



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2026-3532; FRL-13370-01-OCSP]

Pesticide Experimental Use Permit; Receipt of Application; Comment Request

(March 2026)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's receipt of an application 100506-EUP-R from the State University of New York College of Environmental Science and Forestry (SUNY ESF) requesting an experimental use permit (EUP) for OxO American Chestnut (oxalate oxidase OxO) and the genetic material necessary for its expression in American chestnut (*Castanea dentata*). The Agency has determined that the permit may be of regional and national significance. Therefore, because of the potential significance, EPA is seeking comments on this application.

DATES: Comments must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2026-3532, through the *Federal eRulemaking Portal* at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting on and visiting the docket, along with more information about dockets generally, are available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Each application summary in Unit II. specifies a contact division. The appropriate division contacts are identified as follows:

- BPPD (Biopesticides and Pollution Prevention Division) (Mail Code 7511M);

Shannon Borges; main telephone number: (202) 566-1400; email

address:*BPPDFRNotices@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to those people who conduct or sponsor research on pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <https://www.epa.gov/dockets/commenting-epa-dockets>.

II. What Action is the Agency Taking?

Under section 5 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 136c, EPA can allow manufacturers to field test pesticides under development. Manufacturers are required to obtain an EUP before testing new pesticides

or new uses of pesticides if they conduct experimental field tests on 10 acres or more of land or one acre or more of water.

Pursuant to 40 CFR 172.11(a), the Agency has determined that the following EUP application may be of regional and national significance, and therefore is seeking public comment on the EUP application:

Experimental Use Permit Number: 100506-EUP-R. *Docket ID Number:* EPA-HQ-OPP-2026-3532. *Submitter:* State University of New York College of Environmental Science and Forestry (SUNY ESF), 1 Forestry Drive, Syracuse, NY 13210. *Pesticide Chemical:* OxO American Chestnut (oxalate oxidase OxO) and the genetic material necessary for its expression in American chestnut (*Castanea dentata*). *Summary of Request:* The State University of New York College of Environmental Science and Forestry is requesting an experimental use permit for the active ingredient OxO American Chestnut (oxalate oxidase OxO) and the genetic material necessary for its expression in American chestnut (*Castanea dentata*) for three years in Alabama, Arkansas, Connecticut, Delaware, District of Columbia (Washington, DC), Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin, with a total area of up to 280 acres across all states. The OxO gene enables the American chestnut trees to detoxify oxalic acid produced by the fungal pathogen *Cryphonectria parasitica*, thereby allowing coexistence with the pathogen. The purpose of this EUP is to evaluate survival, early growth, and establishment success of transgenic OxO American chestnuts, compared with wild-type American chestnuts and/or other control trees, across a wide range of environmental conditions and planting scenarios. This testing will inform restoration management strategies across the native American chestnut range. *Date of Receipt:* February 27, 2026. *Contact:* BPPD.

Following the review of the application and any comments and data received in response to this solicitation, EPA will decide whether to issue or deny the EUP request, and if issued, the conditions under which it is to be conducted. Any issuance of an EUP will be announced in the *Federal Register*.

Authority: 21 U.S.C. 346a.

Dated: May 26, 2026.

Edward Messina,

Director, Office of Pesticide Programs.

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