

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2012-0019; FRL-9337-4]

### 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, 2011 to December 31, 2011 to control unforeseen pest outbreaks.

**FOR FURTHER INFORMATION CONTACT:** See each emergency exemption for the name of a contact person. The following information applies to all contact persons: Team Leader, Emergency Response Team, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 305-6027.

#### 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. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed at the end of the emergency exemption of interest.

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

EPA has established a docket for this action under docket identification (ID)

number EPA-HQ-OPP-2012-0019. Publicly available docket materials are available either electronically 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 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.

##### 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

###### California

Environmental Protection Agency, Department of Pesticide Regulation

*Specific Exemptions:* EPA authorized the use of boscalid on Belgian endive to control sclerotinia (*Sclerotinia sclerotiorum*); December 1, 2011 to February 15, 2012. *Contact:* Stacey Groce.

EPA authorized the use of pyraclostrobin on Belgian endive to control sclerotinia (*sclerotinia sclerotiorum*); December 1, 2011 to February 15, 2012. *Contact:* Stacey Groce.

EPA authorized the use of hop beta acids in beehives to control varroa mite; December 22, 2011. Effective date; January 1, 2012 to December 31, 2012. *Contact:* Stacey Groce.

###### Colorado

Department of Agriculture

*Specific Exemptions:* EPA authorized the use of hop beta acids in beehives to control varroa mite; December 22, 2011. Effective date; January 1, 2012 to December 31, 2012. *Contact:* Stacey Groce.

EPA authorized the use of spirotetramat on onions, dry bulb, to control thrips; December 14, 2011 to September 30, 2012. *Contact:* Keri Grinstead.

###### Florida

Department of Agriculture and Consumer Services

*Specific Exemptions:* EPA authorized the use of hop beta acids in beehives to control varroa mite; December 22, 2011. Effective date; January 1, 2012 to December 31, 2012. *Contact:* Stacey Groce.

###### Idaho

Department of Agriculture

*Specific Exemptions:* EPA authorized the use of hop beta acids in beehives to control varroa mite; December 22, 2011. Effective date; January 1, 2012 to December 31, 2012. *Contact:* Stacey Groce.

###### Oregon

Department of Agriculture

*Specific Exemptions:* EPA authorized the use of hop beta acids in beehives to control varroa mite; December 22, 2011. Effective date; January 1, 2012 to December 31, 2012. *Contact:* Stacey Groce.

Texas

Department of Agriculture

*Specific Exemptions:* EPA authorized the use of spirotetramat on onions, dry bulb, to control thrips; December 22, 2011 to September 30, 2012. *Contact:* Keri Grinstead.

Washington

Department of Agriculture

EPA authorized the use of hop beta acids in beehives to control varroa mite; December 22, 2011. Effective date; January 1, 2012 to December 31, 2012. *Contact:* Stacey Groce.

#### B. Federal Departments and Agencies

Environmental Protection Agency

Office of Emergency Management

*Quarantine exemption:* EPA authorized the use of chlorine dioxide (gas), chlorine dioxide (liquid), ethylene oxide (gas), formaldehyde (gas), hydrogen peroxide and peracetic acid (liquid), hydrogen peroxide (vapor), and sodium hypochlorite (5.25%–6%) (liquid) on interior and exterior inanimate, non-food contact surfaces including buildings, structures, vehicles, articles/items, personal protective equipment, roads, sidewalks, and subway systems to inactivate *Bacillus anthracis* (anthrax) spores; October 24, 2011 to October 24, 2014. *Contact:* Princess Campbell.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: February 1, 2012.

**Lois Rossi,**

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

[FR Doc. 2012–3156 Filed 2–14–12; 8:45 am]

**BILLING CODE 6560–50–P**

#### ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2012–0012; FRL–9333–8]

#### Pesticide Products; Receipt of Applications To Register New Uses

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

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of applications to register new uses for pesticide products containing currently registered active ingredients, pursuant to the provisions of section 3(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. EPA is publishing this Notice of such

applications, pursuant to section 3(c)(4) of FIFRA.

**DATES:** Comments must be received on or before March 16, 2012.

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

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S–4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305–5805.

*Instructions:* Direct your comments to the docket ID number specified for the pesticide of interest as shown in the registration application summaries. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://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 information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or email. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means 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 to EPA without going through [www.regulations.gov](http://www.regulations.gov), your email address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, 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.

*Docket:* All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., 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 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:** A contact person is listed at the end of each registration application summary and may be contacted by telephone or email. The mailing address for each contact person listed is: Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001, Antimicrobials Division (7510P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–00001 or Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.

#### 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. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System