

# Notices

Federal Register

Vol. 77, No. 109

Wednesday, June 6, 2012

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Designation for the Topeka, KS; Cedar Rapids, IA; Minot, ND; and Cincinnati, OH Areas; Correction

**AGENCY:** Grain Inspection, Packers and Stockyards Administration.

**ACTION:** Notice; correction.

**SUMMARY:** The U.S. Department of Agriculture, Grain Inspection, Packers and Stockyards Administration published a document in the **Federal Register** on May 30, 2012, concerning the announcement for the Designation for the Topeka, KS; Cedar Rapids, IA; Minot, ND; and Cincinnati, OH Areas. The document contained an incorrect abbreviation.

**FOR FURTHER INFORMATION CONTACT:** Eric Jab, (816) 659-8404.

### Correction

In the **Federal Register** of May 30, 2012, in FR Doc. 2012-13019, on page 31831, in the second column, correct the "Summary" paragraph to read:

#### SUMMARY:

GIPSA is announcing the designation of Kansas Grain Inspection Service, Inc. (Kansas); Mid-Iowa Grain Inspection, Inc. (Mid-Iowa); Minot Grain Inspection, Inc. (Minot); and Tri-State Grain Inspection Service, Inc. (Tri-State) to provide official services under the United States Grain Standards Act (USGSA), as amended.

Dated: May 31, 2012.

**Alan R. Christian,**

*Acting Administrator, Grain Inspection, Packers and Stockyards Administration.*

[FR Doc. 2012-13646 Filed 6-5-12; 8:45 am]

**BILLING CODE 3410-KD-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2012-0036]

### Notice of Request for Extension of Approval of an Information Collection; Lacey Act Declaration Requirement; Plants and Plant Products

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Extension of approval of an information collection; comment request.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request an extension of approval of an information collection required by the Lacey Act for the importation of certain plants and plant products.

**DATES:** We will consider all comments that we receive on or before August 6, 2012.

**ADDRESSES:** You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2012-0036-0001>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2012-0036, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!documentDetail;D=APHIS-2012-0036> or

in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799-7039 before coming.

**FOR FURTHER INFORMATION CONTACT:** For information on special need requests under the Plant Protection Act, contact Mr. George Balady, Agriculturist, QPAS, PPQ, APHIS, 4700 River Road, Riverdale, MD 20737; (301) 851-2240. For copies of more detailed information on the information collection, contact

Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 851-2908.

#### SUPPLEMENTARY INFORMATION:

*Title:* Lacey Act Declaration Requirement; Plants and Plant Products. *OMB Number:* 0579-0349.

*Type of Request:* Extension of approval of an information collection.

*Abstract:* The Lacey Act, as amended, makes it unlawful to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any plant, with some limited exceptions, taken, possessed, transported or sold in violation of the laws of the United States, a State, an Indian tribe, or any foreign law that protects plants. The Act also makes it unlawful to make or submit any false record, account or label for, or any false identification of, any plant covered by the Act.

In addition, section 3 of the Act makes it unlawful to import certain plants and plant products without an import declaration. The declaration must contain, among other things, the scientific name of the plant, value of the importation, quantity of the plant, and name of the country from which the plant was harvested. For paper and paperboard products with recycled plant content, the importer will not be required to specify the species or country of harvest with respect to the recycled plant product component, but will be required to provide the average percentage of recycled content. If the product also contains non-recycled plant materials, the basic declaration requirements still apply to that component of the product imported.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

- (1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

- (2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; e.g., permitting electronic submission of responses.

**Estimate of burden:** The public reporting burden for this collection of information is estimated to average 0.476953 hours per response.

**Respondents:** Importers of certain plants and plant products.

**Estimated annual number of respondents:** 20,352.

**Estimated annual number of responses per respondent:** 21.

**Estimated annual number of responses:** 427,392.

**Estimated total annual burden on respondents:** 203,846 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 31st day of May 2012.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2012-13758 Filed 6-5-12; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2011-0130]

#### ArborGen, LLC; Availability of an Environmental Assessment for Controlled Release of a Genetically Engineered *Eucalyptus* Hybrid

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service has prepared an environmental assessment for a proposed controlled field release of a genetically engineered clone of a *Eucalyptus* hybrid. The purpose of the field release is to assess the effectiveness of gene constructs intended to confer cold tolerance, to test the efficacy of genes introduced to alter lignin biosynthesis, to test the efficacy of genes designed to alter growth, and

to test the efficacy of genes designed to alter flowering. After assessing the application for a permit for the field release, reviewing pertinent scientific information, and considering comments from the public, we have concluded that the field release is unlikely to pose a plant pest risk or to have a significant impact on the quality of the human environment. Based on the finding of no significant impact, the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared for this field release.

**DATES:** *Effective Date:* June 6, 2012.

**ADDRESSES:** You may read the documents referenced in this notice and the comments we received on the Regulations.gov Web site at <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0130>. The documents are also available on the Internet at [http://www.aphis.usda.gov/bbs/biotech\\_ea\\_permits.html](http://www.aphis.usda.gov/bbs/biotech_ea_permits.html). You may also view the documents and comments we received in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799-7039 before coming.

**FOR FURTHER INFORMATION CONTACT:** Mr. David S. Reinhold, Assistant Director, Environmental Risk Analysis Programs, Biotechnology Regulatory Services, APHIS, 4700 River Road, Riverdale, MD 20737-1236; (301) 851-3885. To obtain copies of the environmental assessment, finding of no significant impact, and responses to comments, contact Ms. Cynthia Eck at (301) 851-3892; email: [cynthia.a.eck@aphis.usda.gov](mailto:cynthia.a.eck@aphis.usda.gov).

**SUPPLEMENTARY INFORMATION:** The regulations in 7 CFR part 340, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests," regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered organisms and products are considered "regulated articles." A permit must be obtained or a notification acknowledged before a regulated article may be introduced. The regulations set forth the permit

application requirements and the notification procedures for the importation, interstate movement, or release in the environment of a regulated article.

On February 21, 2011, the Animal and Plant Health Inspection Service (APHIS) received a permit application (APHIS No. 11-052-101rm) from ArborGen, LLC, in Summerville, SC, for a controlled field release of genetically engineered *Eucalyptus* hybrids in six locations encompassing a total of 14.7 acres in the States of Alabama, Florida, Mississippi, and South Carolina.

Permit application 11-052-101rm describes *Eucalyptus* trees derived from a hybrid of *Eucalyptus grandis* X *Eucalyptus urophylla*. The purpose of the field tests is to assess the effectiveness of gene constructs intended to confer cold tolerance; to test the efficacy of genes introduced to alter lignin biosynthesis; to test the efficacy of genes designed to alter growth; and to test the efficacy of genes designed to alter flowering. In addition, the trees have been engineered with a selectable marker that confers resistance to the antibiotic kanamycin. These DNA sequences were introduced into *Eucalyptus* trees using disarmed *Agrobacterium tumefaciens*.

The subject *Eucalyptus* trees are considered regulated articles under 7 CFR part 340 because they were created using donor sequences from plant pests.

To provide the public with documentation of APHIS' review and analysis of any potential environmental impacts and plant pest risks associated with the proposed release under permit of these genetically engineered *Eucalyptus* trees, APHIS prepared an environmental assessment (EA). APHIS announced the availability of the EA for public comment in a notice published in the **Federal Register** on February 10, 2012 (77 FR 7123-7124, Docket No. APHIS-2011-0130). Comments on the EA were required to be received on or before March 12, 2012. We received 246 comments by the close of the comment period. All expressed concerns about the permit or opposed granting the permit. APHIS reviewed all comments to identify new issues, alternatives, or information.

Pursuant to the regulations promulgated under the Plant Protection Act, APHIS has determined that this field release is unlikely to pose a risk of introducing or disseminating a plant pest. Additionally, based upon analysis described in the EA, APHIS has determined that the action proposed in Alternative B of the EA—issue the permit with supplemental permit conditions—is unlikely to have a