

strain SC1; therefore, the requirement to provide an analytical method for the detection of residues of *Trichoderma atroviride* strain SC1 in agricultural commodities or processed food is not applicable. *Contact*: BPPD.

#### D. New Tolerances for Non-Inerts

1. *PP 4F8338*. (EPA-HQ-OPP-2018-0599). Dow AgroSciences LLC, 9330 Zionsville Road, Indianapolis, IN 46268, requests to establish a tolerance in 40 CFR part 180 for residues of the insecticide, sulfoxaflor (1-(6-trifluoromethylpyridin-3-yl)ethyl)(methyl)-oxido- $\lambda$ -sulfanylideneacyanamide), in or on rice, grain at 5 parts per million (ppm); rice, straw at 5 ppm; rice, hulls at 14 ppm; and avocado, whole fruit at 0.15 ppm. The Analytical method 091116, "Enforcement Method for the Determination of Sulfoxaflor (XDE-208) and its Main Metabolites in Agricultural Commodities using Offline Solid-Phase Extraction and Liquid Chromatography with Tandem Mass Spectrometry Detection" was validated on a variety of plant matrices. The method was validated over the concentration range of 0.010–5.0 mg/kg with a validated limit of detection (LOD) of 0.003 mg/kg and limit of quantitation (LOQ) of 0.010 mg/kg. *Contact*: RD.

2. *PP 8E8672*. (EPA-HQ-OPP-2008-0771). Valent U.S.A. LLC, P.O. Box 8025, Walnut Creek, CA 94596, requests to establish a tolerance in 40 CFR part 180 for residues of the insecticide, clothianidin, in or on persimmon at 0.5 parts per million (ppm). The liquid chromatography/mass spectroscopy/mass spectroscopy (LC/MS/MS analysis) is used to measure and evaluate the chemical clothianidin, (E)-1-(2-chloro-1,3-thiazol-5-ylmethyl)-3-methyl-2-nitroguanidine. *Contact*: RD.

3. *PP 8E8731*. (EPA-HQ-OPP-2019-0070). Interregional Research Project No. 4 (IR-4), IR-4 Project Headquarters, Rutgers, The State University of NJ, 500 College Road East, Suite 201 W, Princeton, NJ 08540, requests to amend 40 CFR part 180.650 by establishing tolerances for residues of isoxaben, N-[3-(1-ethyl-1-methylpropyl)-5-isoxazolyl]-2, 6-dimethoxybenzamide in or on the raw agricultural commodities Hop, dried cones at 0.01 parts per million (ppm) and Caneberry subgroup 13-07A at 0.01 ppm. Acceptable analytical methods are available for enforcement purposes. *Contact*: RD.

4. *PP 8F8695*. (EPA-HQ-OPP-2018-0718). Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419 requests to establish a tolerance in 40 CFR part 180.475 for residues of the fungicide difenoconazole in or on

vegetable, leaves of root and tuber, group 2 at 8.0 parts per million (ppm) and vegetable, root, subgroup 1A at 0.60 ppm. The gas chromatography equipped with a nitrogen-phosphorous detector and the liquid chromatography (LC)/mass spectrometry (MS)/MS method are used to measure and evaluate the chemical difenoconazole. *Contact*: RD.

5. *PP 8F8729*. (EPA-HQ-OPP-2019-0130). Bayer CropScience, 2 T.W. Alexander Drive, P.O. Box 12014, Research Triangle Park, NC 27709, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, trifloxystrobin (benzeneacetic acid, (E,E)- $\alpha$ -(methoxyimino)-2-[[[1-[3-(trifluoromethyl)phenyl]ethylidene]amino]oxy]methyl-methyl ester) and the free form of its acid metabolite CGA-321113 ((E,E)-methoxyimino-[2-[1-(3-trifluoromethyl-phenyl)-ethylideneamino]oxy]methyl-phenyl)acetic acid) in or on dried shelled pea and bean (except soybean) subgroup 6C at 0.06 parts per million (ppm). The analytical method involves solvent mixtures and solvent to matrix ratio, deuterated internal standards, and Liquid Chromatography/Mass Spectrometry-Mass Spectrometry (LC/MS-MS) with an electrospray interface, operated in the positive ion mode. Residues of trifloxystrobin are quantified by high-pressure liquid chromatography/triple stage quadrupole mass spectrometry (LC/MS/MS) using stable-labeled internal standards. *Contact*: RD.

6. *PP 9F8733*. (EPA-HQ-OPP-2019-0062). Syngenta Crop Protection, 410 Swing Road, P.O. Box 18300, Greensboro, NC 27419, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, mandipropamid: 4-chloro-N-[2-[3-methoxy-4-(2-propynyloxy)phenyl]ethyl]- $\alpha$ -(2-propynyloxy)-benzeneacetamide, in or on cocoa bean at 0.05 parts per million (ppm). The analytical method involves extraction of mandipropamid residues from crop samples by homogenization with acetonitrile:water (80:20 v/v). Extracts are centrifuged and aliquots diluted with water prior to being cleaned-up using polymeric solid-phase extraction cartridges. Residues of mandipropamid are quantified using high performance LC-MS/MS. *Contact*: RD.

7. *PP 9F8736*. (EPA-HQ-OPP-2019-0128). Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419, requests to establish a tolerance in 40 CFR part 180.685 for residues of the fungicide oxathiapiprolin (1-[4-[4-[5-(2,6-difluorophenyl)-4,5-dihydro-3-isoxazolyl]-2-thiazolyl]-1-piperidinyl]-2-[5-methyl-3-(trifluoromethyl)-1H-

pyrazol-1-yl]-ethanone), in or on bushberry crop subgroup 13-07B at 0.5 parts per million (ppm); tree nuts, crop group 14-12 at 0.01 ppm; and almond hulls at 0.05 ppm. High-pressure liquid chromatography with tandem mass-spectrometry (LC-MS/MS) detection is used to measure and evaluate residues of the chemical oxathiapiprolin. *Contact*: RD.

8. *PP 9F8744*. (EPA-HQ-OPP-2019-0273). Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419, requests to establish rotational crop tolerances in 40 CFR part 180 for residues of the fungicide, pydiflumetofen, in or on rice, grain at 0.01 parts per million (ppm); Non-grass animal feed (crop group 18), forage at 0.01 ppm; non-grass animal feed (crop group 18), hay at 0.03 ppm; grasses, forage at 0.15 ppm; grasses, hay at 0.50 and grasses, straw at 0.04 ppm. The QuEChERS method is used to measure and evaluate the chemical in plant commodities. *Contact*: RD.

**Authority**: 21 U.S.C. 346a *et seq.*

**Dated**: May 20, 2019.

**Delores Barber,**

*Director, Information Technology and Resources Management Division, Office of Pesticide Programs.*

[FR Doc. 2019-11930 Filed 6-6-19; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 239

[FRL-9994-84-Region 2]

#### The Territory of the United States Virgin Islands: Notification of Tentative Determination of Adequacy of the U.S. Virgin Islands Municipal Solid Waste Landfill Permit Program; Public Hearings and Public Comment Period

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

**ACTION**: Proposed rule.

**SUMMARY**: The U.S. Virgin Islands (USVI) has requested that EPA consider approving its Resource Conservation and Recovery Act (RCRA) Subtitle D municipal solid waste landfills (MSWLF) Permit Program and with this action, EPA is proposing a Tentative Determination of Adequacy of the USVI MSWLF Permit Program. Although RCRA does not require EPA to hold a hearing on any determination to approve a State/Tribe's MSWLF program, the Region has scheduled three public hearings on this tentative

determination. Details appear below in the **DATES** section.

**DATES:** All comments on EPA's tentative determination of adequacy of the USVI RCRA Subtitle D MSWLF Permit Program must be received by the close of business on Friday, August 2, 2019. One public hearing will be held on St. Croix, USVI on Tuesday, July 23, 2019; a second hearing will take place on St. Thomas, USVI on Wednesday, July 24, 2019; a third hearing will take place on St. John, USVI on Thursday, July 25, 2019. Each hearing will begin at 6 p.m. The Government of the USVI is expected to participate in the public hearings held by EPA on this matter.

**ADDRESSES:** Copies of key documents concerning this matter are available between 8:30 a.m. and 5:00 p.m. at the following addresses for inspection and copying: U.S. EPA Region 2 Library, 290 Broadway, 16th Floor, New York, New York, 10007-1866, telephone (212) 637-3185; the USVI Department of Planning and Natural Resources, Division of Environmental Protection, 2607 Tutu Park Mall, St. Thomas, USVI 00802, telephone (340) 774-3320; the Elaine Ione Strauve Public Library, Enighed Estate, St. John, USVI 00831, telephone (340) 776-6395; the USVI Department of Planning and Natural Resources, Division of Environmental Protection, 45 Estate Mars Hill, Frederiksted, St. Croix, USVI, 00840, telephone (340) 773-1082; the USEPA Caribbean Environmental Protection Division (CEPD) City View Plaza II—Suite 7000 #48 Rd. 165 km 1.2 Guaynabo, PR 00968-8069. Written comments should be sent to Judy-Ann Mitchell, Acting Deputy Division Director, Land, Chemicals, and Redevelopment Division, USEPA Region 2, 290 Broadway, New York, NY 10007 or via email at [mitchell.judy-ann@epa.gov](mailto:mitchell.judy-ann@epa.gov). The St. Croix public hearing on Tuesday, July 23, 2019 will be held at the Florence A. Williams Public Library, 1122 King Street, Christiansted, St. Croix, USVI 00823; the St. Thomas public hearing on Wednesday, July 24, 2019 will be held at the Department of Planning and Natural Resources Charles W. Turnbull Regional Public Library Auditorium, 2607 Tutu Park Mall, St. Thomas, USVI 00802; the St. John public hearing on Thursday, July 25 will be held at the Cleone H. Creque Legislative Conference Room, St. John Legislative Annex, Cruz Bay, St. John, USVI 00830.

**FOR FURTHER INFORMATION CONTACT:** Judy-Ann Mitchell, Acting Deputy Division Director, Land, Chemicals, and Redevelopment Division, U.S. EPA Region 2, 290 Broadway, New York,

New York, 10007-1866, telephone (212) 637-3721, [mitchell.judy-ann@epa.gov](mailto:mitchell.judy-ann@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Background**

The RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984, requires States to develop and implement permit programs or other systems of prior approval to ensure that MSWLFs which may receive hazardous household waste or small quantity generator waste will comply with the revised Federal MSWLF Criteria. The RCRA requires the Environmental Protection Agency (EPA) to determine whether States have adequate "permit" programs for MSWLFs. Pursuant to the RCRA, the term "State" includes the territory of the U.S. Virgin Islands. To implement these statutory provisions, EPA promulgated a State Implementation final rule, which provides criteria and procedures for making adequacy determinations of State municipal landfill permit programs. The EPA approval of state MSWLF programs provides Directors of approved states with various flexibilities including the authority to approve expansion of an existing landfill or siting a new landfill in a seismic zone, application of alternative daily cover, and alternate financial assurance mechanisms. The EPA notes that federal landfill criteria apply to all permitted and unpermitted MSWLF facilities.

On October 9, 1991, EPA promulgated revised criteria for MSWLFs (40 CFR part 258). Subtitle D of RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), requires States to develop permitting programs or other systems of prior approval to ensure that MSWLFs comply with the Federal Criteria under part 258. RCRA also requires in Section 4005(c)(1)(C), 42 U.S.C. 6945(c)(1)(C) that EPA determine whether State MSWLF permit programs are adequate to comply with the revised Federal Criteria. Title 40 CFR part 239 specifies the minimum requirements which State landfill permit programs must satisfy to be determined by EPA to be adequate, including: The state must have legally adopted enforceable standards for new and existing MSWLFs that are technically comparable to EPA's revised MSWLF landfill criteria; the state must have an adequate compliance monitoring program and the legal authority to issue permits or other forms of prior approval to all new and existing MSWLFs in its jurisdiction; the State must provide for public participation in permit issuance and enforcement as

required in section 7004(b) of RCRA, 42 U.S.C. 6974(b); and the State must also demonstrate that it has sufficient compliance monitoring and enforcement authorities to take specific action against any owner or operator that fails to comply with applicable regulations or its landfill permit.

The EPA Regions are authorized to determine whether a State has submitted an "adequate" program based on the statute and the regulations summarized above. EPA expects States to meet all these requirements for its MSWLF program before it gives full approval of the adequacy of a MSWLF program.

As a general matter, the Agency believes that approvals of state programs have an important benefit. Approved State permit programs establish procedures for interaction between a state and an owner/operator regarding site-specific permit conditions. Only those owners/operators located in States with approved permit programs can use the site-specific flexibility provided by part 258 to the extent that the State permit program allows such flexibility. EPA notes that regardless of the approval status of a State and the permit status of any facility, the federal landfill criteria apply to all permitted and unpermitted MSWLF facilities. EPA also notes that Section 4005(a) of RCRA, 42 U.S.C. 6945(a), provides that citizens may use the citizen suit provisions of Section 7002 of RCRA to enforce the Federal MSWLF criteria in 40 CFR part 258 independent of any State enforcement program.

##### **B. Territory of the U.S. Virgin Islands**

The USVI originally applied for a determination of adequacy under RCRA in October 1993. EPA reviewed the application and published in the **Federal Register** a Tentative Determination of Adequacy on June 16, 1995. However, the public hearings and public comments contained many adverse statements concerning deficiencies in the USVI solid waste program; in addition, the USVI did not promulgate revised solid waste regulations that could meet EPA approval. Accordingly, EPA did not publish a Final Determination of Adequacy. Based on continuing deficiencies in the USVI solid waste management program, on May 8, 2000 (65 FR 26546) EPA published in the **Federal Register** a Tentative Determination of Inadequacy and held two public hearings on St. Thomas and St. Croix. After review of public comments, EPA decided not to proceed with a Final Determination of Inadequacy and to allow the USVI

additional time to develop its solid waste management program, which EPA believes has now occurred.

The EPA has continued to work with the USVI both on its day-to-day landfill operation practices and the development of appropriate solid waste regulations. In addition, in 2004 the USVI established the Waste Management Authority and in recent years has pursued various efforts to improve its solid waste management program. Also, scheduling the work for the final closure of both the Anguilla and Bovoni landfills is now under the supervision of a federal judge and the Department of Justice, pursuant to federal Consent Decrees, which became effective in 2013 and 2014.

The USVI submitted program application material to EPA in 2008, and in 2017 and 2018 submitted additional information that EPA requested. EPA has reviewed all relevant materials concerning the USVI's MSWLF program, including revised solid waste regulations, and has made a tentative determination that all portions of the U.S. Virgin Islands' MSWLF permit program now are adequate to assure compliance with the revised Federal Criteria, except that correction of a technical/typographical error in a section of the Virgin Islands solid waste regulations needs to be made.

The USVI Attorney General has certified that the current laws and regulations, which are part of the Virgin Islands solid waste management program, are in full force and effect, and that an appropriate correction to the solid waste regulations is being processed. The Attorney General will update its certification when the correction of the regulations has been officially promulgated.

The USVI application materials for this program adequacy determination are available for public review in the locations described in the **ADDRESSES** section of this document.

### C. Comment Period/Final Determination

EPA will consider all public comments received during the public comment period and public hearings, including any comments offered by the Virgin Islands government, and make a final determination on whether to approve the Virgin Islands' RCRA Subtitle D MSWLF Permit Program. EPA will give notice of its final determination in the **Federal Register**. The document will include a summary of the reasons for the final determination, and a summary of responses to all major comments

received at the public hearings and during the public comment period.

### List of Subjects in 40 CFR Part 239

State solid waste program application, Requirements for adequate permit programs, EPA adequacy determination procedures.

Dated: May 9, 2019.

**Peter D. Lopez,**

*Regional Administrator, Region 2.*

[FR Doc. 2019-12044 Filed 6-6-19; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 1 and 96

[GN Docket No. 17-258; Report No. 3128]

### Petition for Reconsideration of Action in Rulemaking Proceeding

**AGENCY:** Federal Communications Commission.

**ACTION:** Petition for reconsideration.

**SUMMARY:** A Petition for Reconsideration (Petition) has been filed in the Commission's rulemaking proceeding by John C. Gazzo, on behalf of CallComm.

**DATES:** Oppositions to the Petition must be filed on or before June 24, 2019. Replies to an opposition must be filed on or before July 2, 2019.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Peter Trachtenberg, Mobility Division, Wireless Telecommunications Bureau (WTB), at (202) 418-7369, email: [Peter.Trachtenberg@fcc.gov](mailto:Peter.Trachtenberg@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document, Report No. 3128, released May 24, 2019. The full text of the Petition is available for viewing and copying at the FCC Reference Information Center, 445 12th Street SW, Room CY-A257, Washington, DC 20554. It also may be accessed online via the Commission's Electronic Comment Filing System at: <http://apps.fcc.gov/ecfs/>. The Commission will not send a Congressional Review Act (CRA) submission to Congress or the Government Accountability Office pursuant to the CRA, 5 U.S.C. 801(a)(1)(A), because no rules are being adopted by the Commission.

**Subject:** Promoting Investment in the 3550-3700 MHz Band, GN Docket No. 17-258, FCC 18-149, published at 83 FR 63076, December 7, 2018. This

document is being published pursuant to 47 CFR 1.429(e). See also 47 CFR 1.4(b)(1) and 1.429(f), (g).

*Number of Petitions Filed:* 1.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary.*

[FR Doc. 2019-11913 Filed 6-6-19; 8:45 am]

**BILLING CODE 6712-01-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### 50 CFR Part 648

[Docket No. 190215125-9125-01]

RIN 0648-BI49

### Fisheries of the Northeastern United States; Framework Adjustment 13 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes measures to approve and implement Framework Adjustment 13 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan. This action proposes to establish a 5-year rebuilding program for Atlantic mackerel, set 2019-2021 Atlantic mackerel specifications and a river herring and shad cap for the Atlantic mackerel fishery, modify the Mid-Atlantic Fishery Management Council's risk policy, and modify in-season closure measures. This action is necessary to prevent overfishing and rebuild the Atlantic mackerel stock based on a recent stock assessment that found the Atlantic mackerel stock to be overfished and subject to overfishing. The intended effect of this rule is to sustainably manage the Atlantic mackerel fishery and achieve optimum yield on a continuing basis.

**DATES:** Public comments must be received by July 8, 2019.

**ADDRESSES:** You may submit comments on this document, identified by NOAA-NMFS-2018-0113, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2018-0113](http://www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2018-0113), click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.