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Dated: July 30, 2019.

**Kimberly D. Bose,**  
Secretary.

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2019-0367; FRL-9996-71]

### Pesticide Experimental Use Permit; Receipt of Application; Comment Request

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's receipt of application 73049-EUP-RE from Valent BioSciences LLC, requesting an experimental use permit (EUP) for 1-Aminocyclopropane-1-carboxylic acid. EPA has determined that the permit may be of regional or national significance. Therefore, because of the potential significance, EPA is seeking comments on this application.

**DATES:** Comments must be received on or before September 6, 2019.

**ADDRESSES:** Submit your comments, identified by Docket Identification (ID) Number EPA-HQ-OPP-2019-0367, 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), Office of Pesticide Programs,

Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; main telephone number: (703) 305-7090; email address: [BPPDFRNotices@epa.gov](mailto:BPPDFRNotices@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

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

This action is directed to the public in general. Although this action may be of particular interest to those persons who conduct or sponsor research on pesticides, EPA has not attempted to describe all the specific entities that may be affected by this action.

###### 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](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, 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 pesticide discussed in this document, compared to the general population.

##### II. What action is the Agency taking?

Under section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136c, EPA can

allow manufacturers to field test pesticides under development. Manufacturers are required to obtain an EUP before testing new pesticides or new uses of pesticides if they conduct experimental field tests on more than 10 acres of land or more than one surface acre of water.

Pursuant to 40 CFR 172.11(a), EPA has determined that the following EUP application may be of regional or national significance, and therefore is seeking public comment on the EUP application:

**Submitter:** Valent BioSciences LLC, 870 Technology Way, Libertyville, IL 60048 (73049-EUP-RE).

**Pesticide Chemical:** 1-Aminocyclopropane-1-carboxylic acid (ACC).

**Summary of Request:** The biochemical plant regulator ACC is intended to be applied to apples and stone fruits at flowering for the purpose of fruit thinning. The objective of the testing is to verify the efficacy of and crop tolerance to the test pesticide product under commercial production methods. The testing is intended to last 3 years. The testing will take place on 1,800 acres and 325 pounds of formulated pesticide product (30 pounds of active ingredient) will be applied in total each year. The testing on apples will occur in the following states: California, Connecticut, Maine, Maryland, Massachusetts, Michigan, Minnesota, New York, North Carolina, Ohio, Oregon, Pennsylvania, Vermont, Virginia, Washington, West Virginia, and Wisconsin. The apple applications will be applied at 46 fluid ounces of pesticide per acre on a total of 1,150 acres each year. The testing on stone fruits will occur in the following states: California, Georgia, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, and South Carolina. The stone fruit applications will be applied at 103 fluid ounces of pesticide per acre on a total of 650 acres each year. (Note: The formulated pesticide product contains 10% active ingredient and is diluted for spraying.)

Following the review of the application and any comments and data received in response to this solicitation, EPA will decide whether to issue or deny the EUP request, and if issued, the conditions under which it is to be conducted. Any issuance of an EUP will be announced in the **Federal Register**.

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

Dated: July 15, 2019.

**Delores Barber,**

Director, Information Technology and Re

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