

Subpart F—California

■ 2. Section 52.220 is amended by adding paragraphs (c)(504)(i)(A)(2) and (c)(591)(i)(B) to read as follows:

§ 52.220 Identification of plan—in part.

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(c) * * *
(504) * * *
(i) * * *
(A) * * *

(2) Previously approved on June 6, 2018, in paragraph (c)(504)(i)(A)(1) of this section and now deleted with replacement in paragraph (c)(591)(i)(B)(1) of this section: Rule 432, “Federal New Source Review,” amended on March 23, 2017.

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(591) * * *
(i) * * *

(B) Butte County Air Quality Management District.

(1) Rule 432, “Federal New Source Review (FNSR),” amended on April 22, 2021.

(2) [Reserved]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 141

[EPA–HQ–OW–2023–0541; FRL–11620–01–OW]

Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures

Correction

In rule document 2024–1530 beginning on page 5773 in the issue of Tuesday, January 30, 2024, make the following corrections:

1. On page 5790, table “Alternative Testing Methods for Disinfectant Residuals Listed at 40 CFR 141.131(c)(1)” should have the column headings:

Residual	Methodology	SM 21st edition ¹	SM 22nd edition, ²⁸ SM 23rd edition, ⁴⁹ SM 24th edition ⁶⁶	ASTM ⁴	Other
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2. On the same page, table “Alternative Testing Methods for Parameters Listed at 40 CFR 141.131(d)” should have column headings that appear as follows:

Parameter	Methodology	SM 21st edition ¹	SM 22nd edition ²⁸	SM 23rd edition, ⁴⁹ SM 24th edition ⁶⁶	SM online ³	EPA	Other
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3. On the same page, table “Alternative Testing Methods for Contaminants Listed at 40 CFR 141.402(c)(2)” should have column headings that appear as follows:

Organism	Methodology	SM 20th edition ⁶	SM 21st edition ¹	SM 22nd edition ²⁸	SM 23rd edition, ⁴⁹ SM 24th edition ⁶⁶	SM online ³	Other
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4. On the same page, table “Alternative Testing Methods for Contaminants Listed at 40 CFR 141.852(a)(5)” should have column headings that appear as follows:

Organism	Methodology category	Method	SM 20th, 21st editions ^{1 6}	SM 22nd edition ²⁸	SM 23rd edition, ⁴⁹ SM 24th edition ⁶⁶	SM online ³
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5. On page 5792, table “Alternative Testing Methods for Contaminants Listed at 40 CFR 143.4(b)” should have column headings that appear as follows:

Contaminant	Methodology	EPA method	ASTM ⁴	SM 21st edition ¹	SM 22nd edition, ²⁸ SM 23rd edition, ⁴⁹ SM 24th edition ⁶⁶	SM online ³
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6. On the same page, table “Alternative Testing Methods for Contaminants Listed at 40 CFR 143.4(b), the entry for Chloride should read as follows:

Chloride	Silver Nitrate Titration ..	.....	D 512–04 B, 12 B	4500–Cl [–] B	4500–Cl [–] B.	
	Ion Chromatography ....	.....	D 4327–11, –17	4110 B	4110 B.	
	Potentiometric Titration .....	.....	.....	4500–Cl [–] D	4500–Cl [–] D.	

7. On the same page, in the same table, the entry for Sulfate should read as follows:

Sulfate	Ion chromatography .....	.....	D 4327–11, –17	4110 B	4110 B.	
	Gravimetric with ignition of residue.	.....	.....	4500–SO ₄ ^{2–} C	4500–SO ₄ ^{2–} C	4500–SO ₄ ^{2–} C–97.
	Gravimetric with drying of residue.	.....	.....	4500–SO ₄ ^{2–} D	4500–SO ₄ ^{2–} D	4500–SO ₄ ^{2–} D–97.
	Turbidimetric method ...	.....	D 516–07, 11, 16	4500–SO ₄ ^{2–} E	4500–SO ₄ ^{2–} E	4500–SO ₄ ^{2–} E–97.
	Automated methylthymol blue method.			4500–SO ₄ ^{2–} F	4500–SO ₄ ^{2–} F	4500–SO ₄ ^{2–} F–97.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2021–0523; FRL–5993–06–OCSPP]

Chlorpyrifos; Reinstatement of Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is amending its regulations to reflect the current legal status of the chlorpyrifos tolerances following a court order vacating the Agency’s revocation of those tolerances. EPA is issuing this as a final action that is effective upon publication since this action simply conforms the regulations to reflect the tolerances that have already been legally reinstated by the court’s order.

DATES: Effective on February 5, 2024.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2021–0523, is available online at <https://www.regulations.gov>. Additional instructions for visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Patricia Biggio, Pesticide Re-Evaluation Division (7508M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: 202–566–0700; email address: OPPChlorpyrifosInquiries@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this action apply to me?

This action is directed to the public in general. It may be of specific interest to persons who are an agricultural producer, food manufacturer, or

pesticide manufacturer identified under North American Industrial Classification System (NAICS) codes 111, 112, 311, and 32532. The NAICS codes are provided to assist in determining interest. However, the Agency has not attempted to describe all the specific entities that may be affected by this action.

II. What is the Agency’s authority for taking this action?

EPA is taking this action pursuant to the authority in section 408(e)(1) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e)(1).

III. What action is the Agency taking?

EPA is revising the tolerance regulations (40 CFR part 180) to reflect the reinstatement of tolerances for chlorpyrifos, in compliance with a decision and order dated November 2, 2023, from the U.S. Court of Appeals for the Eighth Circuit in the matter of *Red River Valley Sugarbeet Growers Ass’n v. Regan*, 85 F.4th 881 (8th Cir. 2023). Specifically, EPA is amending 40 CFR 180.342 to reflect the current legal status of the tolerances for chlorpyrifos.

IV. Why is EPA taking this action?

In April 2021, the U.S. Court of Appeals for the Ninth Circuit ordered EPA to issue a final rule either revoking all chlorpyrifos tolerances or modifying the chlorpyrifos tolerances, provided EPA could make a determination that those modified tolerances met the safety standard mandated by the FFDCA. *See League of United Latin American Citizens, et al. v. Regan*, 996 F.3d 673 (9th Cir. 2021). The Ninth Circuit ordered EPA to issue that final rule within 60 days of the issuance of the mandate.

As a result of the very short timeframe, EPA found that, based on the available data and anticipated exposure from registered uses of chlorpyrifos, it could not determine that there was a reasonable certainty of no harm from aggregate exposure, including food, drinking water, and residential exposure. Consequently, in the **Federal**

Register of August 30, 2021 (86 FR 48315; FRL–5993–04–OCSPP), EPA issued a final rule amending 40 CFR 180.342 to revoke all tolerances for residues of chlorpyrifos. That rule included revocation of tolerances for residues of chlorpyrifos on specific food and feed commodities (180.342(a)(1)); on all food commodities treated in food handling and food service establishments in accordance with prescribed conditions (180.342(a)(2) and (a)(3)); and on specific commodities when used under regional registrations (180.342(c)). The final rule allowed the tolerances to remain in effect for six months, until February 28, 2022, at which time the tolerances expired. Gharda Chemicals International, Inc. (Gharda), one of the chlorpyrifos registrants, and several grower groups, among others, filed objections to the Agency’s final rule revoking chlorpyrifos tolerances. The Agency denied those objections in an order issued in the **Federal Register** on February 28, 2022 (87 FR 11222 (FRL–5993–05–OCSPP)).

Gharda and several grower groups challenged EPA’s order denying objections and the tolerance revocation rule in the U.S. Court of Appeals for the Eighth Circuit. On November 2, 2023, the Eighth Circuit issued its decision, vacating EPA’s final rule and remanding the matter to EPA for further proceedings. No request for rehearing was filed. On December 28, 2023, the mandate issued, finalizing the court’s judgment, and effectuating the vacatur of the Agency’s rule revoking tolerances. Because the Eighth Circuit vacated EPA’s rule revoking chlorpyrifos tolerances, those tolerances are legally currently in effect. EPA is issuing this final rule to amend the tolerance regulations to reflect the current legal status of the tolerances for chlorpyrifos by removing the introductory sentence currently in 40 CFR 180.342 that contains the revocation statement and expiration date.