

Dated: August 10, 2016.

**Michael Goodis, Acting,**

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

[FR Doc. 2016-19758 Filed 8-17-16; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9950-79-Region 1]

### Notice of Availability of Draft NPDES General Permits for Remediation Activity Discharges in Massachusetts and New Hampshire: The Remediation General Permit

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

**ACTION:** Notice of Availability of DRAFT NPDES General Permits MAG910000 and NHG910000.

**SUMMARY:** The Director of the Office of Ecosystem Protection, U.S. Environmental Protection Agency—Region 1 (EPA), is providing a notice of availability of draft National Pollutant Discharge Elimination System (NPDES) general permits for discharges from sites engaged in certain remediation activities to certain waters of the Commonwealth of Massachusetts and the State of New Hampshire. The draft NPDES general permits establish Notice of Intent (NOI), Notice of Change (NOC), and Notice of Termination (NOT) requirements, effluent limitations and requirements, standard and special conditions and best management practice (BMP) requirements for sites that discharge 1.0 million gallons per day or less in Massachusetts and New Hampshire. These general permits replace the Remediation General Permit (RGP) that expired on September 9, 2015.

**DATES:** Comment on the draft general permits must be received on or before September 19, 2016.

**Public Hearing Information:** EPA will hold a public hearing, if necessary, in accordance with 40 CFR 124.12 and will provide interested parties with the opportunity to provide written and/or oral comments for the official administrative record.

**ADDRESSES:** Comments on the draft RGP shall be submitted by one of the following methods: (1) Email: [little.shauna@epa.gov](mailto:little.shauna@epa.gov); or (2) Mail: U.S. EPA Region 1, Attn: Shauna Little, 5 Post Office Square, Suite 100, Mail Code OEP06-4, Boston, MA 02109-3912. No facsimiles (faxes) will be accepted.

The draft RGP is based on an administrative record available for public review at EPA-Region 1, Office

of Ecosystem Protection, 5 Post Office Square, Suite 100, Boston, Massachusetts 02109-3912. A reasonable fee may be charged for copying requests. The fact sheet for the draft RGP sets forth principal facts and the significant factual, legal, methodological and policy questions considered in the development of the draft general permit and is available upon request. A brief summary is provided as supplementary information below.

#### FOR FURTHER INFORMATION CONTACT:

Additional information concerning the draft general permits may be obtained between the hours of 9 a.m. and 5 p.m. Monday through Friday, excluding holidays, from Shauna Little, U.S. EPA Region 1, 5 Post Office Square, Suite 100, Mail Code OEP06-4, Boston, MA 02109-3912.; telephone: 617-918-1989; email: [little.shauna@epa.gov](mailto:little.shauna@epa.gov).

#### SUPPLEMENTARY INFORMATION:

**General Information:** EPA is proposing to reissue two general permits for discharges from sites engaged in remediation activities from eight general categories: (1) Petroleum-related site remediation; (2) Non-petroleum-related site remediation; (3) Contaminated/formerly contaminated site dewatering; (4) Pipeline and tank dewatering; (5) Aquifer pump testing; (6) Well development/rehabilitation; (7) Dewatering/remediation of collection structures; and (8) Dredge-related dewatering. While the draft general permits are two distinct permits, for convenience, EPA has grouped them together in a single document and has provided a single fact sheet. This document refers to the draft general “permit” in the singular. The draft general permit, appendices and fact sheet are available at: <http://www.epa.gov/region1/npdes/rgp.html>. The draft general permit includes effluent limitations and requirements based on technology-based considerations, best professional judgment (BPJ), and water quality considerations. The effluent limits established in the draft general permit assure that the surface water quality standards of the receiving water(s) are attained and/or maintained. The permit also contains BMP requirements in order to ensure EPA has the information necessary to ensure compliance and to ensure discharges meet water quality standards.

**Obtaining Authorization:** In order to obtain authorization to discharge, operators must submit a complete and accurate NOI containing the information in Appendix IV—Part 1 of the draft general permit. Operators with existing

discharges must submit a NOI within 90 days of the effective date of the final general permit. Operators with new discharges must submit a NOI at least 30 days prior to initiating discharges and following the effective date of the final general permit. The effective date of the final general permit will be specified in the **Federal Register** publication of the Notice of Availability of the final permit. Operators must meet the eligibility requirements of the general permit prior to submission of a NOI. An operator will be authorized to discharge under the general permit upon receipt of written notice from EPA following EPA’s web posting of the submitted NOI. EPA will authorize the discharge, request additional information, or require the operator to apply for an alternative permit or an individual permit.

#### Other Legal Requirements:

**Endangered Species Act (ESA):** EPA has updated the provisions and necessary actions and documentation related to potential impacts to endangered species from facilities seeking coverage under the RGP. EPA has requested concurrence from the appropriate federal services (U.S. Fish and Wildlife Service and National Marine Fisheries Service) in connection with this draft general permit.

**National Historic Preservation Act (NHPA):** In accordance with NHPA, EPA has established provisions and documentation requirements for sites seeking coverage under the RGP to ensure that discharges or actions taken under this general permit will not adversely affect historic properties and places.

**Authority:** This action is being taken under the Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: August 9, 2016.

**H. Curtis Spalding,**

*Regional Administrator.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2016-0422; FRL-9949-85]

### Lambda-Cyhalothrin; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

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

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Washington State Department of Agriculture to use the pesticide lambda-cyhalothrin (CAS

No. 91465–08–6) on asparagus to control the European asparagus aphid. The applicant proposes a use which is supported by the Interregional Research program (IR–4) and has been requested in 5 or more previous years, and a petition for tolerance has not yet been submitted to the Agency. EPA is soliciting public comment before making the decision whether or not to grant the exemption.

**DATES:** Comments must be received on or before September 2, 2016.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2016–0422, 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:** Michael Goodis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: [RDFRNotices@epa.gov](mailto:RDFRNotices@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 preparing and submitting your comments, see the commenting tips at <http://www.epa.gov/dockets/comments.html>.

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. The Washington State Department of Agriculture has requested the EPA Administrator to issue a specific exemption for the use of lambda-cyhalothrin on asparagus to control the European asparagus aphid. Information in accordance with 40 CFR part 166 was submitted as part of this request.

The applicant's submission which provides an explanation of the need for the exemption as well as the proposed use pattern can be found at <http://www.regulations.gov> in their section 18 emergency exemption request for use of lambda-cyhalothrin on asparagus to control the European asparagus aphid.

This notice does not constitute a decision by EPA on the application itself. The regulations governing FIFRA section 18 require publication of a notice of receipt of an application for a specific exemption proposing a use which is supported by the IR–4 program and has been requested in 5 or more previous years, and a petition for tolerance has not yet been submitted to the Agency.

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 Washington State Department of Agriculture.

**Authority:** 7 U.S.C. 136 *et seq.*

Dated: August 10, 2016.

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

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**ENVIRONMENTAL PROTECTION AGENCY**

[EPA–HQ–OPP–2015–0022; FRL–9949–74]

**Pesticide Product Registrations; Receipt of Applications for New Uses**

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

**ACTION:** Notice.

**SUMMARY:** EPA has received applications to register new uses for pesticide products containing currently registered active ingredients. Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and opportunity to comment on these applications.

**DATES:** Comments must be received on or before September 19, 2016.

**ADDRESSES:** Submit your comments, identified by the docket identification (ID) number and the File Symbol or Registration Number 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.