

on September 11, 2012, to review the draft ISA (77 FR 46755). Subsequently, on November 14, 2012, the CASAC panel provided a consensus letter for their review to the Administrator of the EPA ([http://yosemite.epa.gov/sab/sabproduct.nsf/4620a620d0120f93852572410080d786/60C2732674A5EEF385257AB6007274B9/\\$File/EPA-CASAC-13-001+unsigned.pdf](http://yosemite.epa.gov/sab/sabproduct.nsf/4620a620d0120f93852572410080d786/60C2732674A5EEF385257AB6007274B9/$File/EPA-CASAC-13-001+unsigned.pdf)).

EPA has considered comments by the CASAC panel and by the public in preparing this final ISA.

Dated: January 24, 2013.

**Debra B. Walsh,**

*Acting Director, National Center for Environmental Assessment.*

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BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2013-0067; FRL-9378-2]

### Kasugamycin; Receipt of Application for Emergency Exemption for Use on Apples in Michigan, Solicitation of Public Comment

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

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Michigan Department of Agriculture to use the pesticide kasugamycin (CAS No. 6980-18-3) to treat up to 10,000 acres of apples to control fire blight. The applicant proposes the use of a new chemical which has not been registered by EPA. EPA is soliciting public comment before making the decision whether or not to grant the exemption. **DATES:** Comments must be received on or before March 4, 2013.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2013-0067, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.htm>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

**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; email 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. 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. 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 email. 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:

- Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- 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.

- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

- Describe any assumptions and provide any technical information and/or data that you used.

- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

- Provide specific examples to illustrate your concerns and suggest alternatives.

- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

- 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 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 EPA Administrator, a Federal or State agency may be exempted from any provision of FIFRA if the EPA Administrator determines that emergency conditions exist which require the exemption. Michigan Department of Agriculture has requested the EPA Administrator to issue a specific exemption for the use of kasugamycin on apples to control fire blight. Information in accordance with 40 CFR part 166 was submitted as part of this request.

As part of this request, the applicant asserts that kasugamycin is needed to control streptomycin-resistant strains of *Erwinia amylovora*, the causal pathogen of fire blight, due to the lack of available alternatives and effective control practices; and significant economic losses will occur if this pest is not controlled.

The applicant proposes to make no more than three applications of Kasumin 2L on not more than 10,000 acres of apples between April 1 and May 31, 2013, in Antrim, Berrien, Cass, Grand Traverse, Ionia, Kent, Leelanau, Montcalm, Newaygo, Oceana, Ottawa, and Van Buren counties. As currently proposed, the maximum amount of product to be applied would be 30,000 gallons.

This notice does not constitute a decision by EPA on the application itself. The regulations governing FIFRA section 18 requires publication of a notice of receipt of an application for a specific exemption proposing use of a new chemical (i.e., an active ingredient) which has not been registered by EPA. 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 Michigan Department of Agriculture.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: February 8, 2013.

**Daniel J. Rosenblatt,**

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

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2007-1196; FRL-9781-1]

### Recent Postings of Broadly Applicable Alternative Test Methods

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces the broadly applicable alternative test method approval decisions the EPA has made under and in support of New Source Performance Standards (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAP) under the Clean Air Act (CAA) in 2012.

**FOR FURTHER INFORMATION CONTACT:** An electronic copy of each alternative test method approval document is available on the EPA's Web site at [www.epa.gov/ttn/emc/approalt.html](http://www.epa.gov/ttn/emc/approalt.html). For questions about this notice, contact Ms. Lula H. Melton, Air Quality Assessment Division, Office of Air Quality Planning and Standards (E143-02), Environmental Protection Agency, Research Triangle Park, NC 27711;

telephone number: 919-541-2910; fax number: 919-541-0516; email address: [melton.lula@epa.gov](mailto:melton.lula@epa.gov). For technical questions about individual alternative test method decisions, refer to the contact person identified in the individual approval documents.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this notice apply to me?

This notice will be of interest to entities regulated under 40 Code of Federal Regulations (CFR) parts 60, 61, and 63, state, local, and tribal agencies, and the EPA Regional Offices responsible for implementation and enforcement of regulations under 40 CFR parts 60, 61, and 63.

###### B. How can I get copies of this information?

You may access copies of the broadly applicable alternative test method approval documents from the EPA's Web site at [www.epa.gov/ttn/emc/approalt.html](http://www.epa.gov/ttn/emc/approalt.html).

##### II. Background

Broadly applicable alternative test method approval decisions made by the EPA in 2012 under the NSPS, 40 CFR part 60 and the NESHAP, and 40 CFR parts 61 and 63 are identified in this notice (see Table 1). Source owners and operators may voluntarily use these broadly applicable alternative test methods subject to their specific applicability. Use of these broadly applicable alternative test methods does not change the applicable emission standards.

As explained in a previous **Federal Register** notice published at 72 FR 4257 (January 30, 2007) and found on the EPA's Web site at [www.epa.gov/ttn/emc/approalt.html](http://www.epa.gov/ttn/emc/approalt.html), the EPA Administrator has the authority to approve the use of alternative test methods to comply with requirements under 40 CFR parts 60, 61, and 63. This authority is found in sections 60.8(b)(3), 61.13(h)(1)(ii), and 63.7(e)(2)(ii). In the past, we have performed thorough technical reviews of numerous requests for alternatives and modifications to test methods and procedures. Based on these reviews, we have often found that these changes or alternatives would be equally valid and appropriate to apply to other sources within a particular class, category, or subcategory. Consequently, we have concluded that, where a method modification or an alternative method is clearly broadly applicable to a class, category, or subcategory of sources, it is both more equitable and efficient to approve its use

for all appropriate sources and situations at the same time.

It is important to clarify that alternative methods are not mandatory but permissive. Sources are not required to employ such a method but may choose to do so in appropriate cases. Source owners or operators should review the specific broadly applicable alternative method approval decision on the EPA's Web site at [www.epa.gov/ttn/emc/approalt.html](http://www.epa.gov/ttn/emc/approalt.html) before electing to employ it. As per 63.7(f)(5), by electing to use an alternative method for 40 CFR part 63 standards, the source owner or operator must continue to use the alternative method until approved otherwise.

The criteria for approval and procedures for submission and review of broadly applicable alternative test methods are outlined at 72 FR 4257 (January 30, 2007). We will continue to announce approvals for broadly applicable alternative test methods on the EPA's Web site at [www.epa.gov/ttn/emc/approalt.html](http://www.epa.gov/ttn/emc/approalt.html) and annually publish a notice that summarizes approvals for broadly applicable alternative test methods.

This notice comprises a summary of seven such approval documents added to our Technology Transfer Network from January 1, 2012, through December 31, 2012. The alternative method decision letter/memo number, the reference method affected, sources allowed to use this alternative, and the modification or alternative method allowed are summarized in Table 1 of this notice. Please refer to the complete copies of these approval documents available from the EPA's Web site at [www.epa.gov/ttn/emc/approalt.html](http://www.epa.gov/ttn/emc/approalt.html) as Table 1 serves only as a brief summary of the broadly applicable alternative test methods. In addition to alternative decisions listed in Table 1, we received comments and updated Alternative-082, which was approved the previous year in 2011. This alternative approval letter can also be viewed at [www.epa.gov/ttn/emc/approalt.html](http://www.epa.gov/ttn/emc/approalt.html).

If you are aware of reasons why a particular alternative test method approval that we issued should not be broadly applicable, we request that you make us aware of the reasons in writing, and we will revisit the broad approval. Any objection to a broadly applicable alternative test method, as well as the resolution of that objection, will be announced on the EPA's Web site at [www.epa.gov/ttn/emc/approalt.html](http://www.epa.gov/ttn/emc/approalt.html) and in the subsequent **Federal Register** notice. If we decide to retract a broadly applicable test method, we would continue to grant case-by-case approvals, as appropriate, and would (as