

Respiratory Syndrome Coronavirus 2 (SARS-CoV-2), the causal agent of COVID-19. The use is effective January 19, 2021 to August 24, 2021.

California

Department of Pesticide Regulation

*Specific exemption:* EPA authorized the use of kasugamycin on a maximum of 100,000 acres of almond trees to control bacterial blast (*Pseudomonas syringae* *pv.* *syringae*). A time-limited tolerance in connection with a past action has been established in 40 CFR 180.614(b). Effective February 11, 2021 to April 15, 2021.

Florida

Department of Agriculture and Consumer Services

*Specific exemptions:* EPA authorized the use of streptomycin on up to 330,254 acres of citrus to manage citrus greening disease (also known as Huanglongbing). Time-limited tolerances in connection with past actions for this use have been established in 40 CFR 180.245(b). Effective December 31, 2020 to December 31, 2021.

EPA authorized the use of the insecticide clothianidin on a maximum of 125,376 acres of immature (3 to 5 years old) citrus trees to control the Asian citrus psyllid, the vector of citrus greening disease (also known as Huanglongbing) to manage disease transmission. A time-limited tolerance in connection with this action has been established in 40 CFR 180.586(b); Effective January 1, 2021 to October 31, 2021.

Georgia

Department of Agriculture

*Public health exemption:* EPA authorized the use of triethylene glycol as an indoor air treatment at various sites in Georgia when adherence to current public health guidelines is impractical, difficult to maintain, or is not expected to provide a sufficient level of protection, to control the Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2), the causal agent of COVID-19. The use is effective January 14, 2021 to January 14, 2022.

Louisiana

Department of Agriculture and Forestry

*Specific exemption:* EPA authorized the use of triclopyr on a maximum of 450,000 acres of sugarcane to control divine nightshade. A time-limited tolerance in connection with this action has been established in 40 CFR

180.417(b); Effective October 2, 2020 to May 31, 2021.

Massachusetts

Department of Agriculture and Resources

*Specific exemption:* EPA authorized the use of pronamide on a maximum of 5,000 acres of cranberries to control dodder. A time-limited tolerance in connection with this action has been established in 40 CFR 180.679(b). Effective April 15, 2021 to June 30, 2021.

Oklahoma

Department of Agriculture

*Public health exemption:* EPA authorized the use of 1-octadecanaminium, N,N-dimethyl-N-[3-(trihydroxysilyl)propyl] chloride on non-porous, non-food-contact surfaces in American Airlines aircraft and airport facilities to control the Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2), the causal agent of COVID-19. The use is effective January 19, 2021 to August 24, 2021.

Tennessee

Department of Agriculture

*Public health exemption:* EPA authorized the use of triethylene glycol as an indoor air treatment at various sites in Tennessee when adherence to current public health guidelines is impractical, difficult to maintain, or is not expected to provide a sufficient level of protection, to control the Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2), the causal agent of COVID-19. The use is effective January 14, 2021 to January 14, 2022.

#### *B. Federal Departments and Agencies*

Agriculture Department

Animal and Plant Health Inspector Service

*Quarantine Exemption:* EPA authorized the use of acetic acid on nonporous surfaces to decontaminate from foot and mouth disease virus; Effective April 19, 2021 to April 19, 2024.

National Aeronautics and Space Administration

*Specific exemption:* EPA authorized use of ortho-phthalaldehyde, immobilized to a porous resin, to treat the International Space Station (ISS) internal active thermal control system (IATCS) coolant for control of aerobic and microaerophilic water bacteria and unidentified gram-negative rods. Effective October 9, 2020 to October 9,

2021. This request was granted because without this use, the ISS would have no means of controlling microorganisms in the IATCS because there are no registered alternatives available which meet the required criteria. Since this request proposed a use of a new (unregistered) chemical, in accordance with the requirements at 40 CFR 166.24, a notice of receipt published in the **Federal Register** on September 25, 2020 (85 FR 60458) (FRL-10014-21) with the public comment period closing on October 13, 2020.

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

Dated: July 9, 2021.

**Marietta Echeverria,**

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

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPPT-2021-0146; FRL-8682-01-OCSPP]**

### **Certain New Chemicals or Significant New Uses; Statements of Findings for May 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 May 1, 2021 to May 31, 2021.

#### **FOR FURTHER INFORMATION CONTACT:**

*For technical information contact:* Rebecca Edelstein, New Chemical 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 online at <http://www.regulations.gov> or in-person 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 May 1, 2021 to May 31, 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.
- Unreasonable risk 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 link 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 No.	Chemical identity	Website link
J-21-0010 .....	Genetically modified microorganism for the production of a chemical substance (Generic Name).	<a href="https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-509">https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/tsca-section-5a3c-determination-509</a> .

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

Dated: July 7, 2021.

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