

enforcement period, no person or vessel may enter the safety zone without permission of the Captain of the Port.

**DATES:** The regulation for the safety zone described in 33 CFR 165.160 will be enforced on the date and time listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email Lieutenant Junior Grade Kristopher Kesting, Coast Guard; telephone 718-354-4154, email [Kristopher.R.Kesting@uscg.mil](mailto:Kristopher.R.Kesting@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone listed in 33 CFR 165.160 on the specified date and time as indicated in Table 1 below. This regulation was published in the **Federal Register** on November 9, 2011 (76 FR 69614).

TABLE 1

1. Circle Line NYE Fireworks, Liberty Island Safety Zone, 33 CFR 165.160(2.1).	<ul style="list-style-type: none"> <li>• Launch site: A barge located in approximate position 40°41'16.5" N, 074°02'23" W (NAD 1983) located in Federal Anchorage 20-C, about 360 yards east of Liberty Island.</li> <li>• Date: December 31, 2012–January 1, 2013.</li> <li>• Time: 11:30 p.m.–12:40 a.m.</li> </ul>
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Under the provisions of 33 CFR 165.160, a vessel may not enter the regulated area unless given express permission from the Captain of the Port (COTP) or the designated representative. Spectator vessels may transit outside the regulated area but may not anchor, block, loiter in, or impede the transit of other vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 165.160(a) and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Coast Guard will provide mariners with advanced notification of enforcement periods via the Local Notice to Mariners and marine information broadcasts. If the COTP determines that the regulated area need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: December 7, 2012.

**G.P. Hitchen,**

*Captain, U.S. Coast Guard Acting Captain of the Port New York.*

[FR Doc. 2012-30761 Filed 12-20-12; 8:45 am]

**BILLING CODE 9110-04-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA-HQ-OPP-2012-0029; FRL-9367-6]

### Chlorantraniliprole; Pesticide Tolerances, Technical Correction

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

**ACTION:** Final rule; technical correction.

**SUMMARY:** EPA issued a final rule in the **Federal Register** of October 3, 2012, concerning the establishment of tolerances for the insecticide chlorantraniliprole on multiple

commodities. This document corrects inadvertent errors and omissions. The corrections are further discussed in Unit II.

**DATES:** This technical correction is effective December 21, 2012.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2012-0029, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Urbanski, Registration Division, (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 347-0156; email address: [urbanski.jennifer@epa.gov](mailto:urbanski.jennifer@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Does this action apply to me?

The Agency included in the final rule a list of those who may be potentially affected by this action.

#### II. What does this technical correction do?

EPA issued a final rule in the **Federal Register** on October 3, 2012, establishing tolerances for residues of the insecticide chlorantraniliprole in or on multiple commodities. (77 FR 60311). That rule incorrectly established tolerances for “Rapeseed subgroup 20B” and “Sunflower subgroup 20C.” Under

EPA’s crop group regulation there are no such crop groups or subgroups. Rather, as correctly indicated several times in the preamble to the rule, including in the description of the action being taken by the Agency and the amendatory instruction for § 180.628, the correct regulatory crop subgroup designation is “Rapeseed subgroup 20A” and “Sunflower subgroup 20B.” The rule also incorrectly established the tolerance level for the Sunflower subgroup as 0.3 parts per million (ppm) instead of 2.0 ppm, as indicated in the preamble. Both the correct crop subgroup names and the 2.0 tolerance level for the Sunflower subgroup tolerance were included in the publication of the notice of the petition. (77 FR 20344, April 4, 2012). The October 3, 2012 rule also incorrectly established tolerances for “Vegetable, foliage of legume, group 7, forage” and “Vegetable, foliage of legume, group 7, hay”. Under EPA’s crop group regulation there are no such crop groups. Rather, there is only a crop group for “Vegetable, foliage of legume, group 7.” The petition correctly requested a tolerance for “Vegetable, foliage of legume, group 7.” Therefore, this correction is replacing those two incorrect crop group designations and tolerances with “Vegetable, foliage of legume, group 7” at a tolerance of 90 ppm.

In addition, despite indicating that EPA was granting the petitioner’s request for the revocation of existing tolerances made redundant by the establishment of crop group tolerances, EPA failed to remove from § 180.628 the tolerances for cotton, undelinted seed, and lunaria, seed, even though tolerances for Cottonseed subgroup 20C and Rapeseed subgroup 20A, which cover cotton, undelinted seed and lunaria seed were granted. Therefore, EPA is revoking the tolerances for cotton, undelinted seed, and lunaria, seed, to address these redundancies.

**III. Why is this correction issued as a final rule?**

Section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)(3)(B)) provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest, the agency may issue a final rule without providing notice and an opportunity for public comment. EPA has determined that there is good cause for making this technical correction final without prior proposal and opportunity for comment, because this action merely corrects erroneous crop group names and an erroneous tolerance level that were due to an inadvertent error. Both the correct crop group names and tolerance level received prominent notice in the published notice of the petition and in EPA's preamble to the final rule. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

**IV. Do any of the statutory and Executive Order reviews apply to this action?**

No. For a detailed discussion concerning the statutory and executive order reviews, refer to Unit VI. of the October 3, 2007 final rule.

**V. Congressional Review Act**

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule 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**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: December 12, 2012.

**Lois Rossi,**

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

Therefore, 40 CFR part 180 is corrected as follows:

**PART 180—[AMENDED]**

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. In Section 180.628, the table to paragraph (a) is amended as follows:

■ i. Remove the entries for Cotton, undelinted seed; Lunaria, seed;

Rapeseed subgroup 20B; Sunflower subgroup 20C; Vegetable, foliage of legume, group 7, forage; and Vegetable, foliage of legume, group 7, hay.

■ ii. Add alphabetically entries for Rapeseed subgroup 20A; Sunflower subgroup 20B; and Vegetable, foliage of legume, group 7.

The added entries read as follows:

**§ 180.628 Chlorantraniliprole; tolerances for residues.**

(a) *General.* \* \* \*

Commodity	Parts per million
Rapeseed subgroup 20A ....	2.0
Sunflower subgroup 20B ....	2.0
Vegetable, foliage of legume, group 7 .....	90

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**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

**[EPA-HQ-OPP-2012-0010; FRL-9372-4]**

**Quinclorac; Pesticide Tolerances**

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

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes tolerances for residues of quinclorac in or on berry, low growing, except strawberry, subgroup 13-07 H and rhubarb. Interregional Research Project Number 4 (IR-4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

**DATES:** This regulation is effective December 21, 2012. Objections and requests for hearings must be received on or before February 19, 2013, 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:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2012-0010, is available at <http://www.regulations.gov>

or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Laura Nollen, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 305-7390; email address: [nollen.laura@epa.gov](mailto:nollen.laura@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. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

*B. How can I get electronic access to other related information?*

You may access a frequently updated electronic version of EPA's tolerance regulations at 40 CFR part 180 through the Government Printing Office's e-CFR site at [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl).

*C. How can I file an objection or hearing request?*

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must