

TABLE 1—PROVISIONS OF PA 98 CONSISTENT WITH REQUIREMENTS OF CWA SECTION 404—Continued

PA 98 Provision—with descriptor	Decision
Sec. 30321(7) Defines Drains, Ditches, etc. as Not being Wetlands	Approved: the second sentence "A temporary obstruction of drainage . . . identified as a wetland pursuant to section 30301(2)."
Sec. 30328 State Program Limited to Navigable Waters and Waters of the U.S.	Approved.

TABLE 2—PROVISIONS OF PA 98 INCONSISTENT WITH REQUIREMENTS OF CWA SECTION 404

PA 98 Provision—with descriptor	Decision
Sec. 30103(1)(g)(vii) Modification of Drain Maintenance Exemption	Disapproved.
Sec. 30103(1)(m) Exemption for Controlled Livestock Access	Disapproved.
Sec. 30305(2)(m) Modification of Utility Line Installation Exemption	Disapproved.
Sec. 30305(2)(o) Exemption for Placement of Biological Residues in Wetlands	Disapproved.
Sec. 30305(4)(b) Modification of Exemption for Wetlands Created as a result of Construction or Operation of a Waste Treatment Pond or Storm Water Facility.	Disapproved.
Sec. 30305(4)(d) Modification of Exemption for Wetlands Created as a Result of Construction of Drains to Remove Excess Soil Moisture from Upland Areas Primarily Used for Agriculture.	Disapproved.
Sec. 30305(4)(e) Exemption for Wetlands Formed in Roadside Ditches	Disapproved.
Sec. 30305(4)(f) Exemption for Wetlands Created as a Result of Agricultural Soil and Water Conservation Practices	Disapproved.
Sec. 30305(5) Contiguous Waters as a Result of Excavation	Disapproved.
Sec. 30311(7) Consideration of Feasible and Prudent Alternatives	Disapproved.
Sec. 30311d(6) Conservation Mitigation Credits for Easements for Impacted Agricultural Sites	Disapproved the statement: "protection and restoration of the impacted site."
Sec. 30321(5) Definition of "Not Contiguous"	Disapproved.
Sec. 30321(6) Use of Drains to Establish Jurisdiction	Disapproved.
Sec. 30321(7) Defines Drains, Ditches, etc. as Not Being Wetlands	Disapproved: the first sentence "A drainage structure such as a culvert, ditch, or channel, in and of itself, is not a wetland."

Authority: This action is taken under the authority of Section 404 of the Clean Water Act as amended, 42 U.S.C. 1344.

Dated: December 2, 2016.

Robert A. Kaplan,
Acting Regional Administrator.

[FR Doc. 2016-29888 Filed 12-12-16; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2015-0021; FRL-9955-75]

Pesticide Product Registrations; Receipt of Applications for New Active Ingredients

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received applications to register pesticide products containing active ingredients not included in any currently registered pesticide products. 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 January 12, 2017.

ADDRESSES: Submit your comments, identified by the Docket Identification (ID) Number and the File Symbol 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 (7511P), main telephone number: (703) 305-7090, email address: BPPDFRNotices@epa.gov; or Michael Goodis, Registration Division (7505P), main telephone number: (703) 305-7090, email address: 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 application 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 under **FOR FURTHER INFORMATION CONTACT** for the division listed at the end of the application 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 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, EPA 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. Registration Applications

EPA has received applications to register pesticide products containing active ingredients not included in any currently registered pesticide products. Pursuant to the provisions of FIFRA section 3(c)(4) (7 U.S.C. 136a(c)(4)), EPA is hereby providing notice of receipt and opportunity to comment on these applications. Notice of receipt of these applications does not imply a decision by EPA on these applications. For actions being evaluated under EPA's public participation process for registration actions, there will be an additional opportunity for public comment on the proposed decisions. Please see EPA's public participation Web site for additional information on this process (<http://www2.epa.gov/pesticide-registration/public-participation-process-registration-actions>). EPA received the following applications to register pesticide products containing active ingredients not included in any currently registered pesticide products:

1. *File Symbol:* 432-RLII. *Docket ID Number:* EPA-HQ-OPP-2016-0581. *Applicant:* Bayer Environmental Science, 2 T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product Name:* Bayothrin Technical. *Active Ingredient:* Insecticide—Transfluthrin at 99%. *Proposed Use:* Indoor (residential, commercial, and military use) and limited outdoor residential. *Contact:* RD.

2. *File Symbol:* 62719-AOI. *Docket ID Number:* EPA-HQ-OPP-2016-0560. *Applicant:* Dow AgroSciences LLC, 9330 Zionsville Rd., Indianapolis, IN 46268. *Product Name:* GF-3206. *Active Ingredient:* Herbicide—Florpyrauxifen-benzyl at 2.7%. *Proposed Use:* Rice. *Contact:* RD.

3. *File Symbol:* 62719-AOO. *Docket ID Number:* EPA-HQ-OPP-2016-0560. *Applicant:* Dow AgroSciences LLC, 9330 Zionsville Rd., Indianapolis, IN 46268. *Product Name:* GF-3301. *Active Ingredient:* Herbicide—Florpyrauxifen-benzyl at 26.5%. *Proposed Use:* Rice and freshwater aquatic vegetation. *Contact:* RD.

4. *File Symbol:* 62719-AOT. *Docket ID Number:* EPA-HQ-OPP-2016-0560. *Applicant:* Dow AgroSciences LLC, 9330 Zionsville Rd., Indianapolis, IN 46268. *Product Name:* Rinskor Technical. *Active Ingredient:* Herbicide—Florpyrauxifen-benzyl at 94.6%. *Proposed Use:* Rice and freshwater aquatic vegetation. *Contact:* RD.

5. *File Symbol:* 62719-TNN. *Docket ID Number:* EPA-HQ-OPP-2016-0560. *Applicant:* Dow AgroSciences LLC,

9330 Zionsville Rd., Indianapolis, IN 46268. *Product Name:* GF-3480. *Active Ingredients:* Herbicide—Florpyrauxifen-benzyl at 2.13% and Cyhalofop-butyl at 10.64%. *Proposed Use:* Rice. *Contact:* RD.

6. *File Symbol:* 62719-TNR. *Docket ID Number:* EPA-HQ-OPP-2016-0560. *Applicant:* Dow AgroSciences LLC, 9330 Zionsville Rd., Indianapolis, IN 46268. *Product Name:* GF-3565. *Active Ingredients:* Herbicide—Florpyrauxifen-benzyl at 1.3% and Penoxsulam at 2.1%. *Proposed Use:* Rice. *Contact:* RD.

7. *File Symbol:* 71840-EE. *Docket ID Number:* EPA-HQ-OPP-2016-0609. *Applicant:* BASF Corporation, 26 Davis Dr., Research Triangle Park, NC 27709. *Product Name:* Velifer Fungal Contact Insecticide. *Active Ingredient:* Insecticide—*Beauveria bassiana* strain PPRI 5339 at 8.00%. *Proposed Use:* Greenhouse-grown ornamentals, fruits, vegetables, herbs and spices, and vegetable, fruit, and herb transplants for the consumer market. *Contact:* BPPD.

8. *File Symbol:* 71840-ER. *Docket ID Number:* EPA-HQ-OPP-2016-0609. *Applicant:* BASF Corporation, 26 Davis Dr., Research Triangle Park, NC 27709. *Product Name:* *Beauveria bassiana* strain PPRI 5339 Technical. *Active Ingredient:* Insecticide—*Beauveria bassiana* strain PPRI 5339 at 96.0%. *Proposed Use:* Manufacturing of end-use pesticide products. *Contact:* BPPD.

9. *File Symbol:* 73771-RN. *Docket ID Number:* EPA-HQ-OPP-2016-0578. *Applicant:* Verdesian Life Sciences U.S., LLC, 1001 Winstead Dr., Suite 480, Cary, NC 27513. *Product Name:* Calciphite. *Active Ingredient:* Biochemical Systemic Acquired Resistance (SAR)—Calcium Salts of Phosphorous Acid at 95%. *Proposed Use:* Biochemical manufacturing-use product. *Contact:* BPPD.

10. *File Symbol:* 73771-RR. *Docket ID Number:* EPA-HQ-OPP-2016-0578. *Applicant:* Verdesian Life Sciences U.S., LLC, 1001 Winstead Dr., Suite 480, Cary, NC 27513. *Product Name:* Fungiphite Ca. *Active Ingredient:* Biochemical Systemic Acquired Resistance (SAR)—Calcium Salts of Phosphorous Acid at 40%. *Proposed Use:* Biochemical end-use product/systemic fungicide. *Contact:* BPPD.

11. *File Symbol:* 91197-R. *Docket ID Number:* EPA-HQ-OPP-2016-0251. *Applicant:* AFS009 Plant Protection, Inc., 104 T.W. Alexander Dr., Building 18, Research Triangle Park, NC 27709. *Product Name:* Howler™ Technical. *Active Ingredient:* Fungicide—*Pseudomonas chlororaphis* strain AFS009 at 100%. *Proposed Use:* Manufacturing use. Note: In the **Federal Register** of May 25, 2016 (81 FR 33251)

(FRL-9946-40), EPA announced receipt of applications to register three pesticide products containing the active ingredient *Pseudomonas chlororaphis* subsp. *aurantiaca* strain AFS009 (File Symbols 91197-R, 91197-E, and 91197-G). Since that time, the applicant provided additional data on the identity of the active ingredient in these pesticide products to EPA. After reviewing these data, EPA now considers the correct identity of the active ingredient in these pesticide products to be *Pseudomonas chlororaphis* strain AFS009 and not *Pseudomonas chlororaphis* subsp. *aurantiaca* strain AFS009. In order to give the public an opportunity to comment on this new information, EPA is republishing its receipt of these applications with an updated and accurate description. *Contact*: BPPD.

12. *File Symbol*: 91197-E. *Docket ID Number*: EPA-HQ-OPP-2016-0251. *Applicant*: AFS009 Plant Protection, Inc., 104 T.W. Alexander Dr., Building 18, Research Triangle Park, NC 27709. *Product Name*: Howler™ T&O. *Active Ingredient*: Fungicide—*Pseudomonas chlororaphis* strain AFS009 at 50.0%. *Proposed Use*: Turf and ornamental plants. *Contact*: BPPD.

13. *File Symbol*: 91197-G. *Docket ID Number*: EPA-HQ-OPP-2016-0251. *Applicant*: AFS009 Plant Protection, Inc., 104 T.W. Alexander Dr., Building 18, Research Triangle Park, NC 27709. *Product Name*: Howler™. *Active Ingredient*: Fungicide—*Pseudomonas chlororaphis* strain AFS009 at 50.0%. *Proposed Use*: Agricultural sites, including berries, citrus, cotton, cucurbits, flowers, fruiting vegetables, herbs, leafy vegetables, cole crops, ornamentals, peanut, pome fruit, shade house, soybean, stone fruit, tobacco, tree nuts, tubers, wheat, and turf, and residential sites. *Contact*: BPPD.

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

Dated: December 2, 2016.

Robert McNally,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

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FEDERAL COMMUNICATIONS COMMISSION

[GN Docket No. 12-268; AU Docket No. 14-252; WT Docket No. 12-269; DA 16-1354]

Clearing Target of 84 Megahertz Set for Stage 4 of the Broadcast Television Spectrum Incentive Auction; Stage 4 Bidding in the Reverse Auction Will Start on December 13, 2016

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Incentive Auction Task Force and Wireless Telecommunications Bureau announce the spectrum clearing target of 84 megahertz and band plan for Stage 4 of the incentive auction, and that bidding in Stage 4 of the reverse auction is scheduled to begin on December 13, 2016. This document also announces details and dates regarding bidding and the availability of educational and informational materials for reverse and forward auction bidders eligible to participate in Stage 4; the availability of Stage 4 bidding and timing information in the Incentive Auction Public Reporting System; and the importance of bidder contingency plans. Finally, this document reminds each reverse and forward auction applicant of its continuing obligations under the FCC's rules.

FOR FURTHER INFORMATION CONTACT: *Wireless Telecommunications Bureau, Auctions and Spectrum Access Division*: For general auction questions, contact Linda Sanderson at (717) 338-2868. For reverse auction or forward auction legal questions, refer to the contact information listed in the *Incentive Auction Stage 4 Clearing Target Public Notice*.

SUPPLEMENTARY INFORMATION: This is a summary of the *Incentive Auction Stage 4 Clearing Target Public Notice*, GN Docket No. 12-268, AU Docket No. 14-252, WT Docket No. 12-269, DA 16-1354, released December 9, 2016. The complete text of the *Incentive Auction Stage 4 Clearing Target Public Notice* is available for public inspection and copying from 8:00 a.m. to 4:30 p.m. Eastern Time (ET) Monday through Thursday or from 8:00 a.m. to 11:30 a.m. ET on Fridays in the FCC Reference Information Center, 445 12th Street SW., Room CY-A257, Washington, DC 20554. The complete text is also available on the Commission's Web site at <http://wireless.fcc.gov>, the Auction 1000 Web site at <http://www.fcc.gov/auctions/1000>, or by using the search function on the ECFS Web page at <http://>

www.fcc.gov/cgb/ecfs/. Alternative formats are available to persons with disabilities by sending an email to FCC504@fcc.gov or by calling the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

1. The Incentive Auction Task Force (Task Force) and the Wireless Telecommunications Bureau (Bureau) announce the 84 megahertz spectrum clearing target that has been set by the Auction System's optimization procedure for Stage 4 of the incentive auction, as well as the band plan associated with the 84 megahertz spectrum clearing target, which includes seven Category 1 generic license blocks with zero impairments for each of the 416 Partial Economic Areas (PEAs). The Task Force and Bureau also provide details and specific dates regarding bidding and the continuing availability of educational materials, and remind reverse and forward auction applicants of their continuing obligations.

I. Stage 4 Clearing Target and Band Plan

2. The Auction System's clearing target determination procedure has set a spectrum clearing target of 84 megahertz for Stage 4 of the incentive auction. Under the band plan associated with this spectrum clearing target, 70 megahertz, or seven paired blocks, of licensed spectrum will be offered in the forward auction on a nationwide basis.

3. The generic license blocks offered in Stage 4 of the forward auction under this band plan will consist of a total of 2,912 Category 1 blocks (zero percent impaired). There will be no Category 2 blocks offered under this band plan. In other words, seven 100% unimpaired blocks in all 416 PEAs for a total of 2,912 Category 1 blocks will be offered in Stage 4.

4. The clearing target for Stage 4 was determined by applying the procedure the Commission adopted in the *Auction 1000 Bidding Procedures Public Notice*, 80 FR 61917, October 14, 2015, using the same objectives as in the initial clearing target optimization and taking into account the additional channels in the TV band and any participating stations that have dropped out of the auction in the previous stage. Based on the new provisional television channel assignment plan, the nationwide impaired weighted-pops were calculated on a 2x2 cell level and the one-block-equivalent nationwide standard for impairments was applied.