

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 721

[EPA-HQ-OPPT-2017-0366; FRL-9999-12]

RIN 2070-AB27

Significant New Use Rules on Certain Chemical Substances; Technical Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; technical correction.

SUMMARY: EPA issued a final rule in the **Federal Register** of August 20, 2019 for 145 chemical substances that were the subject of premanufacture notices (PMNs). For the chemical substances that were the subjects of PMNs P-17-33, P-17-87, P-17-88 and P-17-101, EPA inadvertently listed incorrect Chemical Abstract Service (CAS) Registry Numbers. This document is being issued to correct these errors.

DATES: This technical correction is effective on October 22, 2019.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2017-0366, 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. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Kenneth Moss, Chemical Control Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 564-9232; email address: moss.kenneth@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.

SUPPLEMENTARY INFORMATION:

I. What does this technical correction do?

EPA issued a final rule in the **Federal Register** of August 20, 2019 (84 FR 43266) (FRL-9994-72) for significant new uses for 145 chemical substances that were the subject of PMN notices. EPA included the wrong Chemical Abstracts Service (CAS) Registry Numbers for four of the chemical substances listed in the significant new use rules (SNURs) codified in 40 CFR 721.11053 (PMN P-17-33 and P-17-87), 40 CFR 721.11054 (PMN P-17-88) and 721.11055 (PMN P-17-101). This action corrects these errors as follows:

- In Table 1 to 40 CFR 721.11053—Halogenated Sodium Benzoate Salts, the CAS number for PMN P-17-33 is corrected from 6654-64-4 to 490-97-1 and the CAS number for PMN P-17-87 is corrected from 938142-13-2 to 1938142-13-2.
- In Table 1 to 40 CFR 721.11054—Halogenated Benzoic Acids, the CAS number for PMN P-17-88 will be corrected from 11007-16-5 to 1007-16-5.
- In Table 1 to 40 CFR 721.11055—Halogenated Benzoic Acid Ethyl Esters, the CAS number for PMN P-17-101 is corrected from 351354-50-2 to 139911-28-7.

II. Why is this correction issued as a final rule?

Section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)(3)(B)) provides that, when an Agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, the Agency may issue a final rule without providing notice and an opportunity for public comment. EPA has determined that there is good cause for making this technical correction final without prior proposal and opportunity for comment. Correcting the

wrong CAS Registry numbers listed in the August 20, 2019 SNUR is necessary for the proper identification of the chemical substances. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

III. Do any of the statutory and Executive Order reviews apply to this action?

No. For a detailed discussion concerning the statutory and Executive Order review, refer to Unit XII. of the August 20, 2019 final rule.

IV. Congressional Review Act (CRA)

Pursuant to the CRA (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: September 26, 2019.

Tala Henry,
Deputy Director, Office of Pollution Prevention and Toxics.

Therefore, 40 CFR part 721 is corrected as follows:

PART 721—[AMENDED]

- 1. The authority citation for part 721 continues to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625(c).

- 2. In § 721.11053, revise paragraph (a)(1) to read as follows:

§ 721.11053 Certain halogenated sodium benzoate salts.

(a) *Chemical substance and significant new uses subject to reporting.*
(1) The chemical substances listed in Table 1 of this section is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

TABLE 1 TO § 721.11053—HALOGENATED SODIUM BENZOATE SALTS

PMN No.	CAS No.	Chemical name
P-17-33	490-97-1	Benzoic acid, 2-fluoro-, sodium salt (1:1).
P-17-34	499-90-1	Benzoic acid, 4-fluoro-, sodium salt (1:1).
P-17-36	67852-79-3	Benzoic acid, 2,3,4,5-tetrafluoro-, sodium salt (1:1).
P-17-38	2966-44-1	Benzoic acid, 2-(trifluoromethyl)-, sodium salt (1:1).
P-17-39	25832-58-0	Benzoic acid, 4-(trifluoromethyl)-, sodium salt (1:1).
P-17-41	522651-42-9	Benzoic acid, 2,5-difluoro-, sodium salt (1:1).
P-17-42	499-57-0	Benzoic acid, 3-fluoro-, sodium salt (1:1).

TABLE 1 TO § 721.11053—HALOGENATED SODIUM BENZOATE SALTS—Continued

PMN No.	CAS No.	Chemical name
P-17-43	6185-28-0	Benzoic acid, 2,6-difluoro-, sodium salt (1:1).
P-17-45	530141-39-0	Benzoic acid, 3,5-difluoro-, sodium salt (1:1).
P-17-47	1765-08-8	Benzoic acid, 2,4-difluoro-, sodium salt (1:1).
P-17-50	522651-44-1	Benzoic acid, 3,4-difluoro-, sodium salt (1:1).
P-17-52	1180493-12-2	Benzoic acid, 3,4,5-trifluoro-, sodium salt (1:1).
P-17-55	402955-41-3	Benzoic acid, 2,3,4-trifluoro-, sodium salt (1:1).
P-17-57	522651-48-5	Benzoic acid, 2,4,5-trifluoro-, sodium salt (1:1).
P-17-59	1604819-08-0	Benzoic acid, 2,3-difluoro-, sodium salt (1:1).
P-17-61	69226-41-1	Benzoic acid, 3-(trifluoromethyl)-, sodium salt (1:1).
P-17-62	17264-74-3	Benzoic acid, 2-chloro-, sodium salt (1:1).
P-17-63	3686-66-6	Benzoic acid, 4-chloro-, sodium salt (1:1).
P-17-64	17264-88-9	Benzoic acid, 3-chloro-, sodium salt (1:1).
P-17-66	118537-84-1	Benzoic acid, 2,3-dichloro-, sodium salt (1:1).
P-17-67	63891-98-5	Benzoic acid, 2,5-dichloro-, sodium salt (1:1).
P-17-69	154862-40-5	Benzoic acid, 3,5-dichloro-, sodium salt (1:1).
P-17-71	10007-84-8	Benzoic acid, 2,6-dichloro-, sodium salt (1:1).
P-17-72	17274-10-1	Benzoic acid, 3,4-dichloro-, sodium salt (1:1).
P-17-73	38402-11-8	Benzoic acid, 2,4-dichloro-, sodium salt (1:1).
P-17-75	855471-43-1	Benzoic acid, 2-chloro-4-fluoro-, sodium salt.
P-17-76	1421761-18-3	Benzoic acid, 3-chloro-4-fluoro-, sodium salt.
P-17-79	1382106-78-6	Benzoic acid, 5-chloro-2-fluoro-, sodium salt.
P-17-80	1421029-88-0	Benzoic acid, 4-chloro-3-fluoro-, sodium salt.
P-17-83	1382106-64-0	Benzoic acid, 4-chloro-2-fluoro-, sodium salt.
P-17-85	1938142-12-1	Benzoic acid, 5-bromo-2-chloro-, sodium salt.
P-17-87	1938142-13-2	Benzoic acid, 3-bromo-4-fluoro-, sodium salt.
P-17-90	1938142-14-3	Benzoic acid, 2-bromo-5-fluoro-, sodium salt.
P-17-91	1938142-15-4	Benzoic acid, 4-bromo-2-fluoro-, sodium salt.
P-17-93	1535169-81-3	Benzoic acid, 4-bromo-3-fluoro-, sodium salt.

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■ 3. In § 721.11054, revise paragraph (a)(1) to read as follows:

§ 721.11054 Certain halogenated benzoic acids.

(a) *Chemical substance and significant new uses subject to reporting.*
(1) The chemical substances listed in

Table 1 of this section is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

TABLE 1 TO § 721.11054—HALOGENATED BENZOIC ACIDS

PMN No.	CAS No.	Chemical name
P-17-35	1201-31-6	Benzoic acid, 2,3,4,5-tetrafluoro-.
P-17-37	433-97-6	Benzoic acid, 2-(trifluoromethyl)-.
P-17-40	2991-28-8	Benzoic acid, 2,5-difluoro-.
P-17-44	385-00-2	Benzoic acid, 2,6-difluoro-.
P-17-46	455-40-3	Benzoic acid, 3,5-difluoro-.
P-17-48	1583-58-0	Benzoic acid, 2,4-difluoro-.
P-17-51	455-86-7	Benzoic acid, 3,4-difluoro-.
P-17-53	121602-93-5	Benzoic acid, 3,4,5-trifluoro-.
P-17-54	61079-72-9	Benzoic acid, 2,3,4-trifluoro-.
P-17-56	446-17-3	Benzoic acid, 2,4,5-trifluoro-.
P-17-58	4519-39-5	Benzoic acid, 2,3-difluoro-.
P-17-60	454-92-2	Benzoic acid, 3-(trifluoromethyl)-.
P-17-65	50-45-3	Benzoic acid, 2,3-dichloro-.
P-17-68	51-36-5	Benzoic acid, 3,5-dichloro-.
P-17-70	50-30-6	Benzoic acid, 2,6-dichloro-.
P-17-74	2252-51-9	Benzoic acid, 2-chloro-4-fluoro-.
P-17-77	394-30-9	Benzoic acid, 5-chloro-2-fluoro-.
P-17-78	403-16-7	Benzoic acid, 3-chloro-4-fluoro-.
P-17-81	403-17-8	Benzoic acid, 4-chloro-3-fluoro-.
P-17-82	446-30-0	Benzoic acid, 4-chloro-2-fluoro-.
P-17-84	21739-92-4	Benzoic acid, 5-bromo-2-chloro-.
P-17-88	1007-16-5	Benzoic acid, 3-bromo-4-fluoro-.
P-17-89	394-28-5	Benzoic acid, 2-bromo-5-fluoro-.
P-17-92	153556-42-4	Benzoic acid, 4-bromo-3-fluoro-.
P-17-97	112704-79-7	Benzoic acid, 4-bromo-2-fluoro-.

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■ 4. In § 721.11055, revise paragraph (a)(1) to read as follows:

§ 721.11055 Certain halogenated benzoic acids ethyl esters.
 (a) *Chemical substance and significant new uses subject to reporting.*
 (1) The chemical substances listed in

Table 1 of this section is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

TABLE 1 TO § 721.11055—HALOGENATED BENZOIC ACID ETHYL ESTERS

PMN No.	CAS No.	Chemical name
P-17-94	122894-73-9	Benzoic acid, 2,3,4,5-tetrafluoro-, ethyl ester.
P-17-95	583-02-8	Benzoic acid, 4-(trifluoromethyl)-, ethyl ester.
P-17-96	577-62-8	Benzoic acid, 2-(trifluoromethyl)-, ethyl ester.
P-17-98	19064-14-3	Benzoic acid, 2,6-difluoro-, ethyl ester.
P-17-99	708-25-8	Benzoic acid, 2,5-difluoro-, ethyl ester.
P-17-100	351354-50-2	Benzoic acid, 2,3,4-trifluoro-, ethyl ester.
P-17-101	139911-28-7	Benzoic acid, 2-bromo-5-fluoro-, ethyl ester.
P-17-102	350-19-6	Benzoic acid, 3,5-difluoro-, ethyl ester.
P-17-103	76008-73-6	Benzoic acid, 5-bromo-2-chloro-, ethyl ester.
P-17-104	1128-76-3	Benzoic acid, 3-chloro-, ethyl ester.
P-17-105	7335-25-3	Benzoic acid, 2-chloro-, ethyl ester.
P-17-114	137521-81-4	Benzoic acid, 3-chloro-4-fluoro-, ethyl ester.
P-17-122	474709-71-2	Benzoic acid, 4-bromo-2-fluoro-, ethyl ester.
P-17-123	144267-97-0	Benzoic acid, 2-bromo-4,5-difluoro-, ethyl ester.
P-17-124	1130165-74-0	Benzoic acid, 4-bromo-3-fluoro-, ethyl ester.
P-17-125	23233-33-2	Benzoic acid, 3-bromo-4-fluoro-, ethyl ester.
P-17-126	4793-20-8	Benzoic acid, 4-chloro-2-fluoro-, ethyl ester.
P-17-127	35112-27-7	Benzoic acid, 2,5-dichloro-, ethyl ester.
P-17-128	203573-08-4	Benzoic acid, 4-chloro-3-fluoro-, ethyl ester.
P-17-129	167758-87-4	Benzoic acid, 2-chloro-4-fluoro-, ethyl ester.
P-17-130	773139-56-3	Benzoic acid, 5-chloro-2-fluoro-, ethyl ester.
P-17-131	108928-00-3	Benzoic acid, 2,4-difluoro-, ethyl ester.
P-17-132	144267-96-9	Benzoic acid, 3,4-difluoro-, ethyl ester.
P-17-133	495405-09-9	Benzoic acid, 3,4,5-trifluoro-, ethyl ester.
P-17-134	351354-41-1	Benzoic acid, 2,4,5-trifluoro-, ethyl ester.
P-17-135	76783-59-0	Benzoic acid, 3-(trifluoromethyl)-, ethyl ester.
P-17-136	773134-65-9	Benzoic acid, 2,3-difluoro-, ethyl ester.
P-17-137	81055-73-4	Benzoic acid, 2,6-dichloro-, ethyl ester.
P-17-138	91085-56-2	Benzoic acid, 3,5-dichloro-, ethyl ester.
P-17-139	56882-52-1	Benzoic acid, 2,4-dichloro-, ethyl ester.
P-17-140	28394-58-3	Benzoic acid, 3,4-dichloro-, ethyl ester.

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2019-0003; Internal Agency Docket No. FEMA-8601]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain

management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date. Also, information identifying the current participation status of a community can be obtained from FEMA’s Community Status Book (CSB). The CSB is available at <https://www.fema.gov/national-flood-insurance-program-community-status-book>.

DATES: The effective date of each community’s scheduled suspension is the third date (“Susp.”) listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact Adrienne L. Sheldon, PE, CFM, Federal Insurance

and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 212-3966.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in