

this contract. These evaluations may be used in subsequent regulatory decisions under FIFRA.

Some of this information may be entitled to confidential treatment. The information has been submitted to EPA under FIFRA sections 3, 4, 6, and 7 and under FFDCA sections 408 and 409.

In accordance with the requirements of 40 CFR 2.307(h)(3), the contracts with Agile Decision Sciences, prohibits use of the information for any purpose not specified in these contracts; prohibits disclosure of the information to a third party without prior written approval from the Agency; and requires that each official and employee of the contractor sign an agreement to protect the information from unauthorized release and to handle it in accordance with the *FIFRA Information Security Manual*. In addition, Agile Decision Sciences is required to submit for EPA approval a security plan under which any CBI will be secured and protected against unauthorized release or compromise. No information will be provided to Agile Decision Sciences until the requirements in this document have been fully satisfied. Records of information provided to Agile Decision Sciences will be maintained by EPA Project Officers for these contracts. All information supplied to Agile Decision Sciences by EPA for use in connection with these contracts will be returned to EPA when Agile Decision Sciences has completed its work.

*Authority:* 7 U.S.C. 136 *et seq.*; 21 U.S.C. 301 *et seq.*

Dated: June 6, 2023.

**Delores Barber,**

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

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

**[EPA-HQ-OPP-2023-0070; FRL-10841-04-OCSPP]**

### Pesticide Product Registration; Receipt of Applications for New Active Ingredients April 2023

**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 June 12, 2023.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2023-0070, 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 and visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

#### FOR FURTHER INFORMATION CONTACT:

Charles Smith, Biopesticides and Pollution Prevention Division (BPPD) (7511M), main telephone number: (202) 566-1400, 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 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).

###### 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>).

#### Notice of Receipt—New Active Ingredients

1. *File Symbol:* 100361-R. *Docket ID number:* EPA-HQ-OPP-2023-0218. *Applicant:* Valto BV, Leehove 81, 2678 MB De Lier Zuid-Holland, 2678-MB, Netherlands (c/o SciReg., Inc., 12733 Director's Loop Woodbridge, VA 22192). *Product name:* V10. *Active ingredients:* Virucide—*Pepino mosaic virus*, strain LP, isolate VX11 at 0.0025% and *Pepino mosaic virus*, strain CH2, isolate VC1 at 0.0025%. *Proposed use:* For the protection of tomato plants grown in commercial production greenhouses from aggressive strains of *Pepino mosaic virus*. *Contact:* BPPD.

2. *File Symbol:* 101252-E. *Docket ID number:* EPA-HQ-OPP-2023-0241. *Applicant:* Lavie-Bio, Gad Feinstein 13, Rehovot 41732 Israel (c/o Delta Analytical Corporation, 12510 Prosperity Drive, Suite 160, Silver Spring, MD 20904). *Product name:* LAV.311 V. *Active ingredient:* Fungicide—*Pseudomonas coleopterorum* strain 49762 at 20%. *Proposed classification/Use:* Pre-harvest treatment. *Contact:* BPPD.

3. *File Symbol:* 101252–G. *Docket ID number:* EPA–HQ–OPP–2023–0241. *Applicant:* Lavie-Bio, Gad Feinstein 13, Rehovot 41732 Israel (c/o Delta Analytical Corporation, 12510 Prosperity Drive, Suite 160, Silver Spring, MD 20904). *Product name:* LAV.311 VC. *Active ingredient:* Fungicide—*Pseudomonas coleopterorum* strain 49762 at 20%. *Proposed classification/Use:* Pre-harvest treatment. *Contact:* BPPD.

4. *File Symbol:* 101252–R. *Docket ID number:* EPA–HQ–OPP–2023–0241. *Applicant:* Lavie-Bio, Gad Feinstein 13, Rehovot 41732 Israel (c/o Delta Analytical Corporation, 12510 Prosperity Drive, Suite 160, Silver Spring, MD 20904). *Product name:* LAV.311 C. *Active ingredient:* Fungicide—*Pseudomonas coleopterorum* strain 49762 at 20%. *Proposed classification/Use:* Pre-harvest treatment. *Contact:* BPPD.

5. *File Symbol:* 101252–U. *Docket ID number:* EPA–HQ–OPP–2023–0241. *Applicant:* Lavie-Bio, Gad Feinstein 13, Rehovot 41732 Israel (c/o Delta Analytical Corporation, 12510 Prosperity Drive, Suite 160, Silver Spring, MD 20904). *Product name:* LAV.311 WDG. *Active ingredient:* Fungicide—*Pseudomonas coleopterorum* strain 49762 at 28%. *Proposed classification/Use:* Pre-harvest treatment. *Contact:* BPPD.

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

Dated: June 6, 2023.

**Delores Barber,**

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

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2020–0392; FRL–8323.1–02–OW]

### Final Guidance for Vessel Sewage No-Discharge Zone Applications

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) is announcing the availability of the “Guidance for Vessel Sewage No-Discharge Zone Applications (Clean Water Act Section 312(f)).” State officials interested in developing vessel sewage no-discharge zone applications should consult the guidance to understand the information that must be submitted to EPA to meet the regulatory requirements and EPA’s

process for evaluating applications. The guidance reflects EPA’s consideration of public comments received in response to the agency’s June 27, 2022 **Federal Register** publication. The contents of this guidance document do not have the force and effect of law and are not meant to bind the public. This document is intended to provide information to State officials regarding existing requirements under the law or agency policies.

#### FOR FURTHER INFORMATION CONTACT:

Kelsey Watts-FitzGerald, Oceans, Wetlands, and Communities Division, Office of Water (4504T), Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: 202–566–0232; email address: [watts-fitzgerald.kelsey@epa.gov](mailto:watts-fitzgerald.kelsey@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Clean Water Act (CWA) section 312 establishes the statutory framework through which EPA and the U.S. Coast Guard regulate the discharge of sewage from vessels with installed toilets operating in U.S. navigable waters. EPA is responsible for establishing national standards of performance for marine sanitation devices (MSDs) to prevent inadequately treated sewage from polluting U.S. waters, while the U.S. Coast Guard is responsible for issuing regulations governing the design, construction, certification, installation, and operation of MSDs, consistent with EPA’s standards. MSDs are equipment installed onboard vessels that either treat sewage prior to discharge or store sewage onboard for later disposal. If a State determines that some or all of the State’s waters require greater protection, the CWA allows the State to apply to EPA for the establishment of a vessel sewage no-discharge zone. A vessel sewage no-discharge zone is an area where the discharge of both treated and untreated sewage from vessels is prohibited. There are three different types of vessel sewage no-discharge zones that may be designated under CWA section 312(f). For each type, the State must submit an application to EPA pursuant to the regulatory requirements detailed in 40 CFR 140.4.

In 1994, EPA published guidance, “Protecting Coastal Waters from Vessel and Marina Discharges: A Guide for State and Local Officials, Volume 1. Establishing No-Discharge Areas under § 312 of the Clean Water Act” (EPA 842–B–94–004, August 1994), to assist States in preparing applications based on the regulatory requirements. The “Guidance for Vessel Sewage No-

Discharge Zone Applications (Clean Water Act Section 312(f))” supersedes the 1994 guidance.

##### II. Overview of the Guidance

The guidance provides background information on the environmental impacts of vessel sewage and the regulations in place to protect U.S. waters from this type of discharge. The guidance also explains and clarifies the information that EPA requires in an application and provides examples of the information that the State may choose to include to assist EPA in making an informed decision. The appendices contain sample applications, information on related programs, a walkthrough of the tool that supports EPA’s analysis of costs for one of the three designation types, and strategies States may consider to encourage compliance with a no-discharge zone designation.

Key updates made to the guidance since the 1994 version include the addition of new guidance and sample applications for the two CWA section 312(f)(4) designations, as well as updated introductory sections on the impact of sewage discharges and the regulatory framework in place to mitigate these impacts. The guidance also clarifies how to account for mobile pumpout facilities, such as boats and trucks, and provides additional information on how to demonstrate that sewage removed from vessels is being treated in conformance with Federal law. Finally, in the sections pertaining to CWA section 312(f)(3) applications, the guidance distinguishes between recreational and commercial vessels in acknowledgement of differing vessel profiles and pumpout facility needs.

Other updates were made to explain EPA’s process for evaluating State applications. The most substantial update to EPA’s review process is the inclusion of a new cost analysis for applications submitted under CWA section 312(f)(3). In addition to describing how EPA may conduct cost analyses for CWA section 312(f)(3) applications, the guidance is also accompanied by a spreadsheet-based tool, the “No-Discharge Zone Cost Analysis Tool,” to help standardize the agency’s approach to evaluating costs.

##### III. Public Comments Received

On June 27, 2022, EPA published a **Federal Register** notice (87 FR 38151) to solicit public comments on the draft guidance. EPA received 10 comments during the 60-day comment period. Commenters provided recommendations regarding the types of information identified as required