

holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (202) 566-1400. Please review the visitor instructions and additional information about the docket available at <https://www.epa.gov/dockets>.

## II. EUP

EPA has issued the following EUPs:

1. *8917-EUP-3*. EPA-HQ-OPP-2020-0233. Issuance. J.R. Simplot Company, 5369 W Irving Street, Boise, ID 83706. This EUP allows the use of 0.041 pounds of the plant-incorporated protectant (PIP) protein BLB2, 0.21 pounds of the PIP protein AMR3, 0.21 pounds of the PIP protein VNT1, and 0.17 pounds of the PIP Potato virus Y (PVY) siRNA on 165 acres of potato to evaluate the control of potato late blight disease and PVY. The program is authorized only in the States of Arizona, Colorado, Idaho, Michigan, Minnesota, North Dakota, Pennsylvania, Texas, Utah, Washington, and Wisconsin. The EUP is effective from March 15, 2023, to April 1, 2024.

2. *524-EUP-117*. EPA-HQ-OPP-2022-0036. Issuance. Bayer CropScience LP 800 North Lindbergh Blvd. St. Louis, Missouri 63167. This EUP allows the use of 0.93 grams of the plant-incorporated protectant (PIP), GA20ox\_SUP miRNA and the genetic material necessary for its production on 10,000 acres of corn to evaluate MON 94804 short stature maize, stack combinations with registered insect-protected corn, and controls. The program is authorized only in the States of Alabama, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Iowa, Illinois, Kansas, Louisiana, Michigan, Minnesota, Montana, Missouri, North Carolina, North Dakota, Nebraska, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Washington, Wisconsin, and the Territory of Puerto Rico. The EUP is effective from September 20, 2022, to February 28, 2025.

3. *94614-EUP-1*. EPA-HQ-OPP-2021-0270. Issuance. GreenLight Biosciences, Inc. 200 Boston Ave., Suite 1000, Medford, MA 02155. This EUP allows the use of 8.504 pounds of the active ingredient, Ledprona (CAS No. 2433753-68-3) double-stranded RNA on 318 acres of potato to evaluate the control of Colorado Potato Beetle. The program is authorized only in the States of Idaho, Maine, Michigan, Minnesota, New York, North Dakota, Oregon, Virginia, Wisconsin, and Washington. The EUP is effective from May 4, 2023, to April 30, 2025.

*Authority:* 7 U.S.C. 136 *et seq.*

Dated: November 15, 2023.

**Madison Le,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. 2023-25575 Filed 11-17-23; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-11351-01-R6]

### Notice of Proposed Administrative Settlement Agreement and Order on Consent for De Minimis Landowner Settlement

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

**ACTION:** Notice of proposed settlement; request for public comment.

**SUMMARY:** In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), notice is hereby given that a proposed CERCLA section 122(g)(4) De Minimis Landowner Administrative Settlement Agreement for Parties ("Proposed Agreement") associated with the Fansteel Metals/FMRI Site in Muskogee, Oklahoma ("Site") was executed by the Environmental Protection Agency ("EPA") and is now subject to public comment, after which EPA may modify or withdraw its consent if comments received disclose facts or considerations that indicate that the Proposed Agreement is inappropriate, improper, or inadequate. The Proposed Agreement would resolve potential EPA claims under section 107(a) of CERCLA, against The Port of Muskogee/Landowners ("Settling Party") for EPA response costs at the Fansteel Metals/FMRI Superfund Site located in Muskogee, Oklahoma. The settlement is non-monetary, but The Port of Muskogee/Landowners agree to cooperate fully with EPA in the implementation of response actions at the Site and further agrees not to interfere with such response actions. For thirty (30) days following the date of publication of this notice, EPA will receive electronic comments relating to the Proposed Agreement. EPA's response to any comments received will be available for public inspection by request. Please see the **ADDRESSES** section of this notice for special instructions in effect due to impacts related to the COVID-19 pandemic.

**DATES:** Comments must be received on or before December 20, 2023.

**ADDRESSES:** As a result of impacts related to the COVID-19 pandemic, requests for documents and submission of comments must be via electronic mail except as provided below. The Proposed Agreement and additional background information relating to the Proposed Agreement are available for public inspection upon request by contacting EPA Assistant Regional Counsel Elizabeth Pletan at [pletan.elizabeth@epa.gov](mailto:pletan.elizabeth@epa.gov).

Comments must be submitted via electronic mail to this same email address and should reference the "Fansteel Metals/FMRI" Superfund Site, Proposed Settlement Agreement" and "EPA CERCLA Docket No. 06-06-23". Persons without access to electronic mail may call Mrs. Pletan at (214) 665-8525 to make alternative arrangements.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Pletan at EPA by phone (214) 665-8525 or email at: [Pletan.elizabeth@epa.gov](mailto:Pletan.elizabeth@epa.gov).

**Earthea Nance,**

*Regional Administrator, Region 6.*

[FR Doc. 2023-25604 Filed 11-17-23; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2023-0015; FRL-11534-01-OCSPP]

### 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 July 1, 2023, to September 30, 2023, to control unforeseen pest outbreaks.

**FOR FURTHER INFORMATION CONTACT:** Charles Smith, Director, Registration Division (7505T), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; main telephone number: (202) 566-1030; email address: [RDFRNotices@epa.gov](mailto:RDFRNotices@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).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed after **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 identification (ID) number EPA-HQ-OPP-2023-0015, is available at <https://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 and the OPP docket is (202) 566-1744. Please review the visitor instructions and additional information about the docket available at <https://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 (7 U.S.C. 136p), 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, number of acres (if applicable), and the duration of the exemption. EPA also gives the **Federal Register** citation for the time-limited tolerance, if any.

### III. Emergency Exemptions

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

##### Arkansas

##### Department of Agriculture

*Specific exemption:* EPA authorized the use of thiamethoxam on a maximum of 450,000 acres of rice to control rice stink bug. Time-limited tolerances in connection with a previous action support this emergency use and are established in 40 CFR 180.565(b). The authorization was effective July 14, 2023 to October 15, 2023.

##### California

##### Department of Pesticide Regulation

*Crisis exemption:* EPA concurred upon a crisis exemption declared by the California Department of Pesticide Regulation for the use of afidopyropen to control lygus and whitefly in cotton on August 4, 2023. The use season expired on October 31, 2023, and a subsequent specific exemption was also submitted.

##### Hawaii

##### Department of Agriculture

*Crisis exemption:* EPA concurred upon a crisis exemption declared by the Hawaii Department of Agriculture for the use of cypermethrin applied via unmanned aerial vehicles to control Coconut Rhinoceros Beetles in ornamental palm trees on August 16,

2023, and a subsequent quarantine exemption was also submitted.

##### Louisiana

##### Department of Agriculture and Forestry

*Specific exemption:* EPA authorized the use of triclopyr on a maximum of 450,000 acres of sugarcane to control divine nightshade. A time-limited tolerance in connection with this action has been established in 40 CFR 180.417(b). The specific exemption was authorized on September 20, 2023, and effective October 1, 2023 to May 31, 2024.

##### Mississippi

##### Department of Agriculture and Commerce

*Specific exemption:* EPA authorized the use of thiamethoxam on a maximum of 60,000 acres of rice to control rice stink bug. Time-limited tolerances in connection with a previous action support this emergency use and are established in 40 CFR 180.565(b). The authorization was effective July 14, 2023 to October 15, 2023.

##### Missouri

##### Department of Agriculture

*Specific exemption:* EPA authorized the use of thiamethoxam on a maximum of 60,000 acres of rice to control rice stink bug. Time-limited tolerances in connection with a previous action support this emergency use and are established in 40 CFR 180.565(b). The authorization was effective July 14, 2023 to October 15, 2023.

##### South Dakota

##### Department of Agriculture and Natural Resources

*Crisis exemption:* EPA concurred upon a crisis exemption declared by the South Dakota Department of Agriculture and Natural Resources for the use of malathion to control red sunflower seed weevil in sunflower on August 16, 2023. The 15-day crisis exemption program expired on August 31, 2023.

#### B. Federal Departments and Agencies

##### National Aeronautics and Space Administration

*Specific exemption:* EPA authorized the use of ortho-phthaldehyde, incorporated into a porous resin, to treat and protect the International Space Station (ISS) internal active thermal control system (IATCS) coolant fluid from growth of aerobic and microaerophilic water bacteria and unidentified gram-negative rods. This request was granted because, without this use, the ISS would have no means

to control organisms in the IATCS since there are no registered alternatives available that meet the required criteria. This emergency request proposed a use of a new (unregistered) chemical and in accordance with the requirements at 40 CFR 166.24(a)(1), a notice of receipt published in the **Federal Register** on August 25, 2023, to allow a public comment period that closed on September 11, 2023. The specific exemption was authorized on September 29, 2023, and effective October 7, 2023 to October 7, 2024.

### *C. Annual Report of Crisis Exemptions Declared and Revoked*

Three crisis exemptions were declared, and zero crisis exemptions were revoked between October 1, 2022, and September 30, 2023.

*Authority:* 7 U.S.C. 136 *et seq.*

Dated: November 13, 2023.

**Charles Smith,**

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 2023–25602 Filed 11–17–23; 8:45 am]

**BILLING CODE 6560–50–P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[EPA–HQ–OW–2023–0396; FRL 11285–01–OW]

### **Request for Information Regarding Products and Categories of Products Used in Water Infrastructure Programs**

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

**ACTION:** Notice; request for information (RFI).

**SUMMARY:** To support further development of multiple funding programs for water infrastructure subject to the requirements of the Build America, Buy America Act, the Environmental Protection Agency (EPA) invites public comment to inform the domestic availability of multiple products used in the construction, alteration, and/or maintenance of water infrastructure. The EPA is inviting comments to enable the agency to have the most comprehensive and current information available on the domestic market for BABA-covered products for its programs and the water infrastructure programs of other agencies. The EPA, along with the U.S. Department of Agriculture, the U.S. Army Corps of Engineers, the U.S. Department of Housing and Urban Development, the Federal Emergency Management Agency, the Department of Transportation, and the U.S. Department of the Interior, are

especially interested in comments detailing domestic materials sourcing, market readiness, other product supply considerations, and whether specific water infrastructure products or their components are manufactured in the United States.

**DATES:** Comments must be received on or before December 20, 2023, to allow for their consideration during development of these funding programs. The EPA may consider comments received after the due date to the extent practicable.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–HQ–OW–2023–0396, by any of the following methods:

- *Federal eRulemaking Portal:*

<https://www.regulations.gov> (our preferred method). Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [www.regulations.gov](https://www.regulations.gov).

- *Mail:* U.S. Environmental

Protection Agency, EPA Docket Center, Water Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

- *Hand Delivery or Courier:* EPA

Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operations are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal holidays).

*Instructions:* All submissions received must include the Docket ID No. for this notice. Comments received may be posted without change to <https://www.regulations.gov/>, including any personal information provided. For detailed instructions on sending comments, see the “Public Participation” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

#### **FOR FURTHER INFORMATION CONTACT:**

Timothy Connor, Chemical Engineer, Office of Wastewater Management at (202) 566–1059, or via email at [connor.timothy@epa.gov](mailto:connor.timothy@epa.gov); or Leslie Corcelli, Physical Scientist, Office of Ground Water and Drinking Water at (202) 564–3825, or [corcelli.leslie@epa.gov](mailto:corcelli.leslie@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Public Participation**

Submit your comments, identified by Docket ID No. EPA–HQ–OW–2023–0396, at <https://www.regulations.gov> (our preferred method), or the other methods identified in the **ADDRESSES** section. Once submitted, comments cannot be edited or removed from the docket. The EPA may publish any

comment received to its public docket. Do not submit to the EPA's docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information, Proprietary Business Information, or other information where disclosure is restricted by statute. If you wish to submit information containing CBI, contact Timothy Connor ([connor.timothy@epa.gov](mailto:connor.timothy@epa.gov)) with any questions on the EPA's secure CBI protocol or to initiate Agency procedures for submitting confidential information. After contacting the EPA regarding your intent to submit CBI, a secure data exchange will be initiated and detailed instructions will be provided. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). Please visit <https://www.epa.gov/dockets/commenting-epa-dockets/> for additional submission methods; the full EPA public comment policy; information about CBI, PBI, or multimedia submissions; and general guidance on making effective comments.

##### **II. General Information**

The Infrastructure Investments and Jobs Act (Pub. L. 117–58, Nov. 15, 2021) provides \$50 billion of new funding for water infrastructure, funding that includes domestic content requirements (see details below). These developments provide an opportunity for significant expansion of domestic capacity. Additionally, the IJJA and the Inflation Reduction Act (Pub. L. 117–69, Aug. 16, 2022) collectively provide more than \$10 billion of additional funding to the Department of Interior, Bureau of Reclamation for aging infrastructure, water delivery systems for rural communities, and to increase water supply. The EPA wishes to work in coordination with other agencies and with private industry to provide clear and consistent demand signals for products used in water infrastructure projects.

The purpose of this Request for Information (RFI) is to improve Federal agencies' understanding of the current state of the domestic market for products required to service drinking, agricultural, wastewater treatment and delivery systems.

The Build America, Buy America Act requires iron, steel, manufactured