

required by FFDCA section 408(b)(4). The Codex Alimentarius is a joint United Nations Food and Agriculture Organization/World Health Organization food standards program, and it is recognized as an international food safety standards-setting organization in trade agreements to which the United States is a party. EPA may establish a tolerance that is different from a Codex MRL; however, FFDCA section 408(b)(4) requires that EPA explain the reasons for departing from the Codex level.

The Codex has established MRLs for etoxazole in or on citrus fruits at 0.1 ppm. EPA is establishing a tolerance for residues in or on orange of 0.10 ppm in order to harmonize with the Codex MRL.

C. Revisions to Petitioned-For Tolerances

EPA has revised the proposed tolerance levels for orange and orange oil from 0.08 and 1.8 ppm to 0.10 and 1.0 ppm, respectively. EPA is establishing a tolerance of 0.10 ppm for orange in order to harmonize with the Codex MRL. Additionally, based on the orange raw agricultural commodity highest-average field-trial residue of 0.048 ppm and the median orange oil processing factor of 20x, EPA is establishing a tolerance for orange, oil at 1.0 ppm. In addition, EPA is revising the commodity terms for orange oil to read as orange, oil to be consistent with the Agency's commodity vocabulary.

V. Conclusion

Therefore, tolerances are established for residues of etoxazole (2-(2,6-difluorophenyl)-4-[4-(1,1-dimethylethyl)-2-ethoxyphenyl]-4,5-dihydrooxazole), in or on orange and orange, oil at 0.10 ppm and 1.0 ppm, respectively.

VI. Statutory and Executive Order Reviews

This action establishes tolerances under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled "Regulatory Planning and Review" (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled "Protection of Children from Environmental Health

Risks and Safety Risks" (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerances in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled "Federalism" (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled "Consultation and Coordination with Indian Tribal Governments" (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VII. Congressional Review Act

Pursuant to the Congressional Review Act (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 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: November 23, 2015.

Susan Lewis,
Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I 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. In § 180.593, add alphabetically the following commodities and footnote 2 to the table in paragraph (a) to read as follows:

§ 180.593 Etoxazole; tolerances for residues.

(a) * * *

Commodity	Parts per million
* * * * *	*
Orange ²	0.10
Orange, oil ²	1.0
* * * * *	*

²There are no U.S. registrations for orange and orange, oil as of December 2, 2015.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA-HQ-OPP-2014-0804; FRL-9937-02]

Hexythiazox; Pesticide Tolerances; Technical Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; technical correction.

SUMMARY: EPA issued a final rule in the **Federal Register** of August 14, 2015, concerning the establishment of tolerances with regional registrations for residues of hexythiazox in or on wheat. This document corrects a technical error, specifically, the omission of regions in the commodity definitions.

DATES: This final rule correction is effective December 2, 2015.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2014-0804 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), West William Jefferson Clinton 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>.

FOR FURTHER INFORMATION CONTACT: Susan Lewis, 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: RDFRNotices@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this action apply to me?

The Agency included in the August 14, 2015 final rule a list of those who may be potentially affected by this action.

II. What does this technical correction do?

EPA issued a final rule in the **Federal Register** of August 14, 2015 (80 FR 48753) (FRL-9931-30) that established tolerances with regional registrations for residues of hexythiazox in or on wheat. EPA inadvertently limited the tolerances to Region 11 in the table in 180.448(c) of the regulatory text, when in fact Regions 9-12 are covered by the data supporting the tolerances and the regional registrations. This technical correction revises the table in 180.448(c) to include all the regions intended for the tolerances.

The preamble for FR Doc. 2015-20012 published in the **Federal Register** issue of August 14, 2015 (80 FR 48753) (FRL-9931-30) is corrected as follows:

1. On page 48757, second column, under the heading “Part 180— [Amended]”, paragraph 3, line 12, correct “Wheat, forage (EPA Region 11 only)” to read “Wheat, forage (EPA Regions 9-12 only)”.

2. On page 48757, second column, under the heading “Part 180— [Amended]”, paragraph 3, line 14, correct “Wheat, hay (EPA Regions 11 only)” to read “Wheat, hay (EPA Regions 9-12 only)”.

3. On page 48757, second column, under the heading “Part 180— [Amended]”, paragraph 3, line 16, correct “Wheat, grain (EPA Regions 11 only)” to read “Wheat, grain (EPA Regions 9-12 only)”.

4. On page 48757, second column, under the heading “Part 180— [Amended]”, paragraph 3, line 18, correct “Wheat, straw (EPA Region 11 only)” to read “Wheat, straw (EPA Regions 9-12 only)”.

III. 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, because this action merely corrects an omission and does not otherwise change the original requirements of the final rule. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

IV. 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 VI of the August 14, 2015 final rule.

V. Congressional Review Act

Pursuant to the Congressional Review Act (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 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: November 23, 2015.

Susan Lewis,
Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is corrected 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. In § 180.448(c), remove the commodities “Wheat, forage (EPA Region 11 only)”, “Wheat, grain (EPA Region 11 only)”, “Wheat, hay (EPA Region 11 only)”, and “Wheat, straw (EPA Region 11 only)”; and add in alphabetical order the commodities listed below to read as follows:

§ 180.448 Hexythiazox; tolerances for residues.

* * * * *
(c) * * *

Commodity	Parts per million
Wheat, forage (EPA Regions 9-12 only)	6.0
Wheat, grain (EPA Regions 9-12 only)	0.02
Wheat, hay (EPA Regions 9-12 only)	30
Wheat, straw (EPA Regions 9-12 only)	8.0

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 73

[GN Docket No. 12-268; FCC 14-50]

Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Commission announces that, the Office of Management and Budget (OMB) approved, on an emergency basis, for a period for six months, an information collection for FCC Form 177, Application to Participate in a Reverse Incentive Auction, and certain Commission’s rules contained in the *Report and Order*, Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, FCC 14-50. This document is consistent with the *Report and Order*, which stated that the Commission would publish a document in the **Federal Register** announcing OMB approval and the effective date of the rules and requirements.