

costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 1, 2010. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

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

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and

recordkeeping requirements, Sulfur dioxide.

Dated: November 17, 2009.

**Walter W. Kovalick Jr.**,  
*Acting Regional Administrator, Region 5.*

■ 40 CFR part 52 is amended as follows:

**PART 52—[AMENDED]**

■ 1. The authority citation for part 52 continues to read as follows:

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

**Subpart Y—Minnesota**

■ 2. In § 52.1220 the table in paragraph (d) is amended by revising the entry for “Rochester Public Utilities, Silver Lake Plant” to read as follows:

**§ 52.1220 Identification of plan.**

\* \* \* \* \*  
(d) \* \* \*

**EPA-APPROVED MINNESOTA SOURCE-SPECIFIC PERMITS**

Name of source	Permit No.	State effective date	EPA approval date	Comments
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Rochester Public Utilities, Silver Lake Plant.	10900011-004	9/7/07	December 2, 2009, [Insert page number where the document begins].	Only conditions cited as “Title I Condition: SIP for SO <sub>2</sub> ” and “Title I Condition: SIP for PM10.”
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[FR Doc. E9-28681 Filed 12-1-09; 8:45 am]  
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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 141**

[EPA-HQ-OW-2009-0707; FRL-8979-5]

**Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures**

*Correction*

In rule document E9-27044 beginning on page 57908 in the issue of November 10, 2009, make the following correction:

1. On page 57915, the second table should appear as follows:

**ALTERNATIVE TESTING METHODS FOR CONTAMINANTS LISTED AT 40 CFR 141.21(f)(6)**

Organism	Methodology	SM 20th edition <sup>6</sup>	SM 21st edition <sup>1</sup>	SM online <sup>3</sup>	Other
<i>E. coli</i> .....	ONPG-MUG Test .....	9223 B	9223 B	9223 B-97	Modified Colitag™ <sup>13</sup>

2. On page 57917, the first table should appear as follows:

ALTERNATIVE TESTING METHODS FOR CONTAMINANTS LISTED AT 40 CFR 141.131(b)(1)

Contaminant	Methodology	EPA method	ASTM <sup>4</sup>	SM 21st edition <sup>1</sup>
HAA5	LLE (diazomethane)/GC/ECD Ion Chromatography Electrospray Ionization Tandem Mass Spectrometry (IC-ESI-MS/MS).	557 <sup>14</sup>		6251 B
Bromate	Two-Dimensional Ion Chromatography (IC) Ion Chromatography Electrospray Ionization Tandem Mass Spectrometry (IC-ESI-MS/MS).	302.0 <sup>18</sup> 557 <sup>14</sup>		
Chlorite	Chemically Suppressed Ion Chromatography		D 6581-08 A	
	Electrolytically Suppressed Ion Chromatography		D 6581-08 B	
	Chemically Suppressed Ion Chromatography Electrolytically Suppressed Ion Chromatography		D 6581-08 A D 6581-08 B	

3. On page 57917, the fourth table heading, Alternative Testing Methods With MRL > 0.0010 mg/L for Monitoring Listed at 40 CFR 141.132(b)(3)(ii)(B)

should read Alternative Testing Methods With MRL ≤ 0.0010 mg/L for Monitoring Listed at 40 CFR 141.132(b)(3)(ii)(B).

4. On page 57918, the table should appear as follows:

ALTERNATIVE TESTING METHODS FOR CONTAMINANTS LISTED AT 40 CFR 143.4(b)

Contaminant	Methodology	EPA Method	ASTM <sup>4</sup>	SM 21st edition <sup>1</sup>	SM Online <sup>3</sup>
Sulfate	Ion Chromatography Gravimetric with ignition of residue Gravimetric with drying of residue Turbidimetric method Automated methylthymol blue method		D 516-07	4110 B 4500-SO <sub>4</sub> <sup>-2</sup> C 4500-SO <sub>4</sub> <sup>-2</sup> D 4500-SO <sub>4</sub> <sup>-2</sup> E 4500-SO <sub>4</sub> <sup>-2</sup> F	4500-SO <sub>4</sub> <sup>-2</sup> C-97 4500-SO <sub>4</sub> <sup>-2</sup> D-97 4500-SO <sub>4</sub> <sup>-2</sup> E-97 4500-SO <sub>4</sub> <sup>-2</sup> F-97

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

[EPA-HQ-OPP-2007-0330; FRL-8799-9]

**Hexythiazox; Pesticide Tolerances**

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

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes a tolerance for combined residues of hexythiazox in or on potato. The Interregional Research Project Number 4 (IR-4) requested this tolerance under the Federal Food, Drug, and Cosmetic Act (FFDCA).

**DATES:** This regulation is effective December 2, 2009. Objections and requests for hearings must be received on or before February 1, 2010, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

**ADDRESSES:** EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2007-0330. All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (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 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 Docket Facility is open 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:** Barbara Madden, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200

Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-6463; e-mail address: [madden.barbara@epa.gov](mailto:madden.barbara@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 those engaged in the following activities:

- 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 to provide 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