

■ 3. Section 52.1075 is amended by adding paragraph (r) to read as follows:

§ 52.1075 Base year emissions inventory.

* * * * *

(r) EPA approves as a revision to the Maryland state implementation plan the 2011 base year emissions inventory for the Baltimore, Maryland moderate nonattainment area for the 2008 8-hour ozone national ambient air quality standards submitted by the Maryland Department of the Environment on December 30, 2016. The 2011 base year emissions inventory includes emissions estimates that cover the general source categories of stationary point, quasi-point, area (nonpoint), nonroad mobile, onroad mobile, and Marine-Air-Rail (M-A-R). The inventory includes actual annual emissions and typical summer day emissions for the months of May through September for the ozone precursors, VOC and NO_x.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA-HQ-OAR-2012-0918; FRL-9981-95-OAR]

Air Quality Designations for the 2012 Primary Annual Fine Particle (PM_{2.5}) National Ambient Air Quality Standard (NAAQS) for Areas in Florida

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is establishing initial air quality designations for the 2012 primary annual fine particle (PM_{2.5}) National Ambient Air Quality Standard (NAAQS) for the remaining undesignated areas in the state of Florida. When the EPA designated the majority of areas in the country for this NAAQS in December 2014 and March 2015, the EPA deferred initial area designations for certain areas, including all of the Florida, because the EPA could not determine using available data whether the areas were meeting or not meeting the NAAQS. In August 2016, the EPA designated most of the state of Florida (62 of 67 counties). Following the August 2016 designation action, two areas (five counties) in Florida remained undesignated. The EPA could not determine at that time whether the areas were meeting or not meeting the NAAQS. Florida has now submitted complete, quality-assured,

and certified air quality monitoring data for the period 2015–2017 for the areas identified in this action. Based on these data, the EPA is designating the remaining five counties as unclassifiable/attainment for the 2012 primary annual PM_{2.5} NAAQS.

DATES: This final rule is effective on September 10, 2018.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2012-0918. All documents in the docket are listed in the index at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information 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 electronically in the docket or in hard copy at the EPA Docket Center, William Jefferson Clinton West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC. 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 Air Docket is (202) 566-1742.

In addition, the EPA has established a website for the rulemakings to initially designate areas for the 2012 primary annual PM_{2.5} NAAQS at: <https://www.epa.gov/particle-pollution-designations>. This website includes the EPA's final PM_{2.5} designations actions, as well as state and tribal initial recommendation letters, the EPA's modification letters, technical support documents, responses to comments and other related technical information.

FOR FURTHER INFORMATION CONTACT: For general questions concerning this action, please contact: Carla Oldham, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Policy Division, C539-04, Research Triangle Park, NC 27711, telephone (919) 541-3347, email at oldham.carla@epa.gov. The Region 4 contact is Madolyn Sanchez, U.S. EPA, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960, telephone (404) 562-9644, email at sanchez.madolyn@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On December 14, 2012, the EPA promulgated a revised primary annual

PM_{2.5} NAAQS to provide increased protection of public health from fine particle pollution (78 FR 3086; January 15, 2013). In that action, the EPA strengthened the primary annual PM_{2.5} standard from 15.0 micrograms per cubic meter (µg/m³) to 12.0 µg/m³, which is attained when the 3-year average of the annual arithmetic means does not exceed 12.0 µg/m³. Section 107(d) of the Clean Air Act (CAA), 42 U.S.C. 7407(d), governs the process for initial area designations after the EPA establishes a new or revised NAAQS. Under CAA section 107(d), each governor is required to, and each tribal leader may, if they so choose, recommend air quality designations to the EPA by a date that cannot be later than 1 year after the promulgation of a new or revised NAAQS. The EPA considers these recommendations as part of its duty to promulgate the area designations and boundaries for the new or revised NAAQS. If, after careful consideration of these recommendations, the EPA believes that it is necessary to modify a state's recommendation and intends to promulgate a designation different from a state's recommendation, the EPA must notify the state at least 120 days prior to promulgating the final designation and the EPA must provide the state an opportunity to demonstrate why any proposed modification is inappropriate. These modifications may relate either to an area's designation or to its boundaries.

On December 18, 2014, the Administrator of the EPA signed a final action promulgating initial designations for the 2012 PM_{2.5} NAAQS for the majority of the United States, including areas of Indian country (80 FR 2206 FR; January 15, 2015). In that action, the EPA also deferred initial area designations for certain areas where available data, including air quality monitoring data, were insufficient to determine whether the area met or did not meet the NAAQS, but where forthcoming data were likely to result in complete and valid air quality data sufficient to determine whether these areas meet the NAAQS. Accordingly, the EPA stated that it would use the additional time available as provided under section 107(d)(1)(B) of the CAA to assess relevant information and subsequently promulgate initial designations for the identified areas through a separate rulemaking action or actions. The deferred areas included the entire state of Tennessee, except three counties in the Chattanooga area; several areas in the state of Georgia, including two neighboring counties in

the bordering states of Alabama and South Carolina; the entire state of Florida; and areas of Indian country located in these areas.

In separate actions published on April 15, 2015 (80 FR 18535), September 6, 2016 (81 FR 61136), and May 19, 2017 (82 FR 22888), the EPA promulgated designations of unclassifiable/attainment for all remaining deferred areas in the state of Georgia (including two neighboring counties in the bordering states of Alabama and South Carolina), all of the remaining deferred areas in the state of Tennessee, and 62 counties in the state of Florida, including areas of Indian country located in those areas.

II. Purpose and Designation Decisions Based on 2015–2017 Data

The purpose of this action is to announce and promulgate initial area designations of unclassifiable/attainment for the 2012 PM_{2.5} NAAQS for the remaining five undesignated counties in the state of Florida. The counties are: Alachua County, Broward County, Gilchrist County, Miami-Dade County, and Palm Beach County. Alachua and Gilchrist Counties make up the Gainesville, FL Core Based Statistical Area (CBSA). Broward, Miami-Dade, and Palm Beach Counties make up the Miami-Fort Lauderdale-West Palm Beach Counties CBSA. The EPA initially deferred designating these counties in the EPA's January 15, 2015, rulemaking.¹ Since then, the state of Florida has submitted to the EPA complete, quality-assured, and certified air quality monitoring data from 2015–2017 for the two CBSAs.² The air quality data indicate that the CBSAs are attaining the 2012 PM_{2.5} NAAQS. In addition, because there are no nearby violating areas, the counties in these CBSAs are not causing or contributing to a violation of the 2012 PM_{2.5} NAAQS in a nearby area. Therefore, the EPA is designating the remaining five undesignated counties in these CBSAs as unclassifiable/attainment. These designations are consistent with Florida's recommended area designations and boundaries for these areas for the 2012 PM_{2.5} NAAQS. The table at the end of this final rule (amendments to 40 CFR 81.310—Florida) lists all areas for which the EPA has promulgated an initial designation in Florida. Areas of Indian country

located in the listed areas are included in the designated areas.

III. Environmental Justice Considerations

When the EPA establishes a new or revised NAAQS, the CAA requires the EPA to designate all areas of the U.S. as either nonattainment, attainment, or unclassifiable. The EPA provided a meaningful opportunity for members of the public to participate in the development of the 2012 primary annual PM_{2.5} NAAQS that underlies the present action, including conducting an outreach and information call with environmental justice organizations on August 9, 2012.

As part of the process of reviewing the PM air quality criteria and revising the primary annual PM_{2.5} NAAQS, the EPA identified persons from lower socioeconomic strata as an at-risk population for PM-related health effects. As a result, the EPA carefully evaluated the potential impacts on low-income and minority populations. Based on this evaluation and consideration of public comments, the EPA eliminated spatial averaging provisions as part of the form of the primary annual PM_{2.5} NAAQS in order to avoid potential disproportionate impacts on at-risk populations, including populations from lower socioeconomic strata. *See* 78 FR at 3267 (January 15, 2013).

This final action addresses designation determinations for certain areas in Florida for the 2012 primary annual PM_{2.5} NAAQS. The CAA requires the EPA to determine through a designation process whether an area meets or does not meet any new or revised national primary or secondary NAAQS. The promulgation of area designations facilitates public understanding and awareness of the air quality in an area. For this action, the complete and valid monitoring data from Florida indicate that all the areas at issue in this action are meeting the 2012 primary annual PM_{2.5} NAAQS. Furthermore, no area affected by this action is contributing to a violation of the 2012 primary annual PM_{2.5} NAAQS in a nearby area.

IV. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is exempt from review by the Office of Management and Budget because it responds to the CAA requirement to promulgate air quality

designations after promulgation of a new or revised NAAQS.

B. Executive Order 13771: Reducing Regulations and Controlling Regulatory Costs

This action is not an Executive Order 13771 regulatory action because actions such as air quality designations after promulgating a new revised NAAQS are exempt from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA. This action fulfills the non-discretionary duty for the EPA to promulgate air quality designations after promulgation of a new or revised NAAQS and does not contain any information collection activities.

D. Regulatory Flexibility Act (RFA)

This designation action under CAA 107(d) is not subject to the RFA. The RFA applies only to rules subject to notice and comment rulemaking requirements under the Administrative Procedure Act (APA), 5 U.S.C. 553, or any other statute. Section 107(d)(2)(B) of the CAA explicitly provides that designations are exempt from the notice and comment provisions of the APA. In addition, designations under CAA section 107(d) are not among the list of actions that are subject to the notice and comment procedures of CAA section 307(d).

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538 and does not significantly or uniquely affect small governments. The action implements mandates specifically and explicitly set forth in the CAA for the 2012 primary annual PM_{2.5} NAAQS (40 CFR 50.18). The CAA establishes the process whereby states take primary responsibility for developing plans to meet the 2012 primary annual PM_{2.5} NAAQS.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

¹ See also the technical support document for the deferred Florida areas in the rulemaking docket, documents numbered EPA-HQ-OAR-2012-0918-0323 and EPA-HQ-2012-0918-0332.

² Monitoring requirements are in accordance with 40 CFR part 58. Design values are calculated in accordance with 40 CFR part 50, Appendix N.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications. It will neither impose substantial direct compliance costs on federally recognized tribal governments, nor preempt tribal law. The CAA provides for states and eligible tribes to develop plans to regulate emissions of air pollutants within their areas, as necessary, based on the designations. The TAR provides tribes the opportunity to apply for eligibility to develop and implement CAA programs, such as programs to attain and maintain the PM_{2.5} NAAQS, but it leaves to the discretion of the tribe the decision of whether to apply to develop these programs and which programs, or appropriate elements of a program, the tribe will seek to adopt. This rule does not have a substantial direct effect on one or more Indian tribes.

H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

The EPA interprets Executive Order 13045 as applying to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not establish an environmental standard intended to mitigate health or safety risks.

I. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution or Use

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

K. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

The EPA believes that this action does not have disproportionately high and adverse human health of environmental effects on minority populations, low-income populations and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994). The documentation for this determination is contained in Section III of this preamble, “Environmental Justice Considerations.”

L. Congressional Review Act (CRA)

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the U.S. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

M. Judicial Review

Section 307 (b)(1) of the CAA indicates which Federal Courts of Appeal have venue for petitions of review of final actions by the EPA. This section provides, in part, that petitions for review must be filed in the Court of Appeals for the District of Columbia Circuit: (i) When the agency action consists of “nationally applicable regulations promulgated, or final actions taken by the Administrator,” or (ii) when such action is locally or regionally applicable, if “such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination.”

This final action, in conjunction with the previous final actions designating areas across the U.S. for the 2012 primary annual PM_{2.5} NAAQS, is “nationally applicable” within the meaning of section 307(b)(1). At the core of this final action is the EPA’s interpretations of the definitions of nonattainment, attainment and unclassifiable under section 107(d)(1) of the CAA, and its application of those interpretations to areas across the country. For the same reasons, the Administrator is also determining that the final designations are of nationwide

scope and effect for the purposes of section 307(b)(1) of the CAA. This is particularly appropriate because, in the report on the 1977 Amendments that revised section 307(b)(1) of the CAA, Congress noted that the Administrator’s determination that an action is of “nationwide scope or effect” would be appropriate for any action that has a scope or effect beyond a single judicial circuit. H.R. Rep. No. 95–294 at 323, 324, *reprinted* in 1977 U.S.C.C.A.N. 1402–03. Here, the scope and effect of this final action extends to numerous judicial circuits since the designations apply to areas across the country. In these circumstances, section 307(b)(1) and its legislative history calls for the Administrator to find the action to be of “nationwide scope or effect” and for venue to be in the D.C. Circuit.

Thus, any petitions for review of final designations must be filed in the Court of Appeals for the District of Columbia Circuit within 60 days from the date final action is published in the **Federal Register**.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: July 31, 2018.

Andrew R. Wheeler,
Acting Administrator.

For the reasons set forth in the preamble, 40 CFR part 81 is amended as follows:

PART 81—DESIGNATIONS OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 1. The authority citation for part 81 continues to read as follows:

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

Subpart C—Section 107 Attainment Status Designations

■ 2. Section 81.310 is amended by revising the table titled, “Florida—2012 Annual PM_{2.5} NAAQS (Primary)” to read as follows:

§ 81.310 Florida.

* * * * *

FLORIDA—2012 ANNUAL PM_{2.5} NAAQS
[Primary]

Designated area ¹	Designation		Classification	
	Date ²	Type	Date ²	Type
Statewide:				
Alachua County	9/10/2018	Unclassifiable/Attainment.		
Baker County		Unclassifiable/Attainment.		

FLORIDA—2012 ANNUAL PM_{2.5} NAAQS—Continued
[Primary]

Designated area ¹	Designation		Classification	
	Date ²	Type	Date ²	Type
Bay County		Unclassifiable/Attainment.		
Bradford County		Unclassifiable/Attainment.		
Brevard County		Unclassifiable/Attainment.		
Broward County	9/10/2018	Unclassifiable/Attainment.		
Calhoun County		Unclassifiable/Attainment.		
Charlotte County		Unclassifiable/Attainment.		
Citrus County		Unclassifiable/Attainment.		
Clay County		Unclassifiable/Attainment.		
Collier County		Unclassifiable/Attainment.		
Columbia County		Unclassifiable/Attainment.		
DeSoto County		Unclassifiable/Attainment.		
Dixie County		Unclassifiable/Attainment.		
Duval County		Unclassifiable/Attainment.		
Escambia County		Unclassifiable/Attainment.		
Flagler County		Unclassifiable/Attainment.		
Franklin County		Unclassifiable/Attainment.		
Gadsden County		Unclassifiable/Attainment.		
Gilchrist County	9/10/2018	Unclassifiable/Attainment.		
Glades County		Unclassifiable/Attainment.		
Gulf County		Unclassifiable/Attainment.		
Hamilton County		Unclassifiable/Attainment.		
Hardee County		Unclassifiable/Attainment.		
Hendry County		Unclassifiable/Attainment.		
Hernando County		Unclassifiable/Attainment.		
Highlands County		Unclassifiable/Attainment.		
Hillsborough County		Unclassifiable/Attainment.		
Holmes County		Unclassifiable/Attainment.		
Indian River County		Unclassifiable/Attainment.		
Jackson County		Unclassifiable/Attainment.		
Jefferson County		Unclassifiable/Attainment.		
Lafayette County		Unclassifiable/Attainment.		
Lake County		Unclassifiable/Attainment.		
Lee County		Unclassifiable/Attainment.		
Leon County		Unclassifiable/Attainment.		
Levy County		Unclassifiable/Attainment.		
Liberty County		Unclassifiable/Attainment.		
Madison County		Unclassifiable/Attainment.		
Manatee County		Unclassifiable/Attainment.		
Marion County		Unclassifiable/Attainment.		
Martin County		Unclassifiable/Attainment.		
Miami-Dade County	9/10/2018	Unclassifiable/Attainment.		
Monroe County		Unclassifiable/Attainment.		
Nassau County		Unclassifiable/Attainment.		
Okaloosa County		Unclassifiable/Attainment.		
Okeechobee County		Unclassifiable/Attainment.		
Orange County		Unclassifiable/Attainment.		
Osceola County		Unclassifiable/Attainment.		
Palm Beach County	9/10/2018	Unclassifiable/Attainment.		
Pasco County		Unclassifiable/Attainment.		
Pinellas County		Unclassifiable/Attainment.		
Polk County		Unclassifiable/Attainment.		
Putnam County		Unclassifiable/Attainment.		
St. Johns County		Unclassifiable/Attainment.		
St. Lucie County		Unclassifiable/Attainment.		
Santa Rosa County		Unclassifiable/Attainment.		
Sarasota County		Unclassifiable/Attainment.		
Seminole County		Unclassifiable/Attainment.		
Sumter County		Unclassifiable/Attainment.		
Suwanee County		Unclassifiable/Attainment.		
Taylor County		Unclassifiable/Attainment.		
Union County		Unclassifiable/Attainment.		
Volusia County		Unclassifiable/Attainment.		
Wakulla County		Unclassifiable/Attainment.		
Walton County		Unclassifiable/Attainment.		
Washington County		Unclassifiable/Attainment.		

¹ Includes areas of Indian country located in each county or area, except as otherwise specified.

² This date is October 6, 2016, unless otherwise noted.

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[FR Doc. 2018-17080 Filed 8-8-18; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 180**

[EPA-HQ-OPP-2017-0315; FRL-9980-51]

Cerevisane (Cell Walls of *Saccharomyces cerevisiae* Strain LAS117); 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 cerevisane (cell walls of *Saccharomyces cerevisiae* strain LAS117) in or on all food commodities when used in accordance with label directions and good agricultural practices. Lesaffre Yeast Corporation submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA) requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of cerevisane (cell walls of *Saccharomyces cerevisiae* strain LAS117) under FFDCA.

DATES: This regulation is effective August 9, 2018. Objections and requests for hearings must be received on or before October 9, 2018, 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-2017-0315, 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 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 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: Robert McNally, Biopesticides and Pollution Prevention Division (7511P),

Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; main telephone number: (703) 305-7090; email address: BPPDFRNotices@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?

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Printing Office's e-CFR site at http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.

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

Under FFDCA section 408(g), 21 U.S.C. 346a(g), 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-2017-0315 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 October 9, 2018. 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-2017-0315, 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. Background

In the **Federal Register** of March 6, 2018 (83 FR 9471) (FRL-9973-27), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide tolerance petition (PP 6F8535) by Technology Sciences Group Inc., 712 Fifth Street, Suite A, Davis, CA 95616 (on behalf of Lesaffre Yeast Corporation, 7475 W Main St., Milwaukee, WI 53214). The petition requested that 40 CFR 180 be amended by establishing an exemption from the requirement of a tolerance for residues of the systemic resistance inducer (SRI) cerevisane (cell walls of *Saccharomyces cerevisiae* strain LAS117) in or on all food commodities. That document referenced a summary of the petition prepared by the petitioner, Technology Sciences Group Inc., (on behalf of Lesaffre Yeast Corporation), which is available in the docket via <http://www.regulations.gov>. There were no relevant comments received in response to the notice of filing.

III. Final Rule*A. EPA's Safety Determination*

Section 408(c)(2)(A)(i) of FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the exemption is "safe." Section 408(c)(2)(A)(ii) of FFDCA defines "safe" to mean that "there is a reasonable certainty that no harm will result from aggregate exposure to the