

To request accommodation of a disability, please contact Tom Tracy at least ten days prior to the meeting to give the EPA adequate time to process your request.

**Authority:** Pub. L. 92–463, 1, Oct. 6, 1972, 86 Stat. 770.

**Mary Ross,**

*Director, Office of Science Advisor, Policy and Engagement.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2021–0146; FRL–10023–25]

### Certain New Chemicals or Significant New Uses; Statements of Findings for February 2021

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

**ACTION:** Notice.

**SUMMARY:** The Toxic Substances Control Act (TSCA) requires EPA to publish in the **Federal Register** a statement of its findings after its review of certain TSCA notices when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to premanufacture notices (PMNs), microbial commercial activity notices (MCANs), and significant new use notices (SNUNs) submitted to EPA under TSCA. This document presents statements of findings made by EPA on such submissions during the period from February 1, 2021 to February 28, 2021.

#### FOR FURTHER INFORMATION CONTACT:

*For technical information contact:* Rebecca Edelstein, New Chemicals Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: 202–564–1667 email address: [edelstein.rebecca@epa.gov](mailto:edelstein.rebecca@epa.gov).

*For general information contact:* The TSCA–Hotline, ABVI–Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

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

This action is directed to the public in general. As such, the Agency has not attempted to describe the specific

entities that this action may apply to. Although others may be affected, this action applies directly to the submitters of the PMNs addressed in this action.

###### B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2021–0146, is available at <http://www.regulations.gov> or at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 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 OPPT Docket is (202) 566–0280.

Due to the public health concerns related to COVID–19, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

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

This document lists the statements of findings made by EPA after review of notices submitted under TSCA section 5(a) that certain new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment. This document presents statements of findings made by EPA during the period from February 1, 2021 to February 28, 2021.

##### III. What is the Agency's authority for taking this action?

TSCA section 5(a)(3) requires EPA to review a TSCA section 5(a) notice and make one of the following specific findings:

- The chemical substance or significant new use presents an unreasonable risk of injury to health or the environment;
- The information available to EPA is insufficient to permit a reasoned evaluation of the health and environmental effects of the chemical substance or significant new use;
- The information available to EPA is insufficient to permit a reasoned evaluation of the health and environmental effects and the chemical substance or significant new use may

present an unreasonable risk of injury to health or the environment;

- The chemical substance is or will be produced in substantial quantities, and such substance either enters or may reasonably be anticipated to enter the environment in substantial quantities or there is or may be significant or substantial human exposure to the substance; or

- The chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment.

These findings must be made without consideration of costs or other non-risk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant under the conditions of use. The term “conditions of use” is defined in TSCA section 3 to mean “the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of.”

EPA is required under TSCA section 5(g) to publish in the **Federal Register** a statement of its findings after its review of a TSCA section 5(a) notice when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to PMNs, MCANs, and SNUNs submitted to EPA under TSCA section 5.

Anyone who plans to manufacture (which includes import) a new chemical substance for a non-exempt commercial purpose and any manufacturer or processor wishing to engage in a use of a chemical substance designated by EPA as a significant new use must submit a notice to EPA at least 90 days before commencing manufacture of the new chemical substance or before engaging in the significant new use.

The submitter of a notice to EPA for which EPA has made a finding of “not likely to present an unreasonable risk of injury to health or the environment” may commence manufacture of the chemical substance or manufacture or processing for the significant new use notwithstanding any remaining portion of the applicable review period.

##### IV. Statements of Administrator Findings Under TSCA Section 5(a)(3)(C)

In this unit, EPA provides the following information (to the extent that such information is not claimed as Confidential Business Information (CBI)) on the PMNs, MCANs and SNUNs for which, during this period, EPA has made findings under TSCA

section 5(a)(3)(C) that the new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment:

- EPA case number assigned to the TSCA section 5(a) notice.
- Chemical identity (generic name if the specific name is claimed as CBI).

- website address to EPA's decision document describing the basis of the "not likely to present an unreasonable risk" finding made by EPA under TSCA section 5(a)(3)(C).

EPA case number	Chemical identity	Website address
J-21-0002, J-21-0003 .....	Saccharomyces cerevisiae modified (Generic Name) ...	<a href="https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-498">https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-498</a> .
P-20-0132 .....	1H-Pyrrole-2,5-dione, 3-methyl-, 1,1'-C36-alkylenebis-; CASRN: 2414071-06-8.	<a href="https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-497">https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-497</a> .
P-20-0097 .....	Butanedioic acid, monopolyisobutylene derivs., mixed dihydroxyalkyl and hydroxyalkoxyalkyl diesters (Generic Name).	<a href="https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-496">https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-496</a> .
P-20-0183 .....	Aryl ether epoxide, homopolymer, ether with alkanolamine (Generic Name).	<a href="https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-495">https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-495</a> .
P-20-0136 .....	Arylcarboxylic acid, alkyl ester, polymer with alkanediol, ester with methyloxirane polymer with oxirane alkyl ether (Generic Name).	<a href="https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-492">https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-492</a> .

**Authority:** 15 U.S.C. 2601 *et seq.*

Dated: June 9, 2021.

**Madison Le,**

Director, New Chemicals Division, Office of Pollution Prevention and Toxics.

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2013-0610; FRL-10025-15-OMS]

### Information Collection Request; Submitted to OMB for Review and Approval; Comment Request; Clean Water Act 404 State-Assumed Programs (Renewal); Correction

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

**ACTION:** Notice; correction.

**SUMMARY:** EPA published a notice in the *Federal Register* of May 27, 2021, requesting comment on a proposed Information Collection Request renewal (EPA ICR Number 0220.14, OMB Control Number 2040-0168) being submitted to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. That notice contained errors which need to be corrected.

**DATES:** Comments must be received on or before July 26, 2021. EPA is extending the comment period to provide the public with a full 30 days to review and comment on the docket and this revised notice. Comments already received in response to the original, May 27, 2021 will be considered but may also be

supplemented with additional submissions if necessary.

#### FOR FURTHER INFORMATION CONTACT:

Kathy Hurd, Oceans, Wetlands and Communities Division, Environmental Protection Agency, 1200 Pennsylvania Ave. NW (4504T), Washington, DC 20460; telephone number: 202-564-5700; email address: [404g-rulemaking@epa.gov](mailto:404g-rulemaking@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Correction

In the *Federal Register* of May 27, 2021 in notice FR Doc. 2021-11276, beginning on page 28596, make the following corrections:

1. On page 25896, third column, in the "FOR FURTHER INFORMATION CONTACT:" section, the contact person listed was incorrect. Please contact Kathy Hurd using the contact information in the "FOR FURTHER INFORMATION CONTACT:" section of this document.

2. On page 28596, third column, and continuing on the first column of page 28597, in the "SUPPLEMENTARY INFORMATION:" section, correct the five full paragraphs of the "Abstract" section, to read as follow:

"Abstract: Section 404(g) of the Federal Water Pollution Control Act (FWPCA/Clean Water Act (CWA)), authorizes states and tribes to assume the section 404 permit program for discharges of dredged or fill material into certain waters of the United States. This ICR covers the collection of information that EPA needs to perform its program approval and oversight responsibilities and that the state or tribe needs to implement its program.

*Request to assume CWA section 404 permit program.* States and tribes must

demonstrate that they meet the statutory and regulatory requirements at 40 CFR part 233 for an approvable program. Specified information and documents must be submitted by the state or tribe to EPA to request assumption and must be sufficient to enable EPA to conduct an analysis of the state or tribal program. The information contained in the assumption request submission is provided to the other involved federal agencies and to the general public for review and comment.

*Permit application information.* States and tribes with assumed programs must be able to issue permits that assure compliance with all applicable statutory and regulatory requirements, including the CWA section 404(b)(1) Guidelines. Sufficient information must be provided in the application so that states or tribes and federal agencies reviewing the permit are able to evaluate, avoid, minimize, and compensate for any anticipated impacts resulting from the proposed project. EPA's assumption regulations at 40 CFR 233.30 establish required and recommended elements that should be included in the state or tribe's permit application, so that sufficient information is available to assess anticipated impacts. These minimum information requirements generally reflect the information that must be submitted when applying for a section 404 permit from the U.S. Army Corps of Engineers. (CWA section 404(h); CWA section 404(j); 40 CFR 230.10, 233.20, 233.21, 233.34, and 233.50; 33 CFR 325)).

*Annual report and program information.* EPA has an oversight role for assumed section 404 permit programs to ensure that state or tribal programs comply with applicable