of Bt11 x MIR604, 132 acres of MIR162 x MIR604, 575 acres of Bt11 x MIR162 x MIR604, and 1,398 acres of non plant-incorporated protectant border areas (4,844 total acres). For 2009, the proposed acreage includes 660 acres of MIR162, 466 acres of Bt11, 466 acres of MIR604, 576 acres of Bt11 x MIR162, 576 acres of Bt11 x MIR604, 135 acres of MIR162 x MIR604, 576 acres of Bt11 x MIR162 x MIR604, and 1,401 acres of non plant-incorporated protectant border areas (4,856 total acres). MIR162 contains the lepidopteran protecting *Bacillus thuringiensis* Vip3Aa20 protein and the genetic material (plasmid vector pNOV1300) necessary for its production. Bt11 contains the lepidopteran protecting *Bacillus thuringiensis* Cry1Ab protein and the genetic material (plasmid vector pZO1502) necessary for its production. MIR604 contains the coleopteran protecting *Bacillus thuringiensis* mCry3A protein and the genetic material (plasmid vector pZM26) necessary for its production.

Proposed shipment/use dates are November 1, 2007 through October 31, 2009. Five trial protocols have been proposed, including the following:

- Breeding and observation.
- Efficacy evaluation.
- Agronomic observation.
- Inbred and hybrid seed production.
- Regulatory studies.

States involved include: Arkansas, California, Colorado, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota,

Mississippi, Missouri, Nebraska, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Puerto Rico, South Dakota, Tennessee, Texas, Virginia, Washington, and Wisconsin.

##### III. What Action is the Agency Taking?

Following the review of the Syngenta Seeds, Inc. application and any comments and data received in response to this notice, EPA will decide whether to issue or deny the EUP request for this EUP program, and if issued, the conditions under which it is to be conducted. Any issuance of an EUP will be announced in the **Federal Register**.

##### IV. What is the Agency's Authority for Taking this Action?

The Agency's authority for taking this action is under FIFRA section 5.

##### List of Subjects

Environmental protection, Experimental use permits.

Dated: July 18, 2007.

**Janet L. Andersen,**

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

[FR Doc. E7-14683 Filed 7-31-07; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2007-516; FRL-8139-8]

##### Experimental Use Permit; Receipt of Application

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

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of an application 67979-EUP-7 from Syngenta Seeds, Inc. requesting an experimental use permit (EUP) for the plant-incorporated protectants COT102 *Bacillus thuringiensis* Vip3Aa19 protein and the genetic material (plasmid vector pCOT1) necessary for its production in cotton and COT67B *Bacillus thuringiensis* Cry1Ab protein and the genetic material (plasmid vector pNOV4641) necessary for its production in cotton. The Agency has determined that the application may be of regional and national significance. Therefore, in accordance with 40 CFR 172.11(a), the Agency is soliciting comments on this application.

**DATES:** Comments must be received on or before August 31, 2007.

**ADDRESSES:** Submit your comments, identified by docket identification (ID)