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**Accessibility:** For information on access or services for individuals with disabilities, please contact Dr. Nugent at the phone number or e-mail address noted above, preferably at least ten days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: March 5, 2010.

**Anthony F. Maciorowski,**

*Deputy Director, EPA Science Advisory Board Staff Office.*

[FR Doc. 2010-5477 Filed 3-11-10; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0735; FRL-8805-1]

### Pesticide Products; Registration Applications

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

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of applications to register new uses for pesticide products containing currently registered active ingredients, pursuant to the provisions of section 3(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. EPA is publishing this notice of applications, pursuant to section 3(c)(4) of FIFRA.

**DATES:** Comments must be received on or before April 12, 2010.

**ADDRESSES:** Submit your comments, identified by the docket identification (ID) number specified in **SUPPLEMENTARY INFORMATION** in Unit II, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

**Instructions:** Direct your comments to the docket ID number specified for the pesticide of interest as shown in the registration application summaries. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [regulations.gov](http://www.regulations.gov) or e-mail. The [regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI 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 in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** A contact person is listed at the end of each registration application summary and may be contacted by telephone or

e-mail. The mailing address for each contact person listed is: Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

#### 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. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in Unit II.

###### 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](http://www.regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information on 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 so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading and **Federal Register** date and page number). If you are commenting in a docket that

addresses multiple products, please indicate which registration number your comment applies.

ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoid the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

## II. Registration Applications

EPA received applications as follows to register pesticide products containing currently registered active ingredients pursuant to the provisions of section 3(c) of FIFRA, and is publishing this notice of applications pursuant to section 3(c)(4) of FIFRA. Notice of receipt of these applications does not imply a decision by the Agency on the applications.

1. *Registration Number/File Symbol:* 100-632 and 100-654. *Docket Number:* EPA-HQ-OPP-2008-0866. *Company Name and Address:* Syngenta Crop Protection, Inc., P.O. Box 18300, Greensboro, NC 27419-8300. *Active Ingredient:* Cyromazine. *Proposed Uses:* Beans, succulent. *Contact:* Linda A. DeLuise, (703) 305-5428, [deluise.linda@epa.gov](mailto:deluise.linda@epa.gov).

2. *Registration Number/File Symbol:* 100-791, 100-801, 100-1202. *Docket Number:* EPA-HQ-OPP-2009-0713. *Company Name and Address:* Syngenta Crop Protection, Inc., P.O. Box 18300, Greensboro, NC 27419-8300. *Active Ingredient:* Mefenoxam. *Proposed Uses:* Edible podded beans, cane & bush berry, bulb onion, green onion, spinach subgroups. *Contact:* Mary L. Waller, (703) 308-9354, [waller.mary@epa.gov](mailto:waller.mary@epa.gov).

3. *Registration Number/File Symbol:* 100-804. *Docket Number:* EPA-HQ-OPP-2009-0713. *Company Name and Address:* Syngenta Crop Protection, Inc., P.O. Box 18300, Greensboro, NC 27419-8300. *Active Ingredient:* Mefenoxam, copper hydroxide. *Proposed Uses:* Edible podded beans, cane & bush berry, bulb onion, green onion, spinach

subgroups. *Contact:* Mary L. Waller, (703) 308-9354, [waller.mary@epa.gov](mailto:waller.mary@epa.gov).

4. *Registration Number/File Symbol:* 100-1001, 100-1070. *Docket Number:* EPA-HQ-OPP-2009-0833. *Company Name and Address:* Syngenta Crop Protection, Inc., P.O. Box 18300, Greensboro, NC 27419-8300. *Active Ingredient:* Fluazifop. *Proposed Uses:* Bananas, citrus, grapes, plantains, sugar beets. *Contact:* Michael Walsh, (703) 308-2972, [walsh.michael@epa.gov](mailto:walsh.michael@epa.gov).

5. *Registration Number/File Symbol:* 100-RGLE. *Docket Number:* EPA-HQ-OPP-2009-0910. *Company Name and Address:* Syngenta Crop Protection, Inc., P.O. Box 18300, Greensboro, NC 27419-8300. *Active Ingredient:* Thiabendazole, azoxystrobin, fludioxinil, mefenoxam. *Proposed Use:* Corn seed-treatment use. *Contact:* Bryant Crowe, (703) 305-0025, [crowe.bryant@epa.gov](mailto:crowe.bryant@epa.gov).

6. *Registration Number/File Symbol:* 100-RGAG. *Docket Number:* EPA-HQ-OPP-2009-0905. *Company Name and Address:* Syngenta Crop Protection, Inc., P.O. Box 18300, Greensboro, NC 27419-8300. *Active Ingredient:* Acibenzolar-s-methyl. *Proposed Use:* Cotton. *Contact:* Janet Whitehurst, (703) 305-6129, [whitehurst.janet@epa.gov](mailto:whitehurst.janet@epa.gov).

7. *Registration Number/File Symbol:* 100-RGAU. *Docket Number:* EPA-HQ-OPP-2009-0905. *Company Name and Address:* Syngenta Crop Protection, Inc., P.O. Box 18300, Greensboro, NC 27419-8300. *Active Ingredient:* Acibenzolar-s-methyl. *Proposed Use:* Non-residential turf. *Contact:* Janet Whitehurst, (703) 305-6129, [whitehurst.janet@epa.gov](mailto:whitehurst.janet@epa.gov).

8. *Registration Number/File Symbol:* 264-824, 264-825. *Docket Number:* EPA-HQ-OPP-2009-0279. *Company Name and Address:* Bayer CropScience, P.O. Box 12014, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709. *Active Ingredient:* Prothioconazole. *Proposed Uses:* Field corn, cereals, sweet corn. *Contact:* Tawanda Maignan, (703) 308-8050, [maignan.tawanda@epa.gov](mailto:maignan.tawanda@epa.gov).

9. *Registration Number/File Symbol:* 264-RNOG. *Docket Number:* EPA-HQ-OPP-2009-0278. *Company Name and Address:* Bayer CropScience, P.O. Box 12014, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709. *Active Ingredient:* Prothioconazole, trifloxystrobin. *Proposed Uses:* Field corn, sweet corn, cereals, wheat. *Contact:* Tawanda Maignan, (703) 308-8050, [maignan.tawanda@epa.gov](mailto:maignan.tawanda@epa.gov).

10. *Registration Number/File Symbol:* 352-679, 352-686, 352-726. *Docket Number:* EPA-HQ-OPP-2009-0843. *Company Name and Address:* E.I. du Pont de Nemours and Company, DuPont Crop Protection, Stine-Haskell Research Center, P.O. Box 30, Newark, DE 19714-

0300. *Active Ingredient:* Linuron. *Proposed Uses:* Dry pea, horseradish, parsley. *Contact:* Mindy Ondish, (703) 605-0723, [ondish.mindy@epa.gov](mailto:ondish.mindy@epa.gov).

11. *Registration Number/File Symbol:* 352-690. *Docket Number:* EPA-HQ-OPP-2005-0307. *Company Name and Address:* E.I. du Pont de Nemours and Company, DuPont Crop Protection, Stine-Haskell Research Center, P.O. Box 30, Newark, DE 19714-0030. *Active Ingredient:* Mancozeb, copper hydroxide. *Proposed Uses:* Tropical fruits, sugar apple, ginseng, cucurbit vegetables. *Contact:* Lisa Jones, (703) 308-9424, [jones.lisa@epa.gov](mailto:jones.lisa@epa.gov).

12. *Registration Number/File Symbol:* 352-704, 352-705, and 352-706. *Docket Number:* EPA-HQ-OPP-2005-0307. *Company Name and Address:* E.I. du Pont de Nemours and Company, DuPont Crop Protection, Stine-Haskell Research Center, P.O. Box 30, Newark, DE 19714-0030. *Active Ingredient:* Mancozeb. *Proposed Uses:* Tropical fruits, sugar apple, ginseng, cucurbit vegetables. *Contact:* Lisa Jones, (703) 308-9424, [jones.lisa@epa.gov](mailto:jones.lisa@epa.gov).

13. *Registration Number/File Symbol:* 7969-185, 7969-186, 7969-266. *Docket Number:* EPA-HQ-OPP-2009-0672. *Company Name and Address:* BASF Corporation, P.O. Box 13528, 26 Davis Drive, Research Triangle Park, NC 27709. *Active Ingredient:* Pyraclostrobin. *Proposed Use:* Alfalfa. *Contact:* John Bazuin, (703) 305-7381, [bazuin.john@epa.gov](mailto:bazuin.john@epa.gov).

14. *Registration Number/File Symbol:* 7969-197, 7969-198. *Docket Number:* EPA-HQ-OPP-2009-0268. *Company Name and Address:* BASF Corporation, P.O. Box 13528, 26 Davis Drive, Research Triangle Park, NC 27709. *Active Ingredient:* Boscalid. *Proposed Uses:* Alfalfa, citrus. *Contact:* Bryant Crowe, (703) 305-0025, [crowe.bryant@epa.gov](mailto:crowe.bryant@epa.gov).

15. *Registration Number/File Symbol:* 7969-199. *Docket Number:* EPA-HQ-OPP-2009-0268. *Company Name and Address:* BASF Corporation, P.O. Box 13528, 26 Davis Drive, Research Triangle Park, NC 27709. *Active Ingredient:* Boscalid, pyraclostrobin. *Proposed Uses:* Alfalfa, citrus. *Contact:* Bryant Crowe, (703) 305-0025, [crowe.bryant@epa.gov](mailto:crowe.bryant@epa.gov).

16. *Registration Number/File Symbol:* 10163-251. *Docket Number:* EPA-HQ-OPP-2009-0892. *Company Name and Address:* Gowan Company, 370 South Main Street, Yuma, AZ 85364. *Active Ingredient:* Hexythiazox. *Proposed Uses:* Residential caneberrys, pome fruit, stone fruit, nut trees, turf. *Contact:* Olga Odiott, (703) 308-9369, [odiott.olga@epa.gov](mailto:odiott.olga@epa.gov).

17. *Registration Number/File Symbol:* 10163-277. *Docket Number:* EPA-HQ-OPP-2009-0325. *Company Name and Address:* Gowan Company, 370 South Main Street, Yuma, AZ 85364. *Active Ingredient:* Hexythiazox. *Proposed Uses:* Sweet corn; beans, dry; beans, succulent; fruit, stone, Crop Group 12. *Contact:* Olga Odiott, (703) 308-9369, [odiott.olga@epa.gov](mailto:odiott.olga@epa.gov).

18. *Registration Number/File Symbol:* 10163-283. *Docket Number:* EPA-HQ-OPP-2009-0836. *Company Name and Address:* Gowan Company, 370 South Main Street, Yuma, AZ 85366. *Active Ingredient:* EPTC. *Proposed Uses:* Regionally-restricted pre-plant and pre-emergence applications to established seed production grass fields in the states of Idaho, Oregon, and Washington for control of annual bluegrass. *Contact:* Bethany Benbow, (703) 347-8072, [benbow.bethany@epa.gov](mailto:benbow.bethany@epa.gov).

19. *Registration Number/File Symbol:* 59639-35. *Docket Number:* EPA-HQ-OPP-2009-0644. *Company Name and Address:* Valent U.S.A. Corporation, P.O. Box 8025, Walnut Creek, CA 94596. *Active Ingredient:* Fenpropathrin. *Proposed Uses:* Tropical fruits: guava, acerola, feijoa, jaboticaba, passionfruit, starfruit, wax jambu, lychee, longan, Spanish lime, pulasan, rambutan, sugar apple, atemoya, biriba, cherimoya, custard apple, ilama and soursop; tea. *Contact:* Olga Odiott, (703) 308-9369, [odiott.olga@epa.gov](mailto:odiott.olga@epa.gov).

20. *Registration Number/File Symbol:* 62719-387, 62719-396 and 62719-402. *Docket Number:* EPA-HQ-OPP-2005-0307. *Company Name and Address:* Dow AgroSciences, LLC, 9330 Zionsville Road, Indianapolis, IN 46268-1054. *Active Ingredient:* Mancozeb. *Proposed Uses:* Almonds, broccoli, cabbage, lettuce, pepper, tropical fruits, sugar apple, ginseng, cucurbit vegetables. *Contact:* Lisa Jones, (703) 308-9424, [jones.lisa@epa.gov](mailto:jones.lisa@epa.gov).

21. *Registration Number/File Symbol:* 66330-64, 66330-65. *Docket Number:* EPA-HQ-OPP-2009-0677. *Company Name and Address:* Arysta LifeScience North America, 15401 Weston Parkway, Suite 150, Cary, NC 27513. *Active Ingredient:* Fluoxastrobin. *Proposed Uses:* Sweet corn, wheat. *Contact:* John Bazuin, (703) 305-7381, [bazuin.john@epa.gov](mailto:bazuin.john@epa.gov).

22. *Registration Number/File Symbol:* 70506-183, 70506-185, 70506-194. *Docket Number:* EPA-HQ-OPP-2005-0307. *Company Name and Address:* United Phosphorus, Inc., 630 Freedom Business Center, Suite 402, King of Prussia, PA 19406. *Active Ingredient:* Mancozeb. *Proposed Uses:* Tropical fruits, sugar apple, ginseng, cucurbit

vegetables. *Contact:* Lisa Jones, (703) 308-9424, [jones.lisa@epa.gov](mailto:jones.lisa@epa.gov).

23. *Registration Number/File Symbol:* 72642-0. *Docket Number:* EPA-HQ-OPP-2008-0688. *Company Name and Address:* Elanco Animal Health, A Division of Eli Lilly and Company, 2001 W. Main Street, Greenfield, IN 46140. *Active Ingredient:* Spinetoram. *Proposed Use:* Spot-on for cats and kittens. *Contact:* Samantha Hulkower, (703) 603-0683, [hulkower.samantha@epa.gov](mailto:hulkower.samantha@epa.gov).

#### List of Subjects

Environmental protection, Pesticides and pest.

Dated: March 1, 2010.

#### Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 2010-5488 Filed 3-11-10; 8:45 am]

BILLING CODE 6560-50-S

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9126-6]

### Proposed Settlement Agreement and Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed settlement agreement and consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement and consent decree, to address a lawsuit filed by Wildearth Guardians: *Wildearth Guardians v. Jackson*, Civil Action No. 09-cv-02148-REB-MJW (D. Col.). On or about October 22, 2009, Wildearth Guardians filed an amended complaint alleging that EPA Administrator Jackson failed to comply with a mandatory duty to fully or partially approve or disapprove State Implementation Plan (SIP) submissions from the States of Colorado, Montana, New Mexico and Utah within the time frame required by section 110(k)(2) of the Act and asking the court to enter judgment providing: (i) A declaration that EPA has violated and continues to violate the Act by failing to take final action on the SIP submittals; and, (ii) An injunction compelling EPA to take final action on the SIP submittals by a date certain with interim deadlines to assure compliance with the court's order. Under the terms of the proposed settlement agreement and consent

decree, EPA agrees to sign a proposed action on certain of the SIP submittals by the date specified for the particular submittal and to take final action on each of the SIP submittals by the date specified for the particular submittal.

**DATES:** Written comments on the proposed settlement agreement and consent decree must be received by April 12, 2010.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2010-0221, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Rick Vetter, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (919) 541-2127; fax number (919) 541-4991; e-mail address: [vetter.rick@epa.gov](mailto:vetter.rick@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Additional Information About the Proposed Settlement or Consent Decree

On October 22, 2009, Wildearth Guardians, a non-profit conservation organization, filed an amended complaint in the United States District Court for the District of Colorado (Civil Action No. 09-cv-02148-REB-MJW). In the amended complaint, Wildearth Guardians alleges that EPA has failed to take action to approve or disapprove, in whole or in part, a number of State Implementation Plan ("SIP") submissions from the States of Colorado, Montana, New Mexico and Utah within the time frame required by section 110(k)(2) of the Clean Air Act, 42 U.S.C. 7410(k)(2), in violation of its non-discretionary duty to take such action within that time frame. The amended complaint identifies a total of 55 SIP submittals (10 from Colorado, 12 from Montana, 7 from Utah and 26 from New Mexico) on which EPA is alleged to have failed to take timely action.

The EPA elected to use both a settlement agreement and a consent