

this action has occurred. At that time, this commitment will no longer be a part of the approved Connecticut SIP. EPA subsequently will publish a document in the **Federal Register** notifying the public that the conditional approval automatically converted to a disapproval. If the State meets its commitment, within the applicable time frame, the conditionally approved submission will remain a part of the SIP until EPA takes final action approving or disapproving the new legislative authority. If EPA disapproves the new submittal, the conditionally approved section 110(a)(2)(K) of Connecticut's infrastructure SIP for the 2015 ozone NAAQS will also be disapproved at that time. If EPA approves the submittal, section 110(a)(2)(K) of the state's infrastructure SIP for the 2015 ozone NAAQS will be fully approved in its entirety and replace the conditionally approved Element in the SIP.

If EPA determines that it cannot issue a final conditional approval or if the conditional approval is converted to a disapproval, such action will trigger EPA's authority to impose sanctions under section 110(m) of the CAA at the time EPA issues the final disapproval or on the date the State fails to meet its commitment. In the latter case, EPA will notify the State by letter that the conditional approval has been converted to a disapproval and that EPA's sanctions authority has been triggered. In addition, the final disapproval triggers the Federal implementation plan (FIP) requirement under section 110(c).

#### IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this proposed action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not expected to be an Executive Order 13771 regulatory action because this action is not significant under Executive Order 12866;

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: May 20, 2020.

#### Dennis Deziel,

Regional Administrator, EPA Region 1.

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BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA-HQ-OPP-2020-0053; FRL-10009-84]

### Receipt of a Pesticide Petition Filed for Residues of Pesticide Chemicals in or on Various Commodities

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

**ACTION:** Notice of filing of petition and request for comment.

**SUMMARY:** This document announces the Agency's receipt of an initial filing of a pesticide petition requesting the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities.

**DATES:** Comments must be received on or before June 29, 2020.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number by one of the following methods:

- *Federal eRulemaking Portal:* <http://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.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

Please note that due to the public health emergency the EPA Docket Center (EPA/DC) and Reading Room was closed to public visitors on March 31, 2020. Our EPA/DC staff will continue to provide customer service via email, phone, and webform. For further information on EPA/DC services, docket contact information and the current status of the EPA/DC and Reading Room, please visit <https://www.epa.gov/dockets>.

#### FOR FURTHER INFORMATION CONTACT:

Michael Goodis, Registration Division (7505P), main telephone number: (703) 305-7090, email address: [RDFRNotices@epa.gov](mailto:RDFRNotices@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 pesticide petition 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).
- Pesticide manufacturing (NAICS code 32532).

#### 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](http://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 <http://www.epa.gov/dockets/comments.html>.

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental

effects from exposure to the pesticides discussed in this document, compared to the general population.

### II. What action is the Agency taking?

EPA is announcing receipt of a pesticide petition filed under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, requesting the establishment or modification of regulations in 40 CFR part 174 and/or part 180 for residues of pesticide chemicals in or on various food commodities. The Agency is taking public comment on the request before responding to the petitioner. EPA is not proposing any particular action at this time. EPA has determined that the pesticide petition described in this document contains data or information prescribed in FFDCA section 408(d)(2), 21 U.S.C. 346a(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the pesticide petition. After considering the public comments, EPA intends to evaluate whether and what action may be warranted. Additional data may be needed before EPA can make a final determination on this pesticide petition.

Pursuant to 40 CFR 180.7(f), a summary of the petition that is the subject of this document, prepared by the petitioner, is included in a docket EPA has created for this rulemaking. The docket for this petition is available at <http://www.regulations.gov>.

As specified in FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), EPA is publishing notice of the petition so that the public has an opportunity to comment on this request for the establishment or modification of regulations for residues of pesticides in or on food commodities. Further information on the petition may be obtained through the petition summary referenced in this unit.

#### A. Amended Tolerance Exemptions for Inerts (Except PIPS)

*PP IN-11392.* (EPA-HQ-OPP-2020-0214). Technology Sciences Group Inc. (1150 18th Street NW, Suite 1000, Washington, DC 20036) on behalf of Clorox Professional Products Company, P.O. Box 493, Pleasanton, CA 94566-0803, requests to amend an exemption from the requirement of a tolerance in 40 CFR 180.940 by including an exemption under part (a) for residues of phosphoric acid (CAS Reg. no. 7664-38-2) when used as an inert ingredient in antimicrobial formulations applied to food-contact surfaces in public eating places, dairy-processing equipment, food-processing equipment and utensils. The petitioner believes no analytical

method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

#### B. New Tolerance Exemptions for Inerts (Except PIPS)

*PP IN-11317.* (EPA-HQ-OPP-2019-0569) Ecolab Inc., 655 Lone Oak Drive, Eagan, MN 55121, requests to establish an exemption from the requirement of a tolerance for residues of adipic acid (CAS Reg. No. 124-04-9), when used as an inert ingredient (acidifier) in pesticide formulations under 40 CFR 180.940(a) at an upper limit of 100 parts per million (ppm). The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

#### C. New Tolerances for Non-Inerts

1. *PP 9E8786.* (EPA-HQ-OPP-2020-0232). Bayer CropScience LP, 800 N. Lindbergh Boulevard, St. Louis, MO 263167, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, tebuconazole [ $\alpha$ -[2-(4-Chlorophenyl)ethyl]- $\alpha$ -(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol] in or on rice, grain at 15.0 ppm. High performance liquid chromatography/triple stage quadrupole mass spectrometry (LC/MS/MS) was used to measure and evaluate the chemical tebuconazole. *Contact:* RD.

2. *PP 9E8811.* (EPA-HQ-OPP-2020-0009). American Spice Trade Association, 1101 17th Street NW, Suite 700, Washington, DC 20036, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl) alanine methylester, in or on the raw agricultural commodity black pepper at 1 ppm. Gas chromatography equipped with an alkali flame ionization detector and liquid chromatography/mass spectrometric detection (LC/MS) are used to measure and evaluate the chemical metalaxyl. *Contact:* RD.

3. *PP 9E8814.* (EPA-HQ-OPP-2020-0082). Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419-8300, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, difenoconazole, in or on olive at 2 ppm. Gas chromatography equipped with a nitrogen-phosphorus detector and liquid chromatography (LC)/mass spectrometry (MS)/(MS) are used to measure and evaluate the chemical difenoconazole. *Contact:* RD.

4. *PP 9F8801.* (EPA-HQ-OPP-2020-0225). Nippon Soda Co., Ltd., Shin-Ohtemachi Bldg. 2-1, 2-Chome Ohtemachi Chiyoda-ku, Tokyo 100-8165, Japan, requests to establish

tolerances in 40 CFR part 180 for residues of the fungicide, ipflufenquin [2-[2-(7,8-difluoro-2-methylquinolin-3-yloxy)-6-fluorophenyl]propan-2-ol], in or on almond at 0.10 ppm; almond hulls at 3 ppm; and pome fruit (Crop Group 11–10) at 0.15 ppm; and tolerances for residues for ipflufenquin, QP-1-14, QP-1-10, QP-1-11, and QP-1-15 (in terms of ipflufenquin) on cattle, fat at 0.010 ppm; cattle, meat at 0.01 ppm; cattle, meat byproducts at 0.010 ppm; dairy cattle milk at 0.01 ppm; goat, fat at 0.010 ppm; goat, meat at 0.01 ppm; goat, meat byproducts at 0.010 ppm; horse, fat at 0.010 ppm; horse, meat at 0.01 ppm; horse, meat byproducts at 0.010 ppm; sheep, fat at 0.010 ppm; sheep, meat at 0.01 ppm; and sheep, meat byproducts at 0.010 ppm. High Performance Liquid Chromatography with tandem Mass Spectrometric detection (HPLC–MS/MS) is used to measure and evaluate the chemical ipflufenquin and its metabolites. *Contact:* RD.

**Authority:** 21 U.S.C. 346a.

Dated: May 13, 2020.

**Delores Barber,**

*Director, Information Technology and Resources Management Division, Office of Pesticide Programs.*

[FR Doc. 2020–11636 Filed 5–28–20; 8:45 am]

**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 228**

[EPA–R09–OW–2020–0188; FRL–10009–64–Region 9]

**Ocean Dumping: Modification of an Ocean Dredged Material Disposal Site Offshore of Humboldt Bay, California**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to modify the boundaries of the existing EPA-designated Humboldt Open Ocean Disposal Site (referred to hereafter as HOODS) offshore of Humboldt Bay, California, pursuant to Section 102 of the Marine Protection, Research and

Sanctuaries Act, as amended (MPRSA). The primary purpose for the site modification is to enlarge the site to serve the long-term need for disposal of permitted, suitable material dredged from Humboldt Harbor and vicinity, in order to provide for continued safe navigation in the vicinity of Humboldt Bay. The modified site will be subject to monitoring and management to ensure continued protection of the marine environment.

**DATES:** Written comments must be received on or before June 29, 2020.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R09–OW–2020–0188, by one of the following electronic methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments and accessing the docket and materials related to this proposed rule.
- *Email:* [ross.brian@epa.gov](mailto:ross.brian@epa.gov).
- *Mail:* Note that due to the ongoing COVID–19 pandemic EPA’s office building in San Francisco is closed, and physical mail may not be received for some time. Therefore, written comments should be submitted by one of the electronic methods listed above. If you are unable to access email, please contact Brian Ross via the phone number listed below and he will assist you in determining how to best to submit your comments.

*Instructions:* Direct your comments to Docket ID No. EPA–R09–OW–2020–0188. The EPA’s policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through *www.regulations.gov* or email, information that you consider to be CBI or otherwise protected. The *www.regulations.gov* website is an “anonymous access” system, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without

going through *www.regulations.gov*, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about the EPA’s public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

*Docket:* The Environmental Assessment (EA) supporting this proposed action, and other publicly available docket materials, are accessible electronically at *www.regulations.gov*, and also on the EPA Region 9 web page: <https://www.epa.gov/ocean-dumping/humboldt-open-ocean-disposal-sites-documents>.

**FOR FURTHER INFORMATION CONTACT:** Brian Ross, U.S. Environmental Protection Agency Region 9, Water Division, Dredging & Sediment Management Team, 75 Hawthorne Street, San Francisco, California 94105; phone number (415) 972–3475; email: [ross.brian@epa.gov](mailto:ross.brian@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Potentially Affected Persons**

Persons potentially affected by this action include those who seek or might seek permits or approval to dispose of dredged material into ocean waters pursuant to the MPRSA, 33 U.S.C. 1401 to 1445. The EPA’s proposed action would be relevant to persons, including organizations and government bodies seeking to dispose of dredged material in ocean waters offshore of Humboldt Bay, California. Currently, the U.S. Army Corps of Engineers (USACE) would be most affected by this action. Potentially affected categories and persons include:

Category	Examples of potentially regulated persons
Federal Government .....	USACE Civil Works projects, and other Federal agencies.
Industry and general public .....	Port authorities, marinas and harbors, shipyards and marine repair facilities, berth owners.
State, local and tribal governments	Governments owning and/or responsible for ports, harbors, and/or berths, government agencies requiring disposal of dredged material associated with public works projects.