

Dated: September 10, 2020.

**Cheryl Newton,**

*Deputy Regional Administrator, Region 5.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 141

[EPA–HQ–OW–2020–0486; FRL–10015–26–OW]

#### Microbial and Disinfection Byproducts Rules: Public Meeting To Inform Potential Rule Revisions

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Safe Drinking Water Act (SDWA) requires the U.S. Environmental Protection Agency (EPA) to review each national primary drinking water regulation (NPDWR) at least once every six years. As part of the “Six-Year Review”, EPA evaluates any newly available data, information, and technologies to determine if any regulatory revisions are needed. During the Agency’s third Six-Year Review (Six-Year Review 3) eight NPDWRs were identified as candidates for potential regulatory revision. EPA is hosting a public meeting on October 14 and 15, 2020, to seek public input on the Agency’s potential regulatory revisions of these eight NPDWRs including: Chlorite, *Cryptosporidium*, Haloacetic acids, Heterotrophic bacteria, *Giardia lamblia*, *Legionella*, Total Trihalomethanes, and Viruses. The eight NPDWRs are included in the following Microbial and Disinfection Byproduct (MDBP) rules: Stage 1 and Stage 2 Disinfectants and Disinfection Byproducts Rules, Surface Water Treatment Rule, Interim Enhanced Surface Water Treatment Rule, and Long Term 1 Enhanced Surface Water Treatment Rule. At this meeting, EPA is seeking public input on information and perspectives related to the potential regulatory revisions. EPA will consider the data and/or information discussed at this meeting, as well as at future stakeholder engagements, in its determination on whether a rulemaking to revise any MDBP regulations should be initiated. For more information on the meeting visit the EPA’s Revisions of the MDBP Rules website: [www.epa.gov/dwsixyearreview/revisions-microbial-and-disinfection-byproducts-rules](http://www.epa.gov/dwsixyearreview/revisions-microbial-and-disinfection-byproducts-rules) and go to the **SUPPLEMENTARY INFORMATION** section of this document.

**DATES:** The public meetings will be held on Wednesday, October 14, 2020 (11 a.m. to 5 p.m., Eastern Time), and Thursday, October 15, 2020 (11 a.m. to 4:30 p.m., Eastern Time).

**ADDRESSES:** The public meetings will be held in an online-only format in the *Online Meeting* section of this document.

**FOR FURTHER INFORMATION CONTACT:** For technical inquiries, contact Ashley Greene, Standards and Risk Management Division, Office of Ground Water and Drinking Water (MC 4607M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460 at (202) 566–1738 or [greenegreene@epa.gov](mailto:greenegreene@epa.gov). For more information about the MDBP revisions or the Six-Year Review process, visit: [www.epa.gov/dwsixyearreview/revisions-microbial-and-disinfection-byproducts-rules](http://www.epa.gov/dwsixyearreview/revisions-microbial-and-disinfection-byproducts-rules) or [www.epa.gov/dwsixyearreview](http://www.epa.gov/dwsixyearreview), respectively.

**SUPPLEMENTARY INFORMATION:**

*Registration:* Individuals planning to participate in the online public meeting must register at this website [www.epa.gov/dwsixyearreview/public-meeting-revisions-microbial-and-disinfection-products-rules](http://www.epa.gov/dwsixyearreview/public-meeting-revisions-microbial-and-disinfection-products-rules) no later than October 12, 2020. EPA will do its best to include all those interested, however, may need to limit attendance due to web conferencing size limitations and, therefore, urges potential attendees to register early. Please check the MDBP website for event materials as they become available, including a full meeting agenda and other meeting materials. Web conferencing meeting details will be emailed to registered participants in advance of the meeting. If you have any difficulty registering or have additional questions or comments about the public meeting, please email ([MDBPRevisions@epa.gov](mailto:MDBPRevisions@epa.gov)).

*Special Accommodations:* For information on access or accommodations for individuals with disabilities, please contact Ashley Greene at (202) 566–1738 or by email at [greenegreene@epa.gov](mailto:greenegreene@epa.gov). Please allow at least five business days prior to the meeting to give EPA time to process your request.

*Online Meeting:* This online meeting will be open to the public and EPA encourages input and will provide opportunities for public engagement. Additionally, the public will have the opportunity to provide written public input. If you are unable to participate in the meetings, you will be able to submit comments at [www.regulations.gov](http://www.regulations.gov), Docket ID No. EPA–HQ–OW–2020–0486. Meeting attendees are also encouraged to send written statements

to the public docket, as well as any scientific data they would like EPA to consider during its analysis of potential regulatory revisions. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc) must be accompanied by written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

*The Microbial and Disinfection Byproduct (MDBP) Rules:* MDBP rules are a series of interrelated regulations that address risks from microbial pathogens and disinfectants/disinfection byproducts in drinking water. The purpose of the Surface Water Treatment Rules (SWTRs) within the scope of the potential regulatory revisions, including the Surface Water Treatment Rule (40 CFR 141.70–141.75; June 5, 1989), Interim Enhanced Surface Water Treatment Rule (40 CFR 141.170–141.175; December 16, 1998), and Long Term 1 Enhanced Surface Water Treatment Rule (40 CFR 141.500–141.571; January 5, 2002), are to reduce disease incidence associated with pathogens, including *Cryptosporidium*, *Giardia lamblia*, *Legionella*, and viruses in drinking water. The SWTRs require PWS to filter and disinfect surface water sources to provide protection from microbial pathogens. The purpose of the Stage 1 and Stage 2 Disinfectants and Disinfection Byproducts Rules (63 FR 69390; December 16, 1998 and 71 FR 388; January 3, 2006, respectively) are to reduce drinking water exposure to disinfection byproducts which can form in water when disinfectants used to control microbial pathogens react with naturally occurring materials found in source water. If consumed in excess of EPA’s standard over many years, disinfection byproducts may increase health risks. On January 11, 2017 (82 FR 3518; January 11, 2017) EPA identified these MDBP rules as candidates for

revision in the Agency's review of existing national primary drinking water regulations.

**Jennifer L. McLain,**

*Director, Office of Ground Water and Drinking Water.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA-HQ-OPP-2020-0053; FRL-10014-74]

#### Receipt of a Pesticide Petition Filed for Residues of Pesticide Chemicals in or on Various Commodities (August 2020)

**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 October 30, 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>.

Due to the public health concerns related to COVID-19, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Marietta Echeverria, Registration Division (7505P), main telephone number: (703) 305-7090, email address:

[RDfRNNotices@epa.gov](mailto:RDfRNNotices@epa.gov). The mailing address 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.

#### 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://www.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

1. *PP 0E8825.* (EPA-HQ-OPP-2020-0228). Interregional Research Project Number 4 (IR-4), Rutgers, The State University of New Jersey, 500 College Road East, Suite 201 W, Princeton, NJ 08540 requests to amend 40 CFR 180 by removing established tolerances for residues of Fluxapyroxad, (BAS 700 F); 3-(difluoromethyl)-1-methyl-N-(3',4',5'-trifluoro[1,1'-biphenyl]-2-yl)-1H-pyrazole-4-carboxamide, its metabolites, and degradates in or on the raw agricultural commodities: Fruit, pome,