

not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before certain actions may take effect, the agency promulgating the action must submit a report, which includes a copy of the action, to each House of the Congress and to the Comptroller General of the United States. Since this grant action, when finalized, will contain legally binding requirements, it is subject to the Congressional Review Act, and EPA will submit its final action in its report to Congress under the Act.

Dated: April 24, 2009.

**Myra Blakely,**

*Acting Director, Office of Brownfields and Land Revitalization, Office of Solid Waste and Emergency Response.*

[FR Doc. E9-9964 Filed 4-29-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2008-0401; FRL-8409-5]

### Pesticide Product Registrations; Conditional Approval

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

**ACTION:** Notice.

**SUMMARY:** This notice announces Agency approval of applications submitted by Syngenta Seeds, Incorporated – Field Crops – NAFTA, to conditionally register the pesticide products, MIR162 Maize, *Bt11* x MIR162 Corn, and *Bt11* x MIR162 x MIR604 Corn, containing a new active ingredient not included in any previously registered products pursuant to the provisions of section 3(c)(7)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**FOR FURTHER INFORMATION CONTACT:** Jeannine Kausch, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 347-8920; e-mail address: [kausch.jeannine@epa.gov](mailto:kausch.jeannine@epa.gov).

#### 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 under **FOR FURTHER INFORMATION CONTACT**.

###### B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2008-0401. 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 Office of Pesticide Programs (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.

In accordance with section 3(c)(2) of FIFRA, a copy of the approved label, the list of data references, the data and other scientific information used to support registration, except for material specifically protected by section 10 of FIFRA, are also available for public inspection. Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. Such requests should: Identify the product name and registration number and specify the data or information desired.

Electronic versions of the fact sheet and Biopesticide Regulatory Action Document are available at [http://www.epa.gov/oppbpd1/biopesticides/pips/pip\\_list.htm](http://www.epa.gov/oppbpd1/biopesticides/pips/pip_list.htm).

2. *Electronic access.* You may access this **Federal Register** document

electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr>.

## II. Did EPA Conditionally Approve the Application?

A conditional registration may be granted under section 3(c)(7)(C) of FIFRA for a new active ingredient where certain data are lacking, on condition that such data are received by the end of the conditional registration period and do not meet or exceed the risk criteria set forth in 40 CFR 154.7; that use of the pesticide during the conditional registration period will not cause unreasonable adverse effects; and that use of the pesticide is in the public interest. The Agency has considered the available data on the risks associated with the proposed use of *Bacillus thuringiensis* Vip3Aa20 insecticidal protein and the genetic material for its production (via elements of vector pNOV1300) in Event MIR162 maize (OECD Unique Identifier SYN-IR162-4), and information on social, economic, and environmental benefits to be derived from such use. Specifically, the Agency has considered the nature and its pattern of use, application methods and rates, and level and extent of potential exposure. Based on these reviews, the Agency was able to make basic health and safety determinations which show that use of *Bacillus thuringiensis* Vip3Aa20 insecticidal protein and the genetic material for its production (via elements of vector pNOV1300) in Event MIR162 maize (OECD Unique Identifier SYN-IR162-4) during the period of conditional registration will not cause any unreasonable adverse effect on the environment, and that use of the pesticide is, in the public interest.

Consistent with section 3(c)(7)(C) of FIFRA, the Agency has determined that these conditional registrations are in the public interest. Use of the pesticides are of significance to the user community, and appropriate labeling, use directions, and other measures have been taken to ensure that use of the pesticides will not result in unreasonable adverse effects to man and the environment.

## III. Conditional Approval

EPA issued a notice, published in the **Federal Register** of July 23, 2008 (73 FR 42799) (FRL-8365-4), which announced that Syngenta Seeds, Incorporated – Field Crops – NAFTA, P.O. Box 12257, 3054 Cornwallis Road, Research Triangle Park, NC 27709-2257, had submitted applications to conditionally register the pesticide products, MIR162 Maize, *Bt11* x MIR162 Corn, and *Bt11* x MIR162 x MIR604 Corn, Plant-

Incorporated Protectants (EPA File Symbols 67979-RU, 67979-RE, and 67979-RG) respectively, containing *Bacillus thuringiensis* Vip3Aa20 insecticidal protein and the genetic material for its production (via elements of vector pNOV1300) in Event MIR162 maize (OECD Unique Identifier SYN-IR162-4), an active ingredient not included in any previously registered product.

The applications were conditionally approved on November 26, 2008, as MIR162 Maize (EPA Registration Number 67979-14), on February 13, 2009, as Bt11 x MIR162 Corn (EPA Registration Number 67979-12), and as Bt11 x MIR162 x MIR604 Corn (EPA Registration Number 67979-13). These products are plant-incorporated protectants for use on corn.

#### List of Subjects

Environmental protection, Chemicals, Pests and pesticides.

Dated: April 17, 2009.

**Janet L. Andersen,**

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

[FR Doc. E9-10004 Filed 4-29-09; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-8899-2]

#### Tentative Approval and Solicitation of Request for a Public Hearing for Public Water System Supervision Program Revision for the Commonwealth of Puerto Rico

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Commonwealth of Puerto Rico is revising its approved Public Water System Supervision Program to adopt EPA's Ground Water Rule. The EPA has determined that these revisions are no less stringent than the corresponding Federal regulations. Therefore, the EPA intends to approve these program revisions. All interested parties may request a public hearing.

**DATES:** This determination to approve Puerto Rico's primacy program revision application is made pursuant to 40 CFR 142.12(d)(3). It shall become final and effective unless (1) a timely and appropriate request for a public hearing is received or (2) the Regional Administrator elects to hold a public hearing on his own motion. Any

interested person, other than Federal Agencies, may request a public hearing. A request for a public hearing must be submitted to the Regional Administrator at the address shown below June 1, 2009. If a substantial request for a public hearing is made within the requested thirty day time frame, a public hearing will be held and a notice will be given in the **Federal Register** and a newspaper of general circulation. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. If no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become final and effective June 1, 2009.

**ADDRESSES:** Any request for a public hearing shall include the following information: (1) Name, address and telephone number of the individual, organization or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and a brief statement on information that the requesting person intends to submit at such hearing; (3) the signature of the individual making the requests or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity. Requests for Public Hearing shall be addressed to: Regional Administrator, U.S. Environmental Protection Agency—Region 2, 290 Broadway, New York, New York 10007-1866.

All documents relating to this determination are available for inspection between the hours of 9 a.m. and 4:30 p.m., Monday through Friday, at the following offices:

Puerto Rico Department of Health, Public Water Supply Supervision Program, 9th Floor—Suite 903, Nacional Plaza Building, 431 Ponce De Leon Avenue, Hato Rey, Puerto Rico 00917.

U.S. Environmental Protection Agency—Region 2, 24th Floor Drinking Water Ground Water Protection Section, 290 Broadway, New York, New York 10007-1866.

**FOR FURTHER INFORMATION CONTACT:** Michael J. Lowy, Drinking Water Ground Water Protection Section, U.S. Environmental Protection Agency—Region 2, (212) 637-3830.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the United States Environmental Protection Agency (EPA) has determined to approve an application by the Commonwealth of Puerto Rico Department of Health to revise its Public Water Supply

Supervision Primacy Program to incorporate regulations no less stringent than the EPA's National Primary Drinking Water Regulations (NPDWR) for the Ground Water Rule; Final Rule; promulgated by EPA November 8, 2006 (71 FR 65574) and the Ground Water Rule; Correction; promulgated by EPA November 21, 2006 (71 FR 67427).

The application demonstrates that Puerto Rico has adopted drinking water regulations which satisfy the NPDWRs for the above. The USEPA has determined that Puerto Rico's regulations are no less stringent than the corresponding Federal Regulations and that Puerto Rico continues to meet all requirements for primary enforcement responsibility as specified in 40 CFR 142.10.

**Authority:** (Section 1413 of the Safe Drinking Water Act, as amended, 40 U.S.C. 300g-2, and 40 CFR 142.10, 142.12(d) and 142.13)

Dated: March 29, 2009.

**Barbara A. Finazzo,**

*Acting Regional Administrator, Region 2*

[FR Doc. E9-9963 Filed 4-29-09; 8:45 am]

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#### EXPORT-IMPORT BANK OF THE U.S.

[Public Notice 111]

#### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** Export Import Bank of the U.S.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Export-Import Bank, as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995. Our customers will be able to submit this form on paper or electronically. Legal certifications for the form have been updated.

**DATES:** Written comments should be received on or before June 29, 2009 to be assured of consideration.

**ADDRESSES:** Direct all comments and requests for additional information to Walter Kosciow, Export-Import Bank of the U.S., 811 Vermont Avenue, NW., Washington, DC 20571, (202) 565-3649, (800) 565-3946 Ext. 3649, or [walter.kosciow@exim.gov](mailto:walter.kosciow@exim.gov).

#### SUPPLEMENTARY INFORMATION:

*Title and Form Number:* Application for Financial Institution Short-term Single-Buyer Insurance, EIB 92-41.