

persons who are or may be required to conduct testing of chemical substances under the Federal Food, Drug and Cosmetics Act (FFDCA), or the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and those who sell, distribute or use pesticides, as well as any Non-Government Organization.

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. How can I get copies of this document and other related information?*

The docket for this action, Identified by docket ID number EPA-HQ-OPP-2014-0002 is available at <http://www.regulations.gov>, or at the Office of Pesticide Programs Regulatory Public Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. 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 OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

## II. Tentative Agenda Topics

1. Issue Papers Status.
2. Pesticide Registration Review Update.
3. Endangered Species Act (ESA) Lawsuits Status.
4. ESA Consultation Process.
5. National Academy of Science Implementation Stakeholder Webinar.
6. Soil Fumigation Re-Registration, Other Re-Registration Issues.
7. Status of Pollinator Protection Issues Policy Development.
8. Pollinator Protection Label Language Issue Paper.
9. Environmental Hazards Statements Conflicts With Directions for Use Statements.
10. National Pesticide Information Center/State Lead Agency Information Exchange.
11. Project Officer Training Workgroup Report.
12. Results from Pre-State FIFRA Issues Research and Evaluation Group (SFIREG) Meetings.
13. SFIREG/EPA Discussion—Role and Responsibilities of Working Committees.
14. OECA Update.
15. Program Performance Measures Development and Implementation Pilot Project.
16. Tribal Pesticide Program Council (TPPC) Report.

17. Tribal Pesticide Policy Council/SLA Project Initiative.

## III. How can I request to participate in this meeting?

This meeting is open for the public to attend. You may attend the meeting without further notification.

### List of Subjects

Environmental protection.

Dated: May 1, 2014.

**Brian Frazer**,

*Acting Director, Field and External Affairs Division, Office of Pesticide Programs.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9910-98-Region-1]

### Notice of Availability of Draft Npdes General Permits Mag250000 and Nhg250000 for Discharges of Non-Contact Cooling Water in Massachusetts and New Hampshire: the Non-Contact Cooling Water General Permit (NCCW GP)

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

**ACTION:** Notice of Availability of Draft Npdes General Permits MAG250000 and NHG250000.

**SUMMARY:** The Director of the Office of Ecosystem Protection, EPA—Region 1, is providing a notice of availability of draft National Pollutant Discharge Elimination System (NPDES) general permits for non-contact cooling water discharges to certain waters of the Commonwealth of Massachusetts and the State of New Hampshire. These General Permits replace the Non-contact Cooling Water General Permit (NCCW GP) that expired on July 31, 2013.

**DATES:** Comment on the draft general permits must be received on or before June 16, 2014.

*Public Hearing Information:* EPA will hold a public hearing, if necessary, in accordance with 40 CFR 124.12 and will provide interested parties with the opportunity to provide written and/or oral comments for the official administrative record.

**ADDRESSES:** Comments on the draft NCCW GP shall be submitted by one of the following methods:

(1) Email: [warner.suzanne@epa.gov](mailto:warner.suzanne@epa.gov) or

(2) Mail: Suzanne Warner, US EPA—Region 1, 5 Post Office Square—Suite 100, Mail Code OEP06-4, Boston, MA 02109-3912.

No facsimiles (faxes) will be accepted.

The draft permit is based on an administrative record available for public review at EPA—Region 1, Office of Ecosystem Protection, 5 Post Office Square—Suite 100, Boston, Massachusetts 02109-3912. A reasonable fee may be charged for copying requests. The fact sheet for the draft general permit sets forth principal facts and the significant factual, legal, methodological and policy questions considered in the development of the draft permit and is available upon request. A brief summary is provided as supplementary information below.

### FOR FURTHER INFORMATION CONTACT:

Additional information concerning the draft NCCW GP may be obtained between the hours of 9 a.m. and 5 p.m. Monday through Friday, excluding holidays, from Suzanne Warner, Office of Ecosystem Protection, 5 Post Office Square—Suite 100, Boston, MA 02109-3912; telephone: 617-918-1383; email: [warner.suzanne@epa.gov](mailto:warner.suzanne@epa.gov).

### SUPPLEMENTARY INFORMATION:

EPA is proposing to reissue two draft general permits for non-contact cooling water discharges from facilities located in Massachusetts and New Hampshire. While the draft general permits are two distinct permits, for convenience, EPA has grouped them together in a single document and has provided a single fact sheet for the two draft general permits. This document refers to the draft general “permit” in the singular. The draft general permit, appendices and fact sheet are available at: <http://www.epa.gov/region1/npdes/nccwgp.html>.

The draft general permit establishes Notice of Intent (NOI) requirements, effluent limitations, standards, prohibitions, and in some cases best technology available (BTA) requirements for facilities that discharge small amounts of non-contact cooling water in Massachusetts and New Hampshire.

The draft permit includes effluent limitations based on best professional judgment (BPJ) and water quality considerations. The effluent limits established in the draft permit assure that the surface water quality standards of the receiving water are maintained and/or attained.

Non-contact cooling water is water used for cooling that does not come into contact with any raw material, intermediate product, waste product, or finished product; the only anticipated pollutant is heat. Discharges composed of anything other than non-contact cooling water will not be granted coverage under this general permit. Those dischargers must seek coverage

under an individual permit or an appropriate general permit.

The permit also contains BTA requirements for cooling water intake structures for facilities that withdraw less than 1 MGD of surface water for non-contact cooling in order to ensure source water protection. For facilities that use groundwater or municipal drinking water for non-contact cooling, the permit establishes effluent limitations and/or additional monitoring for expected constituents (metals and residual chlorine, respectively).

### Other Legal Requirements

#### Endangered Species Act (ESA)

EPA has updated the provisions and necessary actions and documentation related to potential impacts to endangered species from facilities seeking coverage under the NCCW GP. EPA has requested concurrence from the appropriate federal services (U.S. Fish and Wildlife Service and National Marine Fisheries Service) in connection with this draft permit.

#### National Historic Preservation Act (NHPA)

In accordance with NHPA, EPA has established provisions and documentation requirements for facilities seeking coverage under the NCCW GP to ensure that discharges or actions taken under this permit will not adversely affect historic properties and places. EPA has requested concurrence from the appropriate state historic preservation officers (SHPOs) with the draft permit.

**Authority:** This action is being taken under the Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: May 8, 2014.

**Deborah Szaro,**

*Deputy Regional Administrator.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2014-0335; FRL-9910-28]

### Pesticide Emergency Exemptions; Agency Decisions and State and Federal Agency Crisis Declarations

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

**ACTION:** Notice.

**SUMMARY:** EPA has granted emergency exemptions under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for use of pesticides as

listed in this notice. The exemptions were granted during the period October 1, 2013 to March 31, 2014 to control unforeseen pest outbreaks.

**FOR FURTHER INFORMATION CONTACT:** Lois Rossi, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 305-7090; email address: [RDfRNNotices@epa.gov](mailto:RDfRNNotices@epa.gov).

### 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).
- Pesticide manufacturing (NAICS code 32532).

##### 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-OPP-2014-0335, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. 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 OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

#### II. Background

EPA has granted emergency exemptions to the following State and Federal agencies. The emergency exemptions may take the following form: Crisis, public health, quarantine, or specific.

Under FIFRA section 18, EPA can authorize the use of a pesticide when emergency conditions exist. Authorizations (commonly called

emergency exemptions) are granted to State and Federal agencies and are of four types:

1. A “specific exemption” authorizes use of a pesticide against specific pests on a limited acreage in a particular State. Most emergency exemptions are specific exemptions.

2. “Quarantine” and “public health” exemptions are emergency exemptions issued for quarantine or public health purposes. These are rarely requested.

3. A “crisis exemption” is initiated by a State or Federal agency (and is confirmed by EPA) when there is insufficient time to request and obtain EPA permission for use of a pesticide in an emergency.

EPA may deny an emergency exemption: If the State or Federal agency cannot demonstrate that an emergency exists, if the use poses unacceptable risks to the environment, or if EPA cannot reach a conclusion that the proposed pesticide use is likely to result in “a reasonable certainty of no harm” to human health, including exposure of residues of the pesticide to infants and children.

If the emergency use of the pesticide on a food or feed commodity would result in pesticide chemical residues, EPA establishes a time-limited tolerance meeting the “reasonable certainty of no harm standard” of the Federal Food, Drug, and Cosmetic Act (FFDCA).

In this document: EPA identifies the State or Federal agency granted the exemption, the type of exemption, the pesticide authorized and the pests, the crop or use for which authorized, and the duration of the exemption.

#### III. Emergency Exemptions

##### A. U.S. States and Territories

###### Alabama

Department of Agriculture

*Specific exemption:* EPA authorized the use of potassium salt of hop beta acids in beehives to control varroa mite; February 27, 2014 to December 31, 2014.

###### Arkansas

State Plant Board

*Specific exemption:* EPA authorized the use of anthraquinone on rice seed to repel blackbirds; February 28, 2014 to June 1, 2014.

###### California

Department of Environmental Protection

*Specific exemption:* EPA authorized the use of etofenprox in mushroom houses to control phorid and sciarid flies; February 7, 2014 to February 7, 2015.