

Petitioner	Date of petition to EPA	Petition: Document ID No. in docket	Date of EPA response	EPA response: Document ID No. in docket
Sierra Club .....	11/14/2013	-0002	8/14/2014	-0003 and -0004

**Note:** The document ID numbers listed in the table are in the form of "EPA-HQ-OAR-2014-0563-XXXX."

All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information may not be publicly available, i.e., confidential business information 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 electronically through <http://www.regulations.gov> or in hard copy at the EPA Docket Center, Docket ID No. EPA-HQ-OAR-2014-0563, EPA William Jefferson Clinton West Building, Room 3334, 1301 Constitution Ave. NW., Washington, DC. 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 EPA Docket Center is (202) 566-1742.

## II. Judicial Review

Section 307(b)(1) of the Clean Air Act indicates which Federal Courts of Appeal have venue for petitions of review of final actions by the EPA. This section provides, in part, that petitions for review must be filed in the Court of Appeals for the District of Columbia Circuit: (i) when the agency action consists of "nationally applicable regulations promulgated, or final actions taken, by the Administrator," or (ii) when such action is locally or regionally applicable, if "such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination."

The EPA has determined that its action denying the petition to redesignate 57 areas to nonattainment for the 2008 ozone NAAQS is of nationwide scope and effect because this action addresses areas across the country. This is particularly appropriate because, in the report on the 1977 Amendments that revised section 307(b)(1) of the CAA, Congress noted that the Administrator's determination that an action is of "nationwide scope or effect" would be appropriate for any

action that has a scope or effect beyond a single judicial circuit. H.R. Rep. No. 95-294 at 323, 324, *reprinted* in 1977 U.S.C.C.A.N. 1402-03. Here, the scope and effect of this final action extends to numerous judicial circuits across the country. In these circumstances, section 307(b)(1) and its legislative history calls for the Administrator to find the rule to be of "nationwide scope or effect" and for venue to be in the DC Circuit.

Thus, any petitions for review of the final letters denying the petition to redesignate 57 areas to nonattainment for the 2008 ozone NAAQS must be filed in the Court of Appeals for the District of Columbia Circuit on or before November 4, 2014.

Dated: August 15, 2014.

**Janet McCabe,**

*Acting Assistant Administrator, Office of Air and Radiation.*

[FR Doc. 2014-21075 Filed 9-4-14; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA-HQ-OPP-2014-0008; FRL-9914-98]

### Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities

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

**ACTION:** Notice of filing of petitions and request for comment.

**SUMMARY:** This document announces the Agency's receipt of several initial filings of pesticide petitions requesting the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities.

**DATES:** Comments must be received on or before October 6, 2014.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number and the pesticide petition number (PP) of interest as shown in the body of this document, 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.html>. 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:

Robert McNally, Biopesticides and Pollution Prevention Division (BPPD) (7511P), main telephone number: (703) 305-7090; email address:

[BPPDFRNotices@epa.gov](mailto:BPPDFRNotices@epa.gov), Lois Rossi, Registration Division (RD) (7505P), main telephone number: (703) 305-7090; email address: [RDFRNotices@epa.gov](mailto:RDFRNotices@epa.gov). The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001. As part of the mailing address, include the contact person's name, division, and mail code. The division to contact is listed at the end of each pesticide petition summary.

### 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).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed at the end of the pesticide petition summary of interest.

*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 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:

- 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 pesticides discussed in this document, compared to the general population.

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

EPA is announcing its receipt of several pesticide petitions filed 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. The Agency is taking public comment on the requests before responding to the petitioners. EPA is not proposing any particular action at this time. EPA has determined that the pesticide petitions described in this document contain the data or information prescribed in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petitions. After considering the public comments, EPA intends to evaluate whether and what action may be warranted. Additional data may be needed before EPA can make a final determination on these pesticide petitions.

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

As specified in FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), EPA is publishing notice of the petition so that the public has an opportunity to comment on this request for the establishment or modification of regulations for residues of pesticides in or on food commodities. Further information on the petition may be obtained through the petition summary referenced in this unit.

**New Tolerances**

1. *PP 2E8098.* (EPA-HQ-OPP-2014-0303). Syngenta Crop Protection, LLC., P.O. Box 18300, Greensboro, NC 27419, requests to establish a tolerance in 40 CFR part 180 for residues of the herbicide, bicyclopyrone: 4-hydroxy-3-(2-[(2-methoxyethoxy) methyl]-6-(trifluoromethyl)-3-pyridylcarbonyl)

bicyclo [3.2.1]oct-3-en-2-one.), in or on sugarcane, stalks at 0.01 parts per million (ppm). The Direct Analysis and Common Moiety Method were used to measure and evaluate the chemical bicyclopyrone. (RD)

2. *PP 3F8205.* (EPA-HQ-OPP-2013-0758). Syngenta Crop Protection, LLC., P.O. Box 18300, Greensboro, NC 27419, requests to establish a tolerance in 40 CFR part 180 for residues of the insecticide, thiamethoxam (3-[(2-chloro-5-thiazolyl)methyl]tetrahydro-5-methyl-N-nitro-4H-1,3,5-oxadiazin-4-imine) and its metabolite [N-(2-chloro-thiazol-5-ylmethyl)-N'-methyl-N'-nitro-guanidine], in or on alfalfa, seed at 1 parts per million (ppm); buckwheat, grain at 0.9 ppm; corn, field, grain at 0.03 ppm; corn, pop, forage at 0.10 ppm; corn, pop, stover at 0.05 ppm; millet, pearl, forage at 0.02 ppm; millet, pearl, stover at 0.02 ppm; millet, proso, forage at 0.02 ppm; millet, proso, stover at 0.02 ppm; millet, proso, straw at 0.02 ppm; oat, grain at 0.9 ppm; rice, straw at 2 ppm; rice, grain at 6 ppm; rye, grain at 0.9 ppm; sorghum, forage at 0.02 ppm; sorghum, grain, stover at 0.02 ppm; soybean at 0.02 ppm; sunflower, seed at 0.4 ppm; teosinte at 0.02 ppm; triticale, grain at 0.9 ppm; vegetable, legume, subgroup 6A at 0.9 ppm; vegetable, legume, subgroup 6B at 0.5 ppm; vegetable, legume, subgroup 6C at 0.2 ppm; vegetable, foliage of legume, subgroup 7A at 4 ppm; wheat, grain at 0.5 ppm; wheat, aspirated grain fraction at 2.5 ppm; wheat, bran at 0.5 ppm; wheat, germ at 0.5 ppm; wild rice at 0.02 ppm. Syngenta Crop Protection, LLC., has submitted practical analytical methodology for detecting and measuring levels of thiamethoxam in or on raw agricultural commodities. This method is based on crop specific cleanup procedures and determination by liquid chromatography with either ultraviolet ray (UV) or MS detections. The limit of detection (LOC) for each analyte of this method is 1.25 nanogram (ng) injected for samples analyzed by UV and 0.25 ng injected for samples analyzed by MS, and the limit quantification (LOQ) is 0.005 ppm for milk and juices; 0.01 ppm for all other substrates. (RD)

3. *PP 3F8225.* (EPA-HQ-OPP-2014-0355). Syngenta Crop Protection, LLC., P.O. Box 18300, Greensboro, NC 27419, requests to establish a tolerance in 40 CFR part 180 for residues of the herbicide, bicyclopyrone: 4-hydroxy-3-(2-[(2-methoxyethoxy) methyl]-6-(trifluoromethyl)-3-pyridylcarbonyl) bicyclo [3.2.1]oct-3-en-2-one in or on field corn, forage at 0.4 parts per million (ppm); field corn, grain, at 0.02 ppm; field corn, stover at 0.5 ppm; popcorn,

grain, at 0.02 ppm, popcorn, stover at 0.5 ppm; sweet corn, forage at 0.40 ppm; sweet corn, ears at 0.04 ppm; sweet corn, stover at 0.50 ppm; and cattle liver at 0.06 ppm. An analytical method of liquid chromatography with tandem mass spectroscopy detection method (LC-MS/MC) was used to measure and evaluate the chemical bicyclopyrone. (RD)

4. *PP 4E8236*. (EPA-HQ-OPP-2014-0134). Interregional Research Project No. 4 (IR-4), 500 College Road East, Suite 201W, Princeton, NJ 08540, requests to establish a tolerance in 40 CFR part 180 for residues of streptomycin in or on grapefruit at 0.15 parts per million (ppm); grapefruit, dried pulp at 0.63 ppm; and fruit, pome, group 11-10 at 0.25 ppm; a laboratory working method based on USDA Food Safety and Inspection Service SOP No: CLG-AMG1.02, "Confirmation of Aminoglycosides by HPLC-MS/MS" is available. Modifications were made to improve the performance of the method for the various crop fractions. (RD)

5. *PP 4E8273*. (EPA-HQ-OPP-2014-0506). Interregional Research Project No. 4 (IR-4), 500 College Road East, Suite 201W, Princeton, NJ 08540, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide cyprodinil, 4-cyclopropyl-6-methyl-N-phenyl-2-pyrimidinamine, in or on artichoke, globe at 4.0 parts per million (ppm); acerola at 1.5 ppm; feijoa at 1.5 ppm; guava at 1.5 ppm; jaboricaba at 1.5 ppm; passionfruit at 1.5 ppm; starfruit at 1.5 ppm; wax jambu at 1.5 ppm; fruit, stone group 12-12 at 2.0 ppm; and pomegranate at 7.0 ppm. The Syngenta Crop Protection Method AG-631B is used to measure and evaluate the chemical cyprodinil. (RD)

6. *PP 4E8274*. (EPA-HQ-OPP-2014-0470). Interregional Research Project No. 4 (IR-4), 500 College Road East, Suite 201W, Princeton, NJ 08540, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, difenoconazole, 1-[2-[2-chloro-4-(4-chlorophenoxy)phenyl]-4-methyl-1,3-dioxolan-2-ylmethyl]-1H-1,2,4-triazole, in or on ginseng at 0.50 parts per million (ppm); artichoke, globe at 1.5 ppm; fruit, stone, group 12-12 at 2.5 ppm; and nut, tree, group 14-12 at 0.03 ppm. The liquid chromatography tandem mass spectrometry (LC-MS/MS) method is used to measure and evaluate the chemical difenoconazole. (RD)

7. *PP 4F8231*. (EPA-HQ-OPP-2014-0373). Syngenta Crop Protection, LLC., P.O. Box 18300, Greensboro, NC 27419-8300, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, difenoconazole, in or on pea, and bean, dried shelled, except soybean,

subgroup 6C at 0.2 parts per million (ppm); pea, vine at 10 ppm; pea, hay at 40 ppm; and bushberry, subgroup 13-07B at 3.0 ppm. A practical analytical method for detecting and measuring levels of difenoconazole in or on food with a limit of quantitation (LOQ) that allows monitoring of food with residues at or above the levels set in the proposed tolerances. Residues are qualified by liquid chromatography/mass spectrometry (LC-MS/MS). (RD)

8. *PP 3F88189*. (EPA-HQ-OPP-2014-0601). BASF Corporation on behalf of Whitmire Micro-Gen Research Laboratories, Inc., 3568 Tree Court Industrial Blvd., St. Louis, MO 63122-6682, requests to establish a tolerance in 40 CFR part 180 for residues of the insecticide, Alpha-Cypermethrin, in or on food/feed handling establishments at 0.05 parts per million (ppm). The gas chromatography with electron capture detection or GC/ECD, HPLC-UV and LC/MS/MS methods is used to measure and evaluate the chemical 0.01 mg/kg (LOQ). (RD)

#### Amended Tolerances

1. *PP 3F8205*. (EPA-HQ-OPP-2013-0758). Syngenta Crop Protection, LLC., P.O. Box 18300, Greensboro, NC 27419, requests to amend the tolerances in 40 CFR 180.565 for residues of the insecticide, thiamethoxam (3-[(2-chloro-5-thiazolyl)methyl]tetrahydro-5-methyl-N-nitro-4H-1,3,5-oxadiazin-4-imine) and its metabolite [N-(2-chloro-thiazol-5-ylmethyl)-N'-methyl-N'-nitro-guanidine], by increasing the existing tolerances in or on alfalfa, forage from 0.05 to 10 parts per million (ppm); alfalfa, hay from 0.12 to 8 ppm; barley, hay from 0.40 to 1.5 ppm; barley, straw from 0.40 to 3 ppm; barley, grain from 0.4 to 0.9 ppm; corn, field, forage from 0.10 to 4 ppm; corn, field, stover from 0.05 to 4 ppm; corn, sweet forage from 0.10 to 5 ppm; corn, sweet, kernel plus cob with husks removed from 0.02 to 0.03 ppm; corn, sweet, stover from 0.05 to 4 ppm; wheat, forage from 0.50 to 3 ppm; wheat, hay from 0.02 to 8 ppm; wheat, straw from 0.02 to 6 ppm. Concurrently, Syngenta Crop Protection, LLC., requests to amend the tolerances in 40 CFR 180.565 by removing tolerances for residues of the insecticide, thiamethoxam (3-[(2-chloro-5-thiazolyl)methyl]tetrahydro-5-methyl-N-nitro-4H-1,3,5-oxadiazin-4-imine) in or on grain, cereal, group 15, except barley at 0.02 ppm; sunflower at 0.02 ppm; and vegetable, legume, group 6 at 0.02 ppm, upon approval of the tolerances listed under "New Tolerances" for *PP 3F8205*. Syngenta Crop Protection, LLC., has submitted practical analytical methodology for detecting and measuring levels of

thiamethoxam in or on raw agricultural commodities. This method is based on crop specific cleanup procedures and determination by liquid chromatography with either ultra-violet (UV) or mass spectrometry (MS) detections. The limit of detection (LOC) for each analyte of this method is 1.25 nanogram (ng) injected for samples analyzed by UV and 0.25 ng injected for samples analyzed by MS, and the limit quantification (LOQ) is 0.005 ppm for milk and juices, and 0.01 ppm for all other substrates. (RD)

2. *PP 4E8236*. (EPA-HQ-OPP-2014-0134). Interregional Research Project No. 4 (IR-4), 500 College Road East, Suite 201W, Princeton, NJ 08540, requests to amend the tolerances in 40 CFR 180.245 for residues of the residues of streptomycin as follows: (1) moving the existing tolerances for streptomycin on celery, pepper, and tomato from paragraph (a)(2), and potato from paragraph (a)(3) to the table in (a)(1); (2) modifying the existing tolerance for tomato from 0.25 ppm to 0.5 ppm; (3) removing the existing time limited tolerances for grapefruit and grapefruit, dried pulp in paragraph (b) upon establishment of the permanent tolerances for grapefruit and grapefruit, dried pulp; (4) removing the existing tolerance for fruit, pome, group 11 upon establishment of the tolerance for fruit, pome, group 11-10; and (5) modifying the tolerance expression and creating a single paragraph and table under 180.245 (a) to read as follows: General. Tolerances are established for residues of the fungicide streptomycin, including its metabolites and degradates, in or on the commodities in the table below. Compliance with the tolerance levels specified below is to be determined by measuring only streptomycin (O-2-Deoxy-2-(methylamino)-a-L-glucopyranosyl-(1-2)-O-5-deoxy-3-C-formyl-a-L-lyxofuranosyl-(1-4)-N,N'-bis(aminoiminomethyl)-D-streptamine) in or on the commodity. A laboratory working method based on USDA Food Safety and Inspection Service SOP No: CLG-AMG1.02, "Confirmation of Aminoglycosides by HPLC-MS/MS" is available. Modifications were made to improve the performance of the method for the various crop fractions. (RD)

3. *PP 4E8273*. (EPA-HQ-OPP-2014-0506). Interregional Research Project No. 4 (IR-4), 500 College Road East, Suite 201W, Princeton, NJ 08540, requests to remove the tolerance in 40 CFR 180.532 for residues of the fungicide, cyprodinil, 4-cyclopropyl-6-methyl-N-phenyl-2-pyrimidinamine, in or on fruit, stone, group 12 at 2.0 parts per million (ppm). The Syngenta Crop Protection Method AG-631B is used to

measure and evaluate the chemical cyprodinil. (RD)

4. *PP 4E8274*. (EPA-HQ-OPP-2014-0470). Interregional Research Project No. 4 (IR-4), 500 College Road East, Suite 201W, Princeton, NJ 08540, requests to remove the tolerances in 40 CFR 180.475 for residues of the fungicide, difenoconazole, 1-[2-[2-chloro-4-(4-chlorophenoxy)phenyl]-4-methyl-1,3-dioxolan-2-ylmethyl]-1*H*-1,2,4-triazole, in or on fruit, stone, group 12 at 2.5 parts per million (ppm); nut, tree, group 14 at 0.03 ppm; and pistachio at 0.03 ppm. The liquid chromatography (LC) tandem mass spectrometry (MS)/(MS) method is used to measure and evaluate the chemical difenoconazole. (RD)

5. *PP 4F8262*. (EPA-HQ-OPP-2014-0441). Syngenta Crop Protection, LLC., P.O. Box 18300, Greensboro, NC 27419-8300, requests to amend the tolerance in 40 CFR part 180 for residues of the herbicide, fluazifop-p-butyl in or on sweet potato roots from 0.05 parts per million (ppm); to 1.5 ppm. The PAM Vol. II, Method II is used to measure and evaluate the chemical fluazifop-p-butyl. (RD)

6. *PP 4F8279*. (EPA-HQ-OPP-2014-0489). Dow AgroSciences, LLC., 9330 Zionsville Road, Indianapolis, IN 46268-1054, requests to amend the tolerances in 40 CFR 180.417 to include residues of the herbicide, triclopyr choline salt as triclopyr, [(3,5,6-trichloro-2-pyridinyl)oxy]acetic acid, including its metabolites and degradates, in or on the raw agricultural commodities listed. An analytical method using electron capture gas chromatography is used to measure and evaluate the chemical triclopyr. (RD)

#### New Tolerance Exemptions

1. *PP 3E8217*. (EPA-HQ-OPP-2014-0374). Interregional Research Project No. 4 (IR-4), 500 College Road East, Suite 201W, Princeton, New Jersey 08540, on behalf of BetaTec Hop Products, Inc., 5185 MacArthur Blvd. NW., Suite 300, Washington, DC 20016, requests to establish an exemption from the requirement of a tolerance for residues of the biochemical pesticide potassium salts of hop beta acids, in or on honey and honeycomb. The petitioner believes no analytical method is needed because it is not required for a tolerance exemption. (BPPD)

2. *PP IN-10671*. (EPA-HQ-OPP-2014-0514). BASF, EPA Company Number 71840, 26 Davis Drive, Research Triangle Park, NC 27709, requests to establish an exemption from the requirement of a tolerance for residues of polyethylene glycol alkyl ether sulfosuccinate disodium salts

(CAS Nos. 68954-91-6 and 68815-56-5), for use as an inert ingredient in seed treatment formulations in accordance with 40 CFR 180.920. The petitioner believes no analytical method is needed because it is not required for the establishment of a tolerance exemption for inert ingredients. (RD)

3. *PP IN-10674*. (EPA-HQ-OPP-2014-0217). Spring Trading Company, 10805 West Timberwagon Circle, Spring, TX 77380-4030, on behalf of Croda, Inc., 315 Cherry Lane, New Castle, DE 19720, requests to establish an exemption from the requirement of a tolerance for residues of the polyoxyalkylated sorbitan fatty acid esters with C<sub>6</sub> through C<sub>22</sub> aliphatic alkanolic and/or alkenolic fatty acids, branched or linear, the resulting polyoxyalkylene sorbitan esters having a minimum molecular weight of 1,000 (CAS Nos. 81776-11-6, 87090-31-1, 88895-72-1; 1472661-05-4, 161026-53-5, 103171-31-9, 1472661-17-8, 1472668-03-3, 1472655-32-5, 1472663-59-4, 1472663-64-1, 1472663-66-3, 1472663-92-5, 1472654-83-3, 1472644-84-0, 1472644-85-1, 1472644-87-3, 1472644-88-4, 1472644-80-6, 1472644-81-7) when used as a pesticide inert ingredient in pesticide formulations as dispersants, emulsifiers, surfactants, and related adjuvants of surfactants. The petitioner believes no analytical method is needed because it is not required for the establishment of a tolerance exemption for inert ingredients. (RD)

4. *PP IN-10690*. (EPA-HQ-OPP-2014-0467). Spring Trading Company, LLC., 10805 West Timberwagon Circle, Spring, Texas 77380, on behalf of Croda Inc., 315 Cherry Lane, New Castle DE, 19720, requests to amend an exemption from the requirement of a tolerance in 40 CFR 180.910 and 180.930 for residues of the alkyl alcohol alkoxylate phosphate and sulfate derivatives (AAPD and AAASD respectively), (CAS Nos. 37281-86-0, 51325-10-1, 52019-38-2, 58206-38-5, 58857-49-1, 62482-61-5, 63887-54-7, 66020-37-9, 66281-20-7, 68332-75-2, 68400-75-9, 70844-96-1, 78041-18-6, 82465-25-6, 84843-37-8, 95014-34-9, 99924-51-3, 120913-45-3, 123339-53-7, 129208-04-4, 144336-75-4, 146815-57-8, 151688-56-1, 159704-69-5, 172027-16-6, 172274-69-0, 176707-42-9, 181963-82-6, 188741-55-1, 191940-53-1, 210993-53-6, 290348-69-5, 290348-70-8, 340681-28-9, 422563-26-6, 522613-09-8, 717140-06-2, 717140-09-5, 717827-29-7, 762245-80-7, 762245-81-8, 866538-89-8, 866538-90-1, 913068-96-9, 1087209-87-7, 1174313-54-2, 1205632-03-6,

1233235-49-8, 1451002-50-8, 1456802-88-2, 1456802-89-3, 1456803-12-5, 3694-74-4, 9086-52-6, 15826-16-1, 25446-78-0, 27731-61-9, 55901-67-2, 61894-66-4, 63428-85-3, 65104-74-7, 65122-38-5, 67762-19-0, 67762-21-4, 67923-90-4, 68611-29-0, 119432-41-6, and 219756-63-5) when used as a pesticide inert ingredient in pesticide formulations for post-harvest use on agricultural crops and when applied to animals. The petitioner believes no analytical method is needed because it is not required for the establishment of a tolerance exemption for inert ingredients. (RD)

5. *PP IN-10704*. (EPA-HQ-OPP-2014-0418). Loveland Products, Inc., 3005 Rocky Mountain Avenue, Loveland, CO 80538, requests to establish an exemption from the requirement of a tolerance for residues of the phenol, 2-(2*H*-benzotriazol-2-yl)-6-dodecyl-4-methyl- (CAS No. 23328-53-2) when used as a pesticide inert ingredient in pesticide formulations as a ultra-violet (UV) stabilizer not to exceed 10% weight/weight (w/w) in pesticide formulations under 40 CFR 180.920 (pre-harvest uses). The petitioner believes no analytical method is needed because CAS No. 23328-53-2 is currently approved for use at no more than 0.6% in pesticide formulations. (RD)

6. *PP IN-10705*. (EPA-HQ-OPP-2014-0481). Akzo Nobel Surface Chemistry, LLC., 525 West Van Buren Street, Chicago, IL 60607-3823, requests to establish an exemption from the requirement of a tolerance for residues of 2-propenoic acid, 2-methyl-, phenylmethyl ester, polymer with 2-propenoic acid, peroxydisulfuric acid ([[(HO)S(O)2]2O2) sodium salt (1:2)-initiated, compounds with diethanolamine; (CAS No.1574486-33-1) with a minimum number average molecular weight (in amu) of 2,000, when used as a pesticide inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. (RD)

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

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

Dated: August 22, 2014.

Lois Rossi,

Director, Registration Division, Office of  
Pesticide Programs.

[FR Doc. 2014-21101 Filed 9-4-14; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 216

[Docket No. 140429386-4386-01]

RIN 0648-XD275

#### Petition To Designate Sakhalin Bay- Amur River Beluga Whales Stock as Depleted Under the Marine Mammal Protection Act; Finding

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of 60-day petition finding; extension of public comment period.

**SUMMARY:** NMFS received a petition to “designate the Sakhalin Bay-Amur River stock of beluga whales (*Delphinapterus leucas*) as a depleted stock under the Marine Mammal Protection Act (MMPA).” On August 1, 2014, NMFS announced that the petition presented substantial information indicating that the petitioned action may be warranted and that NMFS would initiate a status review promptly. NMFS also solicited information from the public that may contribute to the status review. NMFS is extending the comment period for 30 days.

**DATES:** The comment period for the petition finding published August 1, 2014, at 79 FR 44733, is extended. Information and comments must be received by close of business on September 29, 2014.

**ADDRESSES:** The petition and a list of references contained in this notice are available in electronic form via the Internet at <http://www.nmfs.noaa.gov/pr/>. A copy of the petition and/or its supporting documents may be requested from Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

You may submit comments, identified by NOAA-NMFS-2014-0056, by any of the following methods:

*Electronic Submissions:* Submit all electronic public comments via the

Federal eRulemaking Portal <http://www.regulations.gov>.

*Mail:* Send comments or requests for copies of reports to: Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3226, Attn: Beluga petition.

*Instructions:* All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Dr. Shannon Bettridge, Office of Protected Resources, Silver Spring, MD; [shannon.bettridge@noaa.gov](mailto:shannon.bettridge@noaa.gov); (301) 427-8402.

#### SUPPLEMENTARY INFORMATION:

##### Background

On April 23, 2014, NMFS received a petition from the Animal Welfare Institute, Whale and Dolphin Conservation, Cetacean Society International and Earth Island Institute to “designate the Sakhalin Bay-Amur River stock of beluga whales as depleted under the MMPA.” The petition asserts this group of whales constitutes a stock and that this stock is below its optimum sustainable population (OSP) and qualifies for a depleted designation. It also argues that the causes of the stock’s decline include: large-scale commercial hunting from 1915–1963; unsustainable removal quotas; hunting permits; incidental mortality from fishing operations; accidental drowning during live-capture operations; vessel strikes; and other anthropogenic threats.

The MMPA allows interested parties to petition NMFS to initiate a status review to determine whether a species or stock of marine mammals should be designated as depleted. Section 115(a)(3) of the MMPA (16 U.S.C. 1383b(a)(3)) requires NMFS to publish a notice in the **Federal Register** that such a petition has been received and is available for public review. Within 60 days of receiving a petition, NMFS must publish a finding in the **Federal Register** as to whether the petition

presents substantial information indicating that the petitioned action may be warranted.

Pursuant to Section 115(a)(3)(A) of the MMPA, NMFS published a notice in the **Federal Register** that the petition had been received and was available for public review (79 FR 28879, May 20, 2014). In response to its announcement that the petition had been received, NMFS received 17 comments, all expressing support for the petitioned action. Several non-governmental organizations submitted letters of support, providing information similar or identical to the information provided in the petition. These comments and supporting information can be found at [www.regulations.gov](http://www.regulations.gov) (Docket ID: NOAA-NMFS-2014-0056).

Pursuant to Section 115(a)(3)(B) of the MMPA, NMFS published a notice in the **Federal Register** stating that after reviewing information presented in the petition, readily available in our files, and submitted through the public comment process, the petition presented substantial information indicating that the petitioned action may be warranted and that NMFS will initiate a status review (79 FR 44733, August 1, 2014).

NMFS subsequently received a request by the Georgia Aquarium to extend the public comment period by 60 days to provide all stakeholder parties, including the Aquarium, an adequate opportunity to provide NMFS with the information necessary to make an accurate determination on the status of the species. In this notice NMFS is extending the public comment period until October 6, 2014, to allow adequate time for the public to provide scientific information relevant to the status of the Sakhalin Bay-Amur River beluga whales. To provide a more extended public comment period would preclude NMFS from meeting its statutory requirements under the MMPA. The MMPA mandates NMFS to promptly initiate a status review and if the status review supports the petitioned action, publish in the **Federal Register** and solicit comments on a proposed rule as to the status of the stock, along with the reasons underlying the proposed status determination no later than 210 days after receipt of the petition.

#### Information Solicited

To ensure that the status review is based on the best scientific information available, we are soliciting scientific information relevant to the status of the Sakhalin Bay-Amur River beluga whales from the public, including individuals and organizations concerned with the conservation of marine mammals, persons in industry which may be