

**FOR FURTHER INFORMATION CONTACT:** Joshua Steinberger (415.561.5300), or visit <http://www.presidio.gov/about/Pages/commercial-dog-walking.aspx>.

**SUPPLEMENTARY INFORMATION:** The proposed rule originally was published in the **Federal Register** on November 21, 2012, with a 65-day comment period set to end on January 25, 2013. In response to public comments, the comment period has been extended to February 25, 2013.

Dated: January 23, 2013.

**Karen A. Cook,**  
General Counsel.

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA-HQ-OPP-2012-0001; FRL-9376-3]

#### Withdrawal of Pesticide Petitions for Residues of Pesticide Chemicals in or on Various Commodities

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

**ACTION:** Notice of withdrawal of pesticide petitions.

**SUMMARY:** This document announces the withdrawal of pesticide petitions requesting the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities. The petitions were either withdrawn voluntarily by the petitioners or administratively by the Agency.

**FOR FURTHER INFORMATION CONTACT:** A contact person, with telephone number and email address, is listed at the end of each pesticide petition summary. You may also reach each contact person by mail at Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

###### *A. Does this action apply to me?*

Although this action only applies to the petitioners in question, it is directed to the public in general. Since various individuals or entities may be interested, the Agency has not attempted to describe all the specific entities that may be interested in this action. If you have any questions regarding this action, please consult the person listed at the end of the

withdrawal summary for the pesticide petition of interest.

###### *B. How can I get copies of this document and other related information?*

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2012-0001, is available at <http://www.regulations.gov> or at the OPP Docket in the Environmental Protection Agency Docket Center (EPA/DC), located in EPA West, 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>.

##### **II. What action is the agency taking?**

EPA is announcing the withdrawal of pesticide petitions received under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, requesting the establishment or modification of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions covered by this document, prepared by the petitioner, was included in a docket EPA created for each rulemaking. The docket for each of the petitions is available online at <http://www.regulations.gov>.

###### *Withdrawals by Petitioners*

1. *PP 0E7754 (Gentamicin).* EPA issued a notice in the **Federal Register** of July 6, 2011 (76 FR 39358) (FRL-8875-6) (EPA-HQ-OPP-2010-0820), which announced the filing of a pesticide petition (PP 0E7754) by Quimica Agronomica de Mexico, S. de R.L. MI., Calle 18 N[deg] 20501, Colonia Impulso, C.P. 31183, Chihuahua, Chih., Mexico c/o Gowan Company, P.O. Box 5569, Yuma, AZ 85366. The petition proposed to establish a tolerance in 40 CFR 180.642 for residues of the fungicide gentamicin, in or on cucurbits (crop group 9) at 0.05 parts per million (ppm) and fruiting vegetables (crop group 8) at 0.05 ppm. On June 18, 2012, Gowan Company (U.S. agent on behalf of Quimica Agronomica de Mexico) notified EPA that it was withdrawing this petition. Contact: Shaunta Hill, (703) 347-8961, email address: [hill.shaunta@epa.gov](mailto:hill.shaunta@epa.gov).

2. *PP 0E7755 (Oxytetracycline).* EPA issued a notice in the **Federal Register** of September 23, 2010 (75 FR 57942) (FRL-8845-4) (EPA-HQ-OPP-2010-0740), which announced the filing of pesticide petition (PP 0E7755) by Quimica Agronomica de Mexico, S. de R.L. MI., Calle 18 N 20501, Colonia Impulso, C.P. 31183, Chihuahua, Chih., Mexico. The petition proposed to establish a tolerance in 40 CFR 180.337 for residues of the fungicide oxytetracycline, in or on cucurbits, crop group 9; and fruiting vegetables, crop group 8 at 0.03 ppm. On June 18, 2012, Gowan Company (U.S. agent on behalf of Quimica Agronomica de Mexico) notified EPA that it was withdrawing this petition. Contact: Heather Garvie, (703) 308-0034, email address: [garvie.heather@epa.gov](mailto:garvie.heather@epa.gov).

3. *PP 1F7887 (Phosphine).* EPA issued a notice in the **Federal Register** of October 5, 2011 (76 FR 61649) (FRL-8890-5) (EPA-HQ-OPP-2011-0741), which announced the filing of a pesticide petition (PP 1F7887) by Cytec Industries, Inc., 5 Garret Mountain Plaza, Woodland Park, NJ 07424. The petition proposed to establish tolerances in 40 CFR 180.225 for residues of phosphine, in or on asparagus; cherimoya; dates, fresh; figs, fresh; globe artichokes; pawpaws; pineapple, water chestnuts and watercress, and for all fresh fruit and vegetable crop groups (including berry and small fruit; citrus fruit; pome fruit; stone fruit; herbs and spices; Brassica leafy vegetables; leafy vegetables; bulb vegetables; cucurbits; fruiting vegetables except cucurbits; legume vegetables, except soybeans; foliage of legume vegetables; root and tuber group; and root and tuber leaves group) at 0.01 ppm. On April 5, 2012, Cytec Industries notified EPA that it was withdrawing the petition. Contact: Gene Benbow, 703-347-0235, email address: [benbow.gene@epa.gov](mailto:benbow.gene@epa.gov).

4. *PP 4F4281 (Iprodione).* EPA issued a notice in the **Federal Register** of August 2, 2006 (71 FR 43760) (FRL-8082-8) (EPA-HQ-OPP-2006-0637), which announced the filing of pesticide petition (PP 4F4281) by Bayer CropScience, Research Triangle Park, North Carolina 27709. The petition proposed to establish a tolerance for iprodione, [3-(3,5-dichlorophenyl)-N-(1-methylethyl)-2,4-dioxo-1-imidazolidinecarboxamide, its isomer 3-(1-methylethyl)-N-(3,5-dichlorophenyl)-2,4-dioxo-1-imidazolidinecarboxamide, and its metabolite 3-(3,5-dichlorophenyl)-2,4-dioxo-1-imidazolidinecarboxamide in or on the food commodity rapeseed (canola) at 1.0 ppm. On March 7, 2012, Bayer Crop Science, notified EPA that it was

withdrawing its petition. Contact: Tamue L. Gibson, (703) 305-9096, email address: [gibson.tamue@epa.gov](mailto:gibson.tamue@epa.gov).

5. *PP 9F7565 (Iprodione)*. EPA issued a notice in the **Federal Register** of September 4, 2009 (74 FR 45848) (FRL-8434-4) (EPA-HQ-OPP-2009-0550), which announced the filing of pesticide petition (PP 9F7565) by Devgen US, Inc., 413 McFarlan Road, Suite B, Kennett Square, PA 19348, which proposed to establish a tolerance in 40 CFR 180.399 for residues of iprodione, in or on cucurbit crop group at 0.3 ppm; and fruiting vegetables, except cucurbits at 2.0 ppm. On June 22, 2012, Devgen US, Inc., notified EPA that it was withdrawing its petition. Contact: Tamue L. Gibson, (703) 305-9096, email address: [gibson.tamue@epa.gov](mailto:gibson.tamue@epa.gov).

6. *PP 2E7993 (Ethephon)*. EPA issued a notice in the **Federal Register** of May 23, 2012 (77 FR 30481) (FRL-9347-8) (EPA-HQ-OPP-2012-0241), which announced the filing of pesticide petition (PP 2E7993) by Interregional Research Project Number 4 (IR-4), 500 College Road East, Suite 201 W, Princeton, NJ 08540. The petition proposed to increase a tolerance in 40 CFR 180.300 for residues of the plant regulator ethephon in or on tomato from 2.0 ppm to 3.5 ppm. On January 3, 2013, IR-4 notified EPA that it was withdrawing this petition. Contact: Andrew Ertman, (703) 308-9367, email address: [ertman.andrew@epa.gov](mailto:ertman.andrew@epa.gov).

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

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: January 23, 2013.

**Lois Rossi,**

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

[FR Doc. 2013-02009 Filed 1-29-13; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

**42 CFR Parts 430, 431, 433, 435, 440, 447, and 457**

**Office of the Secretary**

**45 CFR Part 155**

**[CMS-2334-CN]**

**RIN 0938-AR04**

### Medicaid, Children's Health Insurance Programs, and Exchanges: Essential Health Benefits in Alternative Benefit Plans, Eligibility Notices, Fair Hearing and Appeal Processes for Medicaid and Exchange Eligibility Appeals and Other Provisions Related to Eligibility and Enrollment for Exchanges, Medicaid and CHIP, and Medicaid Premiums and Cost Sharing; Correction

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document makes a technical correction to the proposed rule published in the January 22, 2013 **Federal Register** entitled "Medicaid, Children's Health Insurance Programs, and Exchanges: Essential Health Benefits in Alternative Benefit Plans, Eligibility Notices, Fair Hearing and Appeal Processes for Medicaid and Exchange Eligibility Appeals and Other Provisions Related to Eligibility and Enrollment for Exchanges, Medicaid and CHIP, and Medicaid Premiums and Cost Sharing." The proposed rule provided for the close of the comment period to be February 13, 2013, whereas the close of the comment period was intended to be February 21, 2013. This document makes this technical correction.

**DATES:** The comment close date for the proposed rule under the same heading published in the January 22, 2013 **Federal Register** is correctly extended to February 21, 2013.

**FOR FURTHER INFORMATION CONTACT:** Annette Brewer, (410) 786-6580.

**SUPPLEMENTARY INFORMATION:**

#### I. Background

In FR Doc. 2013-00659 of January 22, 2013 (78 FR 4594), there was a technical error that is identified and corrected in the Correction of Errors section below. The provision in this correction document is effective as if it had been included in the document published on January 22, 2013.

#### II. Summary of Errors

In the **DATES** section of the proposed rule, we established a closing date of the 30-day comment period as February 13, 2013. In this notice we are making a technical correction to the comment period, which now closes on February 21, 2013.

#### III. Waiver of Proposed Rulemaking

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). However, we can waive this notice and comment procedure if the Secretary finds, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice. This correction notice has the effect of extending the period for public comment that was initially established in the proposed rule published in the **Federal Register** on January 22, 2013 (78 FR 4594). This correction notice makes no changes to any of the substantive matters discussed in the proposed rule. Rather, this correction notice makes a technical correction to the date on which the period for public comment on the previously published proposed rule ends. This technical correction will not disadvantage any member of the public, and it is in the public interest to permit the full intended time period for comment. Therefore, we find it unnecessary to issue a notice of proposed rulemaking for this correction notice.

#### IV. Correction of Errors

In FR Doc. 2013-00659 of January 22, 2013 (78 FR 4594), make the following corrections:

In the **DATES** section, the date "February 13, 2013" is corrected to read "February 21, 2013".

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: January 25, 2013.

**Jennifer M. Cannistra,**

*Executive Secretary to the Department.*

[FR Doc. 2013-02094 Filed 1-28-13; 4:15 pm]

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