List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: November 26, 2018.

Anne Idsal,
Regional Administrator, Region 6.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 et seq.

### EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP

<table>
<thead>
<tr>
<th>Name of SIP provision</th>
<th>Applicable geographic or non-attainment area</th>
<th>State submittal/effective date</th>
<th>EPA approval date</th>
<th>Comments</th>
</tr>
</thead>
</table>

Subpart SS—Texas

2. In § 52.2270(e), the second table titled “EPA Approved Nonregulatory Provisions and Quasi-Regulatory Measures in the Texas SIP” is amended by adding an entry at the end for “Emission Statement Requirements for the 2008 Ozone NAAQS”.

The revision reads as follows:

§ 52.2270 Identification of plan.

* * * * *

(e) * * *

On August 28, 2018 (82 FR 43836), EPA published a notice of proposed rulemaking (NPRM) which proposed approval of the SIP revisions submitted by the State of West Virginia for revisions to Regulation 45CSR40. The first formal SIP revision was submitted by West Virginia through the West Virginia Department of Environmental Protection (WVDEP) on July 13, 2016. On October 10, 2017, WVDEP provided a supplemental SIP submission comprised of a demonstration showing that NOx emissions from applicable non-EGUs do not exceed the West
Virginia NO\textsubscript{X} budget under EPA’s NO\textsubscript{X} SIP Call.\footnote{In October 1998 (63 FR 57356), EPA finalized the “Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone”—commonly called the NO\textsubscript{X} SIP Call.} The NO\textsubscript{X} SIP Call, issued pursuant to Section 110 of the CAA and codified at 40 CFR 51.121 and 51.122, was designed to mitigate significant transport of NO\textsubscript{X}, one of the precursors of ozone. At the same time, EPA developed the NO\textsubscript{X} Budget Trading Program, an EPA-administered allowance trading program that states could adopt to meet their obligations under the NO\textsubscript{X} SIP Call. The NO\textsubscript{X} Budget Trading Program allowed EGUs greater than 25 megawatts and industrial non-EGUs, such as boilers and turbines, with a rated heat input greater than 250 million British thermal units per hour (MMBtu/hr), referred to as “large non-EGUs,” to participate in a regional NO\textsubscript{X} cap and trade program. West Virginia complied with the NO\textsubscript{X} SIP Call by participation of its large EGUs and large non-EGUs in the NO\textsubscript{X} Budget Trading Program. EPA discontinued administration of the NO\textsubscript{X} Budget Trading Program in 2009 upon the start of the CAIR trading programs (70 FR 25162, May 12, 2005). The NO\textsubscript{X} SIP Call requirements continued to apply, however, and EGUs in most states (including West Virginia) that formerly participated in the NO\textsubscript{X} Budget Trading Program continued to meet their NO\textsubscript{X} SIP Call requirements under the generally more stringent requirements of the CAIR NO\textsubscript{X} Ozone Season Trading Program, either pursuant to CAIR FIPs (71 FR 25328, April 28, 2006) or pursuant to approved CAIR SIP revisions.\footnote{EPA approved a CAIR SIP revision replacing the CAIR FIP for West Virginia on August 4, 2009 (74 FR 38536).} For the large non-EGUs, states needed to take regulatory action to ensure that their obligations under the NO\textsubscript{X} SIP Call continued to be met, either through an option to submit a CAIR SIP revision that allowed the non-EGUs to participate in the CAIR NO\textsubscript{X} Ozone Season Trading Program or through adoption of other replacement regulations. West Virginia chose to include the large non-EGUs as CAIR trading sources, and submitted, for inclusion in the SIP, Regulation 45CSR40 which implemented the CAIR NO\textsubscript{X} Ozone Season Trading Program and included the non-EGUs as trading sources. EPA approved Regulation 45CSR40 into the West Virginia SIP on August 4, 2009 (74 FR 38536). 45CSR40 also included requirements for stationary internal combustion engines and cement manufacturing kilns that are subject to the NO\textsubscript{X} SIP Call.

When CSAPR replaced CAIR starting on January 1, 2015,\footnote{Subsequent to West Virginia’s July 13, 2016 submission, EPA finalized the CSAPR Update Rule to address transport related to the 2008 ozone NAAQS. It is noted that CSAPR Update included flexibility for states to submit SIPs that expand the CSAPR ozone season trading program to include the large non-EGUs. West Virginia has not submitted a SIP that includes the non-EGUs as participants in the CSAPR trading program.} the CSAPR FIP trading programs for annual NO\textsubscript{X} ozone season NO\textsubscript{X} and annual SO\textsubscript{2} were applicable in West Virginia. Thus, since January 1, 2015, the provisions related to implementation of the CAIR Ozone Season Trading Program in West Virginia regulation 45CSR40 were obsolete. Initially, the CSAPR FIP trading programs applied only to EGUs and, unlike CAIR, did not provide for expansion of the ozone season trading program to include the NO\textsubscript{X} SIP Call large non-EGUs. States, like West Virginia, whose large non-EGUs had previously traded in the CAIR NO\textsubscript{X} Ozone Season Trading Program, were therefore required to address the non-EGU reduction requirements of the NO\textsubscript{X} SIP Call outside of a regional trading program.\footnote{See NPRM for this action, page 43837, for details on the remand of CAIR.}

The CSAPR FIPs which replaced CAIR only applied to EGUs, and, at the time West Virginia developed its SIP submittal, states did not have an option under CSAPR to bring their non-EGUs into the CSAPR NO\textsubscript{X} Ozone Season Trading Program. So, while EGU compliance with CSAPR satisfied the EGUs’ NO\textsubscript{X} SIP Call requirements, West Virginia needed to modify its ozone season NO\textsubscript{X} regulation to address the NO\textsubscript{X} SIP Call requirements for the non-EGUs that were formerly trading in the CAIR NO\textsubscript{X} ozone season trading program. 40 CFR 51.121(f) sets forth alternatives for states to address NO\textsubscript{X} SIP Call reduction obligations for large non-EGUs including (1) imposing a NO\textsubscript{X} mass emissions cap on each source, (2) imposing a NO\textsubscript{X} emissions rate limit on each source and assuming maximum operating capacity for every such source for purposes of estimating NO\textsubscript{X} mass emissions, or (3) imposing other regulatory requirements that the state has demonstrated to EPA provide equivalent or greater assurance that the state will comply with its ozone season NO\textsubscript{X} budget.

**II. Summary of SIP Revision and EPA Analysis**

Former Regulation 45CSR40 (effective in West Virginia on July 1, 2016), which was approved into the West Virginia SIP, was originally adopted by WVDEP to implement the ozone season trading program under CAIR and to address NO\textsubscript{X} SIP Call requirements. The July 13, 2016 West Virginia SIP submittal is comprised of a revised 45CSR40 which removed the CAIR Ozone Season Trading Program provisions, retained the definitions, applicability, and other provisions responding to the NO\textsubscript{X} SIP Call (including monitoring under 40 CFR part 75), added new requirements to address its NO\textsubscript{X} SIP Call obligations for sources that were trading under CAIR but are no longer part of a trading program, and retained and recodified the limits on NO\textsubscript{X} emissions that applied to stationary internal combustion engines and cement kilns previously in the former version of 45CSR40 (with a State effective date of May 1, 2008) which EPA had approved into the West Virginia SIP. As the CAIR trading program has been replaced by the trading programs under CSAPR, as described previously, these revisions removing references to CAIR are consistent with the requirements for CAIR 110(f) as CAIR was replaced by CSAPR and thus no longer yielded reductions in pollutants nor presently applied to any sources.

On February 8, 2018, WVDEP provided a letter clarifying an applicability exclusion specified in section 4 of 45CSR40 of the July 13, 2016 SIP submittal. The letter clarifies that the West Virginia regulation was intended to refer to current provisions of CSAPR, and thus is intended to refer to updated CSAPR provisions. The letter states that West Virginia will work towards revising 45CSR40 as expeditiously as possible to conform the regulation to refer to currently enforceable CSAPR provisions and will submit the revised 45CSR40 as a SIP revision to EPA for approval once the regulation correctly refers to 40 CFR part 97, subpart EEEE.

Other specific requirements of revised West Virginia regulation 45CSR40 and the rationale for EPA’s proposed approval are explained in the NPRM and will not be restated here. However, EPA provides two clarifications on the NPRM—one pertains to an aspect of EPA’s summary of the new sections in 45CSR40 that address ozone season NO\textsubscript{X} emissions, and the second pertains to the date of West Virginia’s supplemental SIP submission.

EPA’s summary of section 4 (Applicability) explained that any unit that is already subject to the CSAPR NO\textsubscript{X} Ozone Season Trading Program FIP established under 45CSR40 is exempt from the ozone season NO\textsubscript{X} emission limits,
monitoring, recordkeeping, and reporting requirements established in sections 5 and 6 of 45CSR40. Section 4 of 45CSR40 also exempts from applicability any units subject to a CSAPR-equivalent trading program established under regulations approved as a SIP revision pursuant to 40 CFR 52.38(b)(5). Thus, while West Virginia presently does not have a CSAPR-equivalent program in its SIP, if West Virginia submits a SIP revision for a CSAPR-equivalent trading program in the future, and EPA approves the submittal into the State’s SIP, sections 5 and 6 of 45CSR40—4 would not apply to such units. EPA’s intent, as stated in the NPRM, is to approve the State submission in full, including the entirety of section 4. Thus, our approval of 45CSR40 is not affected; we are providing this clarification to explain the breadth of 45CSR40.

Also, EPA clarifies that the October 10, 2017 SIP submission, which West Virginia submitted to demonstrate compliance with its NOX SIP Call non-EGU NOX emissions budget, was the only supplemental submission from West Virginia. The references to an October 11, 2017 and an October 13, 2017 supplemental submission were in error and should have instead referred to the October 10, 2017 submittal, which is included in the docket for this rulemaking action.

III. Public Comments and EPA’s Responses

EPA received three anonymous comments on the NPRM, all of which are in the docket for this rulemaking at www.regulations.gov. One of the comments did not concern any of the specific issues raised in the NPRM, nor did they address EPA’s rationale for the proposed approval of WVDEP’s submittal. Therefore, EPA is not responding to this comment. The remaining two comments are addressed as follows:

Comment 1: A commenter noted that the NPRM made reference to an October 11, 2017 and an October 13, 2017 supplemental submission from West Virginia, and asked where these submissions were as the docket only included a supplemental submission dated October 10, 2017.

EPA Response: The references to the October 11, 2017 and October 13, 2017 submittals were in error as EPA intended to refer instead to the October 10, 2017 supplemental submission. There was only one supplemental submission from West Virginia—the October 10, 2017 submittal, which provided the demonstration that West Virginia’s NOX budget was being met. The docket included this submittal, and the preamble to this final rulemaking notice explains that the NPRM inadvertently cited the two incorrect dates that were both intended to refer to the October 10, 2017 submittal.

Comment 2: A commenter made a general comment that, because of the large coal mining industry in West Virginia, air pollution should be taken seriously to ensure good air quality.

EPA Response: As explained in this document and in the NPRM, this action establishes new requirements for large non-EGUs to meet West Virginia’s obligations under the NOX SIP Call. Total NOx emissions from all affected units may not exceed West Virginia’s statewide NOx budget, or cap, established by EPA under the NOx SIP Call. Continuous emissions monitoring, recordkeeping, and reporting are required to assure NOX emissions do not exceed the State cap. Thus, the 45CSR40 in the West Virginia SIP will not interfere with the air quality or CAA requirements, as EPA explained in the NPRM.

IV. Final Action

EPA is approving West Virginia’s July 13, 2016 SIP revision submittal as supplemented on October 10, 2017 and clarified on February 8, 2018. Amended regulation 45CSR40 removes the obsolete provisions that implemented the CAIR NOX Ozone Season Trading Program, establishes new requirements to address the NOX SIP Call obligations for large non-EGUs in the State that were trading under CAIR but are no longer part of a trading program, establishes an enforceable statewide cap on ozone season NOx emissions for these non-EGUs in accordance with West Virginia’s state budget under the NOX SIP Call, and recodifies previously SIP-approved provisions that apply to internal combustion engines and cement kilns. The October 10, 2017 supplemental submission demonstrates that the total NOX emissions from all affected large non-EGUs in West Virginia do not exceed the State cap previously established for West Virginia under the NOx SIP Call.

V. Incorporation by Reference

In this document, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of West Virginia regulation 45CSR40—Control of Ozone Season Nitrogen Oxides Emissions. EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region III Office (please contact the person identified in the FOR FURTHER INFORMATION CONTACT section of this preamble for more information).

Therefore, these materials have been approved by EPA for inclusion in the SIP, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA’s approval, and will be incorporated by reference in the next update to the SIP compilation.

VI. Statutory and Executive Order Reviews

A. General Requirements

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA 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 CAA. Accordingly, this 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 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 an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866.

5 As noted in section I of this document, West Virginia intends to update the existing reference to 40 CFR part 97, subpart EEEEE, after which West Virginia will submit the updated regulation to EPA for approval into the SIP.

6 Consistent with the State’s clarification that the existing reference to 40 CFR part 97, subpart BBBBB, is intended to cross-reference the currently applicable CFR provisions at 40 CFR part 97, subpart EEEEE, the existing reference to 40 CFR 52.38(b)(5) should be understood as referring to the currently applicable CFR provision at 40 CFR 52.38(b)(9).
EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP

<table>
<thead>
<tr>
<th>State citation</th>
<th>Title/subject</th>
<th>State effective date</th>
<th>EPA approval date</th>
<th>Additional explanation/citation at 40 CFR 52.2565</th>
</tr>
</thead>
<tbody>
<tr>
<td>[45 CSR] Series 40</td>
<td>Control of Ozone Season Nitrogen Oxides Emissions</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation]</td>
<td>Revising 1.1.a, 1.1.b, and 1.1.c. Removing 1.2 and 1.3. Recodifying 1.4 and 1.5 to 1.2 and 1.3, respectively. Revising 1.7 and recodifying as 1.5. Prior approval of this section was 74 FR 38536 on 8/4/09.</td>
</tr>
<tr>
<td>State citation [chapter 16–20 or 45 CSR ]</td>
<td>Title/subject</td>
<td>State effective date</td>
<td>EPA approval date</td>
<td>Additional explanation/ citation at 40 CFR 52.2565</td>
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<tr>
<td>Section 45–40–2 .... Definitions .................</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation].</td>
<td>Removing 2.1, 2.2, 2.3, 2.5–2.8, 2.10–2.28, 2.31–2.34, 2.36–2.39, 2.41, 2.42, 2.46–2.52, 2.54, 2.58, 2.59, 2.62–2.66, 2.68–2.70, 2.72, 2.75, 2.78–2.82, 2.84–2.87, 2.89, 2.90, 2.92, 2.93, 2.95–2.97, and 2.99–2.103. Revising 2.35 and recodifying as 2.5. Revising 2.40 and recodifying as 2.6. Revising 2.43 and recodifying as 2.7. Revising 2.45 and recodifying as 2.8. Revising 2.45 and recodifying as 2.9. Revising 2.60 and recodifying as 2.14. Revising 2.61 and recodifying as 2.15. Revising 2.71 and recodifying as 2.17. Revising 2.88 and recodifying as 2.23. Revising 2.94 and recodifying as 2.25. Revising 2.98 and recodifying as 2.26. Recodifying 2.4 as 2.1, 2.9 as 2.2, 2.29 as 2.3, 2.30 as 2.4, 2.40 as 2.6, 2.44 as 2.8, 2.53 as 2.10, 2.55 as 2.11, 2.56 as 2.12, 2.57 as 2.13, 2.60 as 2.14, 2.67 as 2.16, 2.73 as 2.18, 2.74 as 2.19, 2.76 as 2.20, 2.77 as 2.21, 2.83 as 2.22, 2.91 as 2.24, and 2.104 as 2.27. Prior approval of this section was 74 FR 38356 on 8/4/09.</td>
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<tr>
<td>Section 45–40–3 .... Measurements, Abbreviations and Acronyms.</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation].</td>
<td>Removed definitions for Hg, kW, kWh, MWw, MWh, O₂, ppm, lb, scfh, SO₂, and H₂O. Prior approval of this section was 74 FR 38356 on 8/4/09.</td>
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<td>Section 45–40–4 .... Applicability .................</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation].</td>
<td>Remove preamble, 4.1, 4.2, 4.3, 4.4, and 4.5. Add new 4.1, 4.2, and 4.3. Prior approval of this section was 74 FR 38356 on 8/4/09.</td>
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<tr>
<td>Section 45–40–5 .... Ozone Season NOₓ Emission Limitations.</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation].</td>
<td>Prior approval of this section was 74 FR 38356 on 8/4/09.</td>
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<tr>
<td>Section 45–40–6 .... Monitoring, Recordkeeping and Reporting Requirements.</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation].</td>
<td>Prior approval of this section was 74 FR 38356 on 8/4/09.</td>
<td></td>
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<td>Section 45–40–7 .... Violation .........................</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation].</td>
<td>Prior approval of this section was 74 FR 38356 on 8/4/09.</td>
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<td>Section 45–40–8 .... Ozone Season NOₓ Budget Demonstration.</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation].</td>
<td>Prior approval of this section was 74 FR 38356 on 8/4/09.</td>
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<td>Section 45–40–9 .... Ozone Season NOₓ Reduction Requirements for Stationary Internal Combustion Engines.</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation].</td>
<td>Prior approval of this section was 74 FR 38356 on 8/4/09.</td>
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<td>Section 45–40–10 .. Ozone Season NOₓ Reduction Requirements for Emissions of NOₓ from Cement Manufacturing Kilns.</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation].</td>
<td>Prior approval of this section was 74 FR 38356 on 8/4/09.</td>
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<td>Section 45–40–11 .. Inconsistency Between Rules</td>
<td>7/1/16</td>
<td>12/4/2018, [insert Federal Register citation].</td>
<td>Prior approval of this section was 74 FR 38356 on 8/4/09.</td>
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[FR Doc. 2018–26243 Filed 12–3–18; 8:45 am]

BILLING CODE 6560–50–P
ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180


Calcium Formate; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of calcium formate (CAS Reg. No. 544–17–2) when used as an inert ingredient (carrier) in pesticide formulations applied to growing crops only. ADAMA Agan, Ltd. c/o Makhteshim Agan of North America, Inc. submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting establishment of an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of calcium formate.

DATES: This regulation is effective December 4, 2018. Objections and requests for hearings must be received on or before February 4, 2019, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the SUPPLEMENTARY INFORMATION).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2018–0091, 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 Blvd., 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: Michael L. Goodis, Director, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: RDFRNNotices@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).

B. How can I get electronic access to other related information?


C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2018–0091 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before February 4, 2019. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2018–0091, 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 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.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at http://www.epa.gov/dockets.

II. Petition for Exemption

In the Federal Register of April 11, 2018 (83 FR 15528) (FRL–9975–57), EPA issued a document pursuant to FFDCA section 408, 21 U.S.C. 346a, announcing the filing of a pesticide petition (PP IN–11075) by ADAMA Agan, Ltd. c/o Makhteshim Agan of North America, Inc., 3120 Highwoods Blvd., Suite 100, Raleigh, NC 27604. The petition requested that 40 CFR 180.920 be amended by establishing an exemption from the requirement of a tolerance for residues of calcium formate (CAS Reg. No. 544–17–2) when used as an inert ingredient (carrier) in pesticide formulations applied to growing crops only. That document referenced a summary of the petition prepared by ADAMA Agan, LTD, the petitioner, which is available in the docket, http://www.regulations.gov.

This is based on the Agency’s risk assessment which can be found at http://www.regulations.gov in document: Calcium Formate; Human Health Risk Assessment in docket ID number EPA–HQ–OPP–2018–0091. No comments were received in response to the notice published by EPA.

III. Inert Ingredient Definition

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125 and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own):

Solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and...