

This action is not a "major rule" as defined by 5 U.S.C. section 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by March 3, 2008. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: November 16, 2007.

Laura Yoshii,

Acting Regional Administrator, Region IX.

■ Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

■ 2. Section 52.220 is amended by adding paragraphs (c)(351)(i)(B)(2), (B)(3), and (C) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *
(351) * * *
(i) * * *
(B) * * *

(2) Rules 415 and 418, adopted on September 1, 1974 and revised on February 21, 2007 and March 21, 2007, respectively.

(3) Rule 1002, adopted on February 22, 1989 and revised on March 21, 2007.

(C) San Joaquin Valley Air Pollution Control District.

(1) Rules 4104, 4404, 4453, and 4454, adopted on May 21, 1992 and amended on December 17, 1992.

(2) Rules 4402, 4625, 4641, and 4672, adopted on April 11, 1991 and amended on December 17, 1992.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA-HQ-OPP-2007-0766; FRL-8345-4]

RIN 2070-AJ28

Pesticide Tolerance Crop Grouping Program; Technical Amendment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; technical amendment.

SUMMARY: EPA issued a final rule in the **Federal Register** of December 7, 2007 (72 FR 69150) (FRL-8343-1), concerning amendments and revisions to the pesticide tolerance crop grouping regulations. This document is being issued to correct an omission in one of the crop grouping tables and to remove unnecessary scientific names from another table.

DATES: This final rule is effective January 2, 2008.

ADDRESSES: EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2007-0766. To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the www.regulations.gov web site to view the docket index or access available documents. All documents in the docket are listed in the docket index available in www.regulations.gov. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

FOR FURTHER INFORMATION CONTACT: Rame Cromwell, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone

number: 703-308-9068; fax number: 703-305-5884; e-mail address: cromwell.rame@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

The Agency included in the final rule a list of those who may be potentially affected by this action. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under the **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Access Electronic Copies of this Document and Other Related Information?

In addition to using www.regulations.gov, you may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr>.

II. What Does this Technical Amendment Do?

EPA issued a final rule in the **Federal Register** of December 7, 2007 (72 FR 69150) (FRL-8343-1), concerning amendments and revisions to the pesticide tolerance crop grouping regulations. This document is being issued to correct an omission in the crop grouping table in § 180.41(c)(15)(ii) for Gooseberry, and to remove unnecessary scientific names from the crop group 21 table in § 180.41(c)(22)(ii).

III. Why is this Technical Amendment Issued as a Final Rule?

Section 553 of the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(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 today's technical amendment final without prior proposal and opportunity for comment, because this technical amendment merely adds two subgroup numbers which were inadvertently left out to one table, and removes unnecessary scientific nomenclature from another table. This technical amendment does not change the impact of the December 7, 2007 document. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(B).

IV. Do Any of the Statutory and Executive Order Reviews Apply to this Action?

EPA included the necessary statutory and Executive Order reviews in the December 7, 2007 final rule.

V. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before a rule may take effect, the Agency promulgating the rule must submit a rule report to each House of the Congress and to the Comptroller General of the United States. 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 this final rule in the **Federal Register**. This final rule is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Pesticides and pest.

Dated: December 13, 2007.

James Jones,
Acting Assistant Administrator for Prevention, Pesticides, and Toxic Substances.

■ Therefore, 40 CFR part 180 is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a, and 371.

■ 2. Section 180.41 is amended by revising the entry for “Gooseberry (*ribes* spp)” in table 1 to paragraph (c)(15)(ii), and by revising the Crop Group 21 table in paragraph (c)(22)(ii) to read as follows:

§ 180.41 Crop group tables.

- * * * * *
- (c) * * *
- (15) * * *
- (ii) * * *

TABLE 1.—CROP GROUP 13-07: BERRY AND SMALL FRUIT CROP GROUP

Commodities	Related crop subgroups
* * * * *	
Gooseberry (<i>Ribes</i> spp.)	13-07B, 13-07D, 13-07E, 13-07F
* * * * *	

- * * * * *
- (22) * * *
- (ii) * * *

CROP GROUP 21.—EDIBLE FUNGI GROUP—COMMODITIES

- Blewitt (*Lepista nuda*)
- Bunashimeji (*Hypsizygus marmoreus*)
- Chinese mushroom (*Volvariella volvacea*) (Bull.) Singer
- Enoki (*Flammulina velutipes*) (Curt.) Singer
- Hime-Matsutake (*Agaricus blazei*) Murill
- Hirneola (*Auricularia auricular*)
- Maitake (*Grifola frondosa*)
- Morel (*Morchella* spp.)
- Nameko (*Pholiota nameko*)
- Net Bearing (*Dictyophora*)
- Oyster mushroom (*Pleurotus* spp.)
- Pom Pom (*Hericium erinaceus*)
- Reishi mushroom (*Ganoderma lucidum*) (Leyss. Fr.) Karst.)
- Rodman’s agaricus (*Agaricus bitorquis*) (Quel.) Saccardo
- Shiitake mushroom (*Lentinula edodes*) (Berk.) Pegl.)
- Shimeji (*Tricholoma conglobatum*)
- Stropharia (*Stropharia* spp.)
- Truffle (*Tuber* spp.)
- White button mushroom (*Agaricus bisporous*) (Lange) Imbach)
- White Jelly Fungi (*Tremella fuciformis*)

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2006–0732; FRL–8342–6]

Trifloxystrobin; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: This regulation establishes tolerances for the combined residues of trifloxystrobin, and its free form acid metabolite in or on asparagus; papaya; sapote, black; canistel; sapote, mamey; mango; sapodilla; star apple; vegetable, root, except sugar beet, subgroup 1B; radish, tops; fruit, citrus, group 10; citrus, oil; citrus, dried pulp; and strawberry. Interregional Research Project Number 4 (IR–4), and Bayer Crop Science requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

DATES: This regulation is effective January 2, 2008. Objections and requests for hearings must be received on or before March 3, 2008, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: EPA has established a docket for this action under docket identification (ID) number EPA–HQ–OPP–2006–0732. To access the electronic docket, go to <http://www.regulations.gov>, select “Advanced

Search,” then “Docket Search.” Insert the docket ID number where indicated and select the “Submit” button. Follow the instructions on the [regulations.gov](http://www.regulations.gov) website to view the docket index or access available documents. All documents in the docket are listed in the docket index available in [regulations.gov](http://www.regulations.gov). Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S–4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The Docket Facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305–5805.

FOR FURTHER INFORMATION CONTACT: Shaja R. Brothers, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 308–3194; e-mail address: brothers.shaja@epa.gov.

SUPPLEMENTARY INFORMATION: