

pending at OMB. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, and displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

**Abstract:** The Maximum Achievable Control Technology (MACT) standards for Flexible Polyurethane Foam Product (40 CFR part 63, subpart III) were proposed on December 27, 1996, and promulgated on October 7, 1998.

Owners or operators of the affected facilities must submit a one-time-only report of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports, at a minimum, are required semiannually.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 43 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

**Respondents/Affected Entities:** Flexible polyurethane foam product facilities.

**Estimated Number of Respondents:** 132.

**Frequency of Response:** Initially, occasionally, semiannually, and annually.

**Estimated Total Annual Hour Burden:** 9,047.

**Estimated Total Annual Cost:** \$850,851, which is comprised exclusively of labor costs. There are neither annualized capital/startup costs nor operation and maintenance (O&M) costs.

**Changes in the Estimates:** There is no change in the labor hours of the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This is due to two considerations: (1) The regulations have not changed over the past three years and are not anticipated to change over the next three years; and (2) the growth rate for the industry is very low, negative or non-existent. Therefore, labor hours in the previous ICR reflect the current burden to the respondents and are reiterated in this ICR.

The increases in labor costs to the respondents and the Agency are due to labor rate adjustments that reflect the rates for fiscal year 2009. The increases are not due to any program changes. Labor rates in the previous ICR were based on fiscal year 2003.

Dated: April 9, 2010.

**John Moses,**

*Director, Collection Strategies Division.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0778; FRL-8822-2]

### Maneb; Cancellation Order for a Certain Pesticide Registration

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order for the cancellation, voluntarily requested by the registrant and accepted by the Agency, of a product containing maneb, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a March 4, 2010, **Federal Register** Notice of Receipt of Request from the registrant listed in Table 2 in Unit II. of this document, to voluntarily cancel this product registration. This is the last product containing this pesticide registered for use in the United States. In the March 4, 2010 Notice, EPA indicated that it would issue an order implementing the cancellation, unless the Agency received substantive comments within the 30 day comment period that would merit its further

review of these requests, or unless the registrant withdrew their request. The Agency did not receive any comments on the notice. Further, the registrant did not withdraw their request.

Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellation. Any distribution, sale, or use of the product subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

**DATES:** The cancellation is effective April 16, 2010.

**FOR FURTHER INFORMATION CONTACT:** Barbara Briscoe, Pesticide Re-evaluation Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8177; fax number: (703) 308-8090; e-mail address: [briscoe.barbara@epa.gov](mailto:briscoe.barbara@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. General Information

#### A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### B. How Can I Get Copies of this Document and Other Related Information?

EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2009-0778. 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 Office of Pesticide Programs (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.

### II. What Action is the Agency Taking?

This notice announces the cancellation, as requested by registrant,

of a product registered under section 3 of FIFRA. This registration is listed in Table 1 of this unit.

TABLE 1.—MANEB PRODUCT CANCELLATIONS

EPA Registration Number	Product Name
000352-00655	DuPont (TM) Manex

Table 2 of this unit includes the name and address of record for the registrant of the product in Table 1.

TABLE 2.—REGISTRANT OF CANCELLED PRODUCT

EPA Company Number	Company Name and Address
000352	Dupont Crop Protection Stine-Haskell Research Center P.O. Box 30 Newark, DE 19714-0030

### III. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received no comments in response to the March 4, 2010, **Federal Register** notice (75 FR 9896; FRL-8813-5) announcing the Agency's receipt of request for voluntary cancellation of the product listed in Table 1.

### IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellation of the maneb registration identified in Table 1. Accordingly, the Agency hereby orders that the product registration identified in Table 1 is canceled. The effective date of the cancellation that is the subject of this notice is April 16, 2010. Any distribution, sale, or use of existing stocks of the product identified in Table 1 in a manner inconsistent with any of the Provisions for Disposition of Existing Stocks set forth in Unit VI. will be a violation of FIFRA.

### V. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the Administrator may approve such a request. The notice of receipt for this

action was published for comment on March 4, 2010. The comment period closed on April 5, 2010.

### VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the action. The existing stocks provision for the product subject to this order is as follows:

1. The registrant may continue to sell or distribute existing stocks of the maneb end-use product identified in Table 1 until such stocks are exhausted.
2. Persons other than the registrant may continue to sell or distribute existing stocks of maneb products identified in Table 1 with previously approved labeling until such stocks are exhausted.
3. Persons other than the registrant may use the maneb end use products identified in Table 1 until exhausted. Any use of existing stocks must be in a manner consistent with the previously approved labeling for that product.

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: April 9, 2010.

**Richard P. Keigwin, Jr.,**

*Director, Pesticide Re-evaluation Division,  
Office of Pesticide Programs.*

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### ENVIRONMENTAL PROTECTION AGENCY

[FRL-9138-4]

#### Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Public Service Company of Colorado—Hayden Station

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

**ACTION:** Notice of final action.

**SUMMARY:** This document announces that the EPA Administrator has responded to a citizen petition asking EPA to object to an operating permit issued by the Colorado Department of Public Health and Environment (CDPHE). Specifically, the Administrator has partially granted and partially denied the March 10, 2009 Petition, submitted by WildEarth Guardians (Petitioner), to object to CDPHE's April 1, 2009 title V permit

issued to Public Service Company of Colorado dba Xcel Energy (Xcel)—Hayden Power Station.

Pursuant to section 505(b)(2) of the Clean Air Act (Act), Petitioners may seek judicial review of those portions of the petitions, which EPA denied in the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

**ADDRESSES:** You may review copies of the final order, the petition, and other supporting information at the EPA Region 8 Office, 1595 Wynkoop Street, Denver, Colorado, 80202-1129. EPA requests that if at all possible, you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view the copies of the final order, the petition, and other supporting information. You may view the hard copies Monday through Friday, 8 a.m. to 4 p.m., excluding Federal holidays. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. Additionally, the final order for Public Service Company of Colorado—Hayden Power Station, is available electronically at:

[http://www.epa.gov/region07/air/title5/petitiondb/petitions/xcel\\_hayden\\_decision2009.pdf](http://www.epa.gov/region07/air/title5/petitiondb/petitions/xcel_hayden_decision2009.pdf).

**FOR FURTHER INFORMATION CONTACT:** Donald Law, Office of Partnerships and Regulatory Assistance, EPA Region 8, 1595 Wynkoop Street, Denver, Colorado, 80202-1129, (303) 312-7015, [law.donald@epa.gov](mailto:law.donald@epa.gov).

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review and object to, as appropriate, a title V operating permit proposed by State permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator, within 60 days after the expiration of this review period, to object to a title V operating permit if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the State, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

EPA received a petition from WildEarth Guardians dated March 10, 2009, requesting that EPA object to the issuance of the title V operating permit to Public Service Company of Colorado for the operation of the Hayden Power Station. The Petitioner alleges that the