

National Science Foundation and other interested Federal agencies, and also made available to other Parties and the public as required under the Protocol or otherwise requested. OFA notifies the public of document availability via the World Wide Web at: <http://www.epa.gov/compliance/international/antarctica/index.html>. The types of nongovernmental activities currently being carried out (e.g., ship-based tours, land-based tours, flights, and privately funded research expeditions) are typically unlikely to have impacts that are more than minor or transitory, thus an IEE is the typical level of environmental documentation submitted. For the 1997–1998 through 2009–2010 austral summer seasons during the time the Rule has been in effect, all respondents submitted IEEs with the exception of one PERM. Paperwork reduction provisions in the Rule that are used by the operators include: (a) Incorporation of material in the environmental document by referring to it in the IEE, (b) inclusion of all proposed expeditions by one operator within one IEE; (c) use of one IEE to address expeditions being carried out by more than one operator; and (d) use of multi-year environmental documentation to address proposed expeditions for a period of up to five consecutive austral summer seasons.

*Coordination of Review of Information Received From Other Parties to the Treaty.* The Rule also provides for the coordination of review of information received from other Parties and the public availability of that information including: (1) A description of national procedures for considering the environmental impacts of proposed activities; (2) an annual list of any IEEs and any decisions taken in consequence thereof; (3) significant information obtained and any action taken in consequence thereof with regard to monitoring from IEEs to CEEs; and (4) information in a final CEE. This provision fulfills the United States' obligation to meet the requirements of Article 6 of Annex I to the Protocol. The Department of State is responsible for coordination of these reviews of drafts with interested Federal agencies, and for public availability of documents and information. This portion of the Rule does not impose paperwork requirements on any nongovernmental person subject to U.S. regulation.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 1,708 hours annually, or 78 hours per response. This hourly burden reflects annual submission of different levels of

environmental documentation by an anticipated 22 respondents (e.g., U.S.-based nongovernmental operators). Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

*Estimated total number of potential respondents:* 22.

*Frequency of response:* Annual.

*Estimated total average number of responses for each respondent:* 1.

*Estimated total annual burden hours:* 1,708 hours.

*Estimated total annual costs:* \$136,675. This includes an estimated burden cost of \$132,419 and an estimated cost of \$4,256 for capital investment or maintenance and operational costs.

#### **Are there changes in the estimates from the last approval?**

There is an increase of 45 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This increase is a result of a change in the type of environmental documentation EPA anticipates the respondents will submit.

#### **What is the next step in the process for this ICR?**

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT.**

Dated: July 27, 2010.

**Susan E. Bromm,**

*Director, Office of Federal Activities.*

[FR Doc. 2010–18801 Filed 7–29–10; 8:45 am]

**BILLING CODE 6560–50–P**

## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA–HQ–OPP–2010–0178; FRL–8838–2]**

### **Spirotetramat; Receipt of Application for Emergency Exemption for Use on Dry Bulb Onions in Minnesota, Solicitation of Public Comment**

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

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Minnesota Department of Agriculture to use the pesticide spirotetramat (CAS No. 203313–25–1) to treat up to 275 acres of dry bulb onions to control thrips. The applicant sought the use of a chemical whose registration was recently cancelled.

**DATES:** Comments must be received on or before August 16, 2010.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2010–0178, 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 Facility'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–2010–0178. 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 or e-mail. The 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, 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 at <http://www.regulations.gov>. 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:** Keri Grinstead, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703)308-8373; fax number: (703) 605-0781; e-mail address: [grinstead.keri@epa.gov](mailto:grinstead.keri@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. What Should I Consider as I Prepare My Comments for EPA?

1. **Submitting CBI.** Do not submit this information to EPA through [www.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.

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 pesticide(s) discussed in this document, compared to the general population.

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

Under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), at the discretion of the Administrator, a Federal or State agency may be exempted from any provision of FIFRA if the Administrator determines that emergency conditions exist which require the exemption. The Minnesota Department of Agriculture requested the Administrator to issue a specific exemption for the use of spirotetramat on dry bulb onions to control thrips. Information in accordance with 40 CFR part 166 was submitted as part of this request and is available for review at [www.regulations.gov](http://www.regulations.gov) under Docket ID Number 2010-0178.

This is the first request from this applicant for this use. The rationale for emergency approval of the use in the application is that onion thrips are sucking insects which both directly damage the crop and also vector the plant disease Iris Yellow Spot Virus. The use of spirotetramat is necessary to ensure thrips control in areas experiencing thrips resistance to available alternatives and, in particular, where 6-8 seasonal applications of alternative pesticides are required to achieve adequate control. The application package for Minnesota is available for review at [www.regulations.gov](http://www.regulations.gov) under Docket ID Number 2010-0178.

The Applicant proposes to make no more than two applications of Movento (22.4% spirotetramat) on a maximum of 275 acres of dry bulb onions between July and September in Minnesota. Total amount of pesticide to be used is 2,750 fluid ounces of movento (44 lbs of spirotetramat).

This notice does not constitute a decision by EPA on the application itself but provides an opportunity for public comment on the application. EPA has determined that publication of a notice of receipt of this application for a specific exemption is appropriate, taking into consideration that the registration of the spirotetramat product that is the subject of this emergency exemption request was recently cancelled as a result of the December 23, 2009 decision of the U.S. District Court for the Southern District of New York vacating its registration on procedural grounds. The vacatur decision is available for review at [www.regulations.gov](http://www.regulations.gov) under Docket ID Number 2010-0178.

The notice provides an opportunity for public comment on the application.

The Agency will review and consider all comments received during the comment period in determining whether to issue the specific exemption requested by the Minnesota Department of Agriculture.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: July 21, 2010.

**Lois Rossi,**

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

[FR Doc. 2010-18777 Filed 7-29-10; 8:45 am]

**BILLING CODE 6560-50-S**

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-9183-3]

#### California State Motor Vehicle Pollution Control Standards; Within-the-Scope Determination for Amendments to California's Low Emission Vehicle Program; Notice of Decision

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

**ACTION:** Notice of within-the-scope determination.

**SUMMARY:** EPA is confirming that technical amendments promulgated by the California Air Resources Board (CARB) are within-the-scope of existing waivers of preemption for CARB's Low

Emission Vehicle (LEV II) program. These technical amendments were adopted by CARB in 2006, and include amendments to California's evaporative emission test procedures, onboard refueling vapor recovery and spitback test procedures, exhaust emission test procedures, and vehicle emission control label requirements. These amendments align each of California's test procedures and label requirements with its federal counterpart, in an effort to streamline and harmonize the California and federal programs. California believes these amendments will reduce manufacturer testing burdens and increase in-use compliance, without compromising the stringency of its numerical LEV II emission standards.

**DATES:** Any objections to the findings in this notice regarding EPA's determination, that California's amendments are within-the-scope of previous waivers, must be filed by August 30, 2010. Upon receipt of a timely objection, EPA will consider scheduling a public hearing to reconsider these findings, which would be announced in a subsequent **Federal Register** notice. Otherwise, these findings will become final on September 28, 2010.

**ADDRESSES:** Any objections to the within-the-scope findings in this **Federal Register** notice should be filed with Kristien Knapp at the address noted below. All documents relied upon in making this decision, including those submitted to EPA by CARB, are contained in the public docket.

EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2010-0238. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Air and Radiation Docket in the EPA Headquarters Library, EPA West Building, Room 3334, located at 1301 Constitution Avenue, NW., Washington, DC. The Public Reading Room is open to the public on all federal government work days from 8:30 a.m. to 4:30 p.m.; generally, it is open Monday through Friday, excluding holidays. The telephone number for the Reading Room is (202) 566-1744. The Air and Radiation Docket and Information Center's Web site is <http://www.epa.gov/oar/docket.html>. The electronic mail (e-mail) address for the Air and Radiation Docket is: [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov), the telephone number is (202) 566-1742, and the fax number is (202) 566-9744. An electronic version of the public docket is available through the federal government's electronic public docket

and comment system. You may access EPA dockets at <http://www.regulations.gov>. After opening the [www.regulations.gov](http://www.regulations.gov) Web site, enter EPA HQ-OAR-2010-0238 in the "Enter Keyword or ID" fill-in box to view documents in the record of CARB's LEV II technical amendments within-the-scope waiver request. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

EPA's Office of Transportation and Air Quality also maintains a webpage that contains general information on its review of California waiver requests. Included on that page are links to several of the prior waiver **Federal Register** notices which are cited throughout today's notice; the page can be accessed at <http://www.epa.gov/otaq/cafr.htm>.

#### FOR FURTHER INFORMATION CONTACT:

Kristien Knapp, Compliance and Innovative Strategies Division, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue (6405)), NW., Washington, DC 20460. *Telephone:* (202) 343-9949. *Fax:* (202) 343-2800. *E-mail:* [knapp.kristien@epa.gov](mailto:knapp.kristien@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

##### A. CARB's 2006 Technical Amendments

On April 30, 2007, CARB submitted a request to EPA for confirmation that CARB's 2006 Technical Amendments to California's LEV II program are within-the-scope of previously granted waivers of preemption. CARB's 2006 Technical Amendments generally include amendments to its evaporative emission test procedures, four-wheel drive dynamometer provisions, and vehicle label requirements. Each of these general areas amends previously promulgated—and waived—amendments to CARB's LEV II program.

CARB originally received a waiver of preemption for its LEV II program from EPA on April 22, 2003.<sup>1</sup> The LEV II program itself exists as the result of a series of amendments to California's older LEV I program. The LEV II program set stringent evaporative emission standards and test procedures beginning with the 2004 model year. California subsequently enacted two sets of "follow-up" amendments to its LEV II program. The first set of follow-up amendments established exhaust emission standards and test procedures for light-duty and medium-duty gasoline-fueled vehicles. The following set of follow-up amendments revised

<sup>1</sup> 60 FR 19811 (April 22, 2003).