

under the CAA to make and publish a finding that this action is based on a determination of “nationwide scope or effect” within the meaning of CAA section 307(b)(1).<sup>6</sup> This final action denies petitions for exemptions from the RFS program for over 30 small refineries across the country and applies to small refineries located within 18 states in 7 of the 10 EPA regions and in 8 different Federal judicial circuits.<sup>7</sup> This final action is based on EPA’s revised interpretation of the relevant CAA provisions and the RIN discount and RIN cost passthrough principles that are applicable to all small refineries no matter the location or market in which they operate. For these reasons, this final action is nationally applicable or, alternatively, the Administrator is exercising the complete discretion afforded to him by the CAA and hereby finds that this final action is based on a determination of nationwide scope or effect for purposes of CAA section 307(b)(1) and is hereby publishing that finding in the **Federal Register**.

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the District of Columbia Circuit by June 24, 2022.

**Joseph Goffman,**

*Principal Deputy Assistant Administrator,  
Office of Air and Radiation.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2022–0160; FRL–9409–12–OCSPP]

### Pesticide Product Registration; Receipt of Applications for New Active Ingredients—March 2022

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

**ACTION:** Notice.

**SUMMARY:** EPA has received applications to register pesticide products containing

<sup>6</sup>In deciding whether to invoke the exception by making and publishing a finding that this final action is based on a determination of nationwide scope or effect, the Administrator has also taken into account a number of policy considerations, including his judgment balancing the benefit of obtaining the D.C. Circuit’s authoritative centralized review versus allowing development of the issue in other contexts and the best use of Agency resources.

<sup>7</sup>In the report on the 1977 Amendments that revised section 307(b)(1) of the CAA, Congress noted that the Administrator’s determination that the “nationwide scope or effect” exception applies would be appropriate for any action that has a scope or effect beyond a single judicial circuit. See H.R. Rep. No. 95–294 at 323, 324, reprinted in 1977 U.S.C.A.N. 1402–03.

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 May 25, 2022.

**ADDRESSES:** Submit your comments, identified by the docket identification (ID) number and the File Symbol of the EPA registration Number of interest as shown in the body of this, through the Federal eRulemaking Portal at <https://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. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets/about-epa-dockets>.

Due to the public health concerns related to COVID–19, the EPA Docket Center (EPA/DC) and Reading Room is open to visitors by appointment only. For the latest status information on EPA/DC services and access, visit <https://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:**

Charles Smith, Biopesticides and Pollution Prevention Division (BPPD) (7511P), main telephone number: (202) 566–2427, email address: [BPPDFRNotices@epa.gov](mailto:BPPDFRNotices@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 pesticide petition 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).

##### 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](https://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 <https://www.epa.gov/dockets/commenting-epa-dockets>.

## 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 the Agency 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 website for additional information on this process (<https://www2.epa.gov/pesticide-registration/public-participation-process-registration-actions>).

##### A. Notice of Receipt—New Active Ingredients

1. *File Symbol:* 2375–A. *Docket ID number:* EPA–HQ–OPP–2022–0317. *Applicant:* Chr. Hansen, Inc., 16300 W Lincoln Ave., New Berlin, WI 53151. *Product name:* CH4000. *Active ingredient:* Fungicide and nematicide—*Bacillus subtilis* strain CH4000 at 100%. *Proposed use:* For seed treatment and applications to soil. *Contact:* BPPD.

2. *File Symbol:* 2375–L. *Docket ID number:* EPA–HQ–OPP–2022–0317. *Applicant:* Chr. Hansen, Inc., 16300 W

Lincoln Ave., New Berlin, WI 53151.  
**Product name:** Kansas 3 SC. **Active ingredient:** Fungicide and nematocide—*Bacillus subtilis* strain CH4000 at 3.33%, *Bacillus paralicheniformis* strain CH2970 at 3.33%, and *Bacillus paralicheniformis* strain CH0273 at 3.33%. **Proposed use:** For seed treatment and applications to soil.  
**Contact:** BPPD.

3. **File Symbol:** 2375–T. **Docket ID number:** EPA–HQ–OPP–2022–0317. **Applicant:** Chr. Hansen, Inc., 16300 W Lincoln Ave., New Berlin, WI 53151. **Product name:** Kansas 3 WP. **Active ingredient:** Fungicide and nematocide—*Bacillus subtilis* strain CH4000 at 20%, *Bacillus paralicheniformis* strain CH2970 at 20%, and *Bacillus paralicheniformis* strain CH0273 at 20%. **Proposed use:** For seed treatment and applications to soil. **Contact:** BPPD.

4. **File Symbol:** 2375–U. **Docket ID number:** EPA–HQ–OPP–2022–0317. **Applicant:** Chr. Hansen, Inc., 16300 W Lincoln Ave., New Berlin, WI 53151. **Product name:** CH0273. **Active ingredient:** Fungicide and nematocide—*Bacillus paralicheniformis* strain CH0273 at 100%. **Proposed use:** For seed treatment and applications to soil. **Contact:** BPPD.

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

Dated: April 15, 2022.

**Delores Barber,**

*Director, Information Technology and Resources Management Division, Office of Program Support.*

[FR Doc. 2022–08762 Filed 4–22–22; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

[ET Docket No. 18–295, GN Docket No. 17–183; DA 22–253; FR ID 82111]

### Office of Engineering and Technology Seeks Comment Following Court Remand of 6 GHz Band Order

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In this document, the Commission invites comments in connection with the remand by the United States Court of Appeals for the District of Columbia Circuit of the Commission’s 6 GHz Report and Order. The 6 GHz Report and Order opened the 6 GHz band to the operation of unlicensed low power access points. The D.C. Circuit largely rejected a challenge of the 6 GHz Report and Order, but remanded to the Commission concerns raised by the National

Association of Broadcasters (NAB) regarding interference to unlicensed devices in the 2.4 GHz band.

**DATES:** Comments are due on or before May 25, 2022, and reply comments are due on or before June 9, 2022.

**ADDRESSES:** You may submit comments, identified by ET Docket No. 18–295 and GN Docket No. 17–183, by any of the following methods:

- **Electronic Filers:** Comments may be filed electronically using the internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.

- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing.

Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID–19. See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy, Public Notice, DA 20–304 (March 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>. **People with Disabilities:** To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

**People with Disabilities:** To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (tty).

**FOR FURTHER INFORMATION CONTACT:** Nicholas Oros, Office of Engineering and Technology, (202) 418–0636, email: [Nicholas.Oros@fcc.gov](mailto:Nicholas.Oros@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission’s document (Public Notice), in ET Docket No. 18–295 and GN Docket No. 17–183, DA 22–253, released on March 10, 2022. The full text of this document is available for public inspection and may be downloaded at: <https://www.fcc.gov/document/oet-seeks-comment-following-court-remand-6-ghz-band-order>.

### Synopsis

In the *Public Notice*, the Office of Engineering and Technology invites comments in connection with the remand by the United States Court of Appeals for the District of Columbia Circuit of the Commission’s 6 GHz Report and Order. On February 22, 2022, the court issued its mandate.

The Commission’s 6 GHz Report and Order “open[ed up] the entire 6 GHz band [(5.925–7.125 GHz)] for unlicensed indoor lower power access points.” The Commission found that “[t]hese access points will be ideal for connecting devices in homes and businesses such [as] smartphones, tablet devices, laptops, and Internet-of-Things devices to the Internet.” The Commission adopted several requirements to “protect the various incumbent-licensed services in the band, including fixed microwave services, various other fixed and mobile services, and fixed-satellite services.”

Among other things, the 6 GHz Report and Order required that the operation of devices relying on indoor low power access points be: “(1) limited to indoor operation” whereby “the signals transmitted by these unlicensed devices will be significantly attenuated when passing through the walls of buildings[;]” “(2) required to use a contention-based protocol,” such as a “listen before talk . . . scheme[;]” and “(3) subject to low-power operation,” which, as relevant here, means “a maximum radiated power spectral density of 5 dBm per 1 megahertz.” The Commission concluded that “the[se] restrictions and requirements . . . for indoor use of low power access points eliminat[e] any significant risk of causing harmful interference.”

Petitioners representing licensed commercial wireless service providers, electric utilities, public safety entities, and broadcasters operating in the 6 GHz band sought judicial review, asserting that the 6 GHz Report and Order contravened the Communications Act of 1934, as amended, and the Administrative Procedure Act.

The D.C. Circuit largely rejected these challenges. Holding that “petitioners have failed to provide a basis for