

tuber vegetables, low growing berry, okra, ornamentals (herbaceous and woody), pistachio, pome fruits, root and tuber vegetables, small fruit vine climbing (except fuzzy kiwifruit), soybean, stone fruits, succulent, edible podded, and dry beans, tree nuts, triticale, turfgrass, watercress and wheat. Contact: Kable Bo Davis, (703) 306-0415, [davis.kable@epa.gov](mailto:davis.kable@epa.gov).

*File symbol:* 62719-AEL. *Applicant:* Dow AgroSciences, 9330 Zionsville Rd., Indianapolis, IN 46268. *Product name:* Transform WG. *Active ingredient:* Insecticide and sulfoxaflor at 50%. *Proposed classification/Use:* Food and nonfood uses on the following use sites: Barly, Brassica (cole) leafy vegetables, bulb vegetables, canola (rapeseed), citrus, cotton, cucurbit vegetables, fruiting vegetables, leafy vegetables (except Brassica), leaves of root and tuber vegetables, low growing berry, okra, ornamentals (herbaceous and woody), pistachio, pome fruits, root and tuber vegetables, small fruit vine climbing (except fuzzy kiwifruit), soybean, stone fruits, succulent, edible podded, and dry beans, tree nuts, triticale, turfgrass, watercress and wheat. Contact: Kable Bo Davis, (703) 306-0415, [davis.kable@epa.gov](mailto:davis.kable@epa.gov).

*File symbol:* 62719-AEG. *Applicant:* Dow AgroSciences, 9330 Zionsville Rd., Indianapolis, IN 46268. *Product name:* GF-2032 SC. *Active ingredient:* Insecticide and sulfoxaflor at 21.8%. *Proposed classification/Use:* Food and nonfood uses on the following use sites: Barly, Brassica (cole) leafy vegetables, bulb vegetables, canola (rapeseed), citrus, cotton, cucurbit vegetables, fruiting vegetables, leafy vegetables (except Brassica), leaves of root and tuber vegetables, low growing berry, okra, ornamentals (herbaceous and woody), pistachio, pome fruits, root and tuber vegetables, small fruit vine climbing (except fuzzy kiwifruit), soybean, stone fruits, succulent, edible podded, and dry beans, tree nuts, triticale, turfgrass, watercress and wheat. Contact: Kable Bo Davis, (703) 306-0415, [davis.kable@epa.gov](mailto:davis.kable@epa.gov).

#### List of Subjects

Environmental protection, Pesticides and pest.

Dated: December 9, 2010.

**Lois Rossi,**

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

[FR Doc. 2010-32033 Filed 12-21-10; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0854; FRL-8851-3]

### Petition for Rulemaking To Establish Procedures Consistent With Section 1010 of the 1988 Amendments to the Endangered Species Act; Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** EPA is announcing the availability of a September 16, 2010 petition from Growers for ESA Transparency ("GET"). GET is a coalition of growers throughout the western United States. GET is committed to improving the consultation process for, the transparency of, and accessibility to the Endangered Species Act (ESA). GET is requesting EPA to take immediate action to establish, by rulemaking, clear and equitable procedures for notice and comment on the Agency's pesticide effects determinations for endangered species and subsequent actions, including draft biological opinions and potential product restrictions consistent with section 1010 of the 1988 amendments to the ESA. This petition is similar to the petition filed on January 19, 2010 by DOW AgroSciences LLC, Makhteshim Agan of North America, and Cheminova, Inc. USA requesting EPA to promulgate a rule for amending Endangered Species Protection Bulletins (EPA-HQ-OPP-2010-0474).

**DATES:** Comments must be received on or before February 22, 2011.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0854, 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-2010-0854. 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 [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) Web site 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 [www.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 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:

Catherine Eiden, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-

0001; telephone number: (703) 305-7887; fax number: (703) 308-8005; e-mail address: [aiden.catherine@epa.gov](mailto:aiden.catherine@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this action apply to me?*

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 [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 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. What action is the agency taking?**

EPA is announcing the availability of a petition from Growers for ESA Transparency under docket ID number EPA-HQ-OPP-2010-0854.

**List of Subjects**

Environmental protection, Endangered Species Act, Endangered Species, Pesticides, Public Input Process.

Dated: December 8, 2010.

**Stephen A. Owens,**

*Assistant Administrator, Office of Chemical Safety and Pollution Prevention.*

[FR Doc. 2010-32035 Filed 12-21-10; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-9242-1]

**Public Water System Supervision Program Approval for the State of Wisconsin**

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

**ACTION:** Notice of tentative approval.

**SUMMARY:** Notice is hereby given that the State of Wisconsin submitted a primacy application for its approved Public Water System Supervision Program. Wisconsin is applying its Interim Enhanced Surface Water Treatment Regulations to all Wisconsin water systems that use surface water and ground water under the influence of surface water as a source, thereby satisfying the requirements of the Long-Term 1 Enhanced Surface Water Treatment Rule.

EPA has determined that the State regulations and procedures submitted by the State to EPA for review are no less stringent than the corresponding Federal regulations. Therefore, EPA intends to award primacy to Wisconsin for Long-Term 1 Enhanced Surface Water Treatment Rule implementation.

This approval action does not extend to public water systems (PWSs) in Indian Country, as the term is defined in 18 U.S.C. 1151. By approving these rules, EPA does not intend to affect the rights of Federally recognized Indian Tribes in Wisconsin, nor does it intend to limit existing rights of the State of Wisconsin. Any interested party may request a public hearing. A request for a public hearing must be submitted by January 21, 2011, to the Regional Administrator at the EPA Region 5 address shown below. The Regional Administrator may deny frivolous or insubstantial requests for a hearing. However, if a substantial request for a public hearing is made by January 21, 2011, EPA Region 5 will hold a public hearing. If EPA Region 5 does not receive a timely and appropriate request for a hearing and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become final and effective on January 21, 2011. Any request for a public hearing shall include the following information: The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; a brief statement of the requesting person's interest in the Regional Administrator's determination and a brief statement of the information that the requesting person intends to submit at such hearing; and the signature of the individual making the request, 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.

**ADDRESSES:** All documents relating to this determination are available for inspection at the following offices: Wisconsin Department of Natural Resources, Bureau of Drinking Water and Groundwater, 5th Floor, 101 S. Webster Street, Madison, Wisconsin, between the hours of 7:45 a.m. and 4:30 p.m., Monday through Friday, and the United States Environmental Protection Agency, Region 5, Ground Water and Drinking Water Branch (WG-15J), 77 West Jackson Boulevard, Chicago, Illinois 60604, between the hours of 9 a.m. and 4:30 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Joseph Janczy, EPA Region 5, Ground Water and Drinking Water Branch, at the address given above, by telephone at (608) 267-2763, or at [janczy.joseph@epa.gov](mailto:janczy.joseph@epa.gov).

**Authority:** Section 1413 of the Safe Drinking Water Act, as amended, 42 U.S.C. 3006-2 (1996), and 40 CFR part 142 of the National Primary Drinking Water Regulations.