

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, avoiding the use of profanity or personal threats.

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

## II. Background

On March 20, 2012, The Center for Food Safety and International Center for Technology Assessment submitted to the EPA an "Emergency Citizen Petition" on behalf of 27 individuals and non-governmental organizations requesting that the EPA suspend registrations for the insecticide clothianidin for the four following reasons: (1) To cure clothianidin's unlawful conditional registration; (2) to prevent an imminent hazard to pollinating insects and the agricultural interests they support by suspending the registrations and initiating special review and cancellation proceedings; (3) to stop the sale of misbranded clothianidin products; and (4) to address Endangered Species Act consultation obligations for clothianidin. Given the emergency nature of the request and the harm asserted, the EPA has addressed on an expedited basis the request to suspend clothianidin registrations to prevent an imminent hazard. This notice announces the availability of the EPA's petition response on that issue. The EPA will address the remaining three issues in the petition after receiving and considering public comments on the petition. After reviewing the petition and the supporting documentation, the EPA is denying the request to suspend clothianidin registrations based on the assertion that an imminent hazard exists because the petition and supporting documentation reviewed by the EPA do not demonstrate a substantial likelihood of imminent, serious harm that would justify the suspension of this pesticide under the FIFRA standard. The EPA is posting both the petition (including exhibits and supplemental filings) and its response to the imminent hazard claim for 60 days for public comment on

its Web site and in the public docket at [regulations.gov](http://regulations.gov). After reviewing the public comments on the petition the EPA will respond to the remaining issues in the petition. In addition, the EPA will determine in connection with that review whether the comments received support the reconsideration of this partial response.

### List of Subjects

Environmental protection, Agricultural commodities, Pesticides and pest.

Dated: July 17, 2012.

**Steven P. Bradbury,**

*Director, Office of Pesticide Programs.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-9004-2]

### Environmental Impacts Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7146 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 07/16/2012 through 07/20/2012 Pursuant to 40 CFR 1506.9.

### Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

*Supplementary Information:* EPA is seeking agencies to participate in its e-NEPA electronic EIS submission pilot. Participating agencies can fulfill all requirements for EIS filing, eliminating the need to submit paper copies to EPA Headquarters, by filing documents online and providing feedback on the process. To participate in the pilot, register at: <https://cdx.epa.gov>.

EIS No. 20120240, Final EIS, BLM, 00, Programmatic—Solar Energy Development in Six Southern States, To Identify and Prioritize Specific Locations Best Suited for Utility Scale Solar Energy Development on Public Lands, AZ, CA, CO, NV, NM, and UT, *Review Period Ends:* 08/27/2012, *Contact:* Shannon Stewart, BLM 202 912-7219; Jane Summerson, DOE 202-287-6188. The U.S. Department of the Interior's Bureau of Land Management and the U.S. Department

of Energy are Joint Lead Agencies for this project.

EIS No. 20120241, Final EIS, USFS, WA, South George Vegetation and Fuels Management Project, To Improve Forest Health and Resilience to Fire, Insects and Disease in Upland Forests, Pomerory Ranger District, Umatilla National Forest, Asotin and Garfield Counties, WA, *Review Period Ends:* 08/27/2012, *Contact:* Dan Castillo 509-843-1891.

EIS No. 20120242, Final EIS, BLM, WY, Lost Creek In Situ Recovery Project, To Analyze the Site-Specific Impacts Associated with the Plan of Operations, Sweetwater County, WY, *Review Period Ends:* 08/27/2012, *Contact:* John Russell 307-328-4252.

EIS No. 20120243, Final EIS, DHS, 00, Programmatic—Northern Border Activities Program, Propose to Enhance its Program of Security along the United States' Northern Border with Canada, from Maine to Washington, *Review Period Ends:* 08/27/2012, *Contact:* Jennifer Hass 202-344-1929.

EIS No. 20120244, Draft Supplement, NNSA, 00, Surplus Plutonium Disposition (DOE/EIS-0283-S2), To Consider Options for Pit Disassembly and Conversion of Plutonium Metal to Oxide, SC, NM, AL, and TN, *Comment Period Ends:* 09/25/2012, *Contact:* Sachiko McAlhany 803-952-6110.

EIS No. 20120245, Final EIS, USA, AK, Point Thomson Project, Authorization for the Placement of Fill Material into U.S. Waters, Permit Application, AK, *Review Period Ends:* 08/27/2012, *Contact:* Harry A. Baij 907-753-2784.

EIS No. 20120246, Final EIS, USN, CA, Marine Corps Air Ground Combat Center Project, Land Acquisition and Airspace Establishment to Support Large-Scale MAGTF Live-Fire and Maneuver Training Facility, Twentynine Palms, San Bernardino County, CA, *Review Period Ends:* 08/27/2012, *Contact:* Chris Proudfoot 760-830-3764.

EIS No. 20120247, Final EIS, USACE, 00, Mississippi River Gulf Outlet Ecosystem Restoration, To Develop a Comprehensive Ecosystem Restoration Plan to Restore the Lake Borgne Ecosystems, LA and MS, *Review Period Ends:* 08/27/2012, *Contact:* Tammy Gilmore 504-862-1002.

EIS No. 20120248, Final EIS, USACE, TX, City of Denison Land Conveyance, Lake Texoma, To Convey a Parcel of Federally-owned Land at Lake Texoma, OK and TX to the City of Denison, TX, Grayson and Cooke Counties, TX and Portion of

Bryan, Marshall, Johnston, and Love Counties, OK, *Review Period Ends:* 08/28/2012, *Contact:* Stephan L. Nolan 918-669-7660.

EIS No. 20120249, Second Draft EIS (Tiering), USCG, 00, Tier 1 DEIS—Rulemaking for Dry Cargo Residue (DCR) Discharges in the Great Lakes, To Regulate Nonhazardous and Nontoxic DCR Sweeping from Vessels in the Great Lakes that fall under the Jurisdiction of the United States and Address Gaps Identified in Phase I Final EIS, *Comment Period Ends:* 10/25/2012, *Contact:* Timothy O'Brien 202-372-1539.

#### Amended Notices

EIS No. 20120164, Draft EIS, BLM, CA, McCoy Solar Energy Project, Development of up to 750-megawatt(mw) Solar Energy Plant, Right-of-Way Grant, Riverside County, CA, *Comment Period Ends:* 08/23/2012, *Contact:* Jeff Childers 760-833-7100 Revision to FR Notice Published 05/25/2012; Extending Comment Period from 08/22/2012 to 08/23/2012.

EIS No. 20120209, Draft EIS, USN, FL, Naval Air Station Key West Airfield Operations, To Support and Conduct Aircraft Training Operations, Florida Keys, Monroe County, FL, *Comment Period Ends:* 08/13/2012, *Contact:* John Conway 904-542-6870. Revision to FR Notice Published 06/29/2012; *Extending Comment Period* from 08/13/2012 to 08/28/2012.

EIS No. 20120233, Draft EIS, BLM, NM, Prehistoric Trackways National Monument Resource Management Plan, Implementation, Dona Ana County, NM, *Comment Period Ends:* 10/22/2012, *Contact:* Lori Allen 575-525-4454. Revision to FR Notice Published 07/20/2012; Change Filing Agency from AFS to BLM.

EIS No. 20120237, Final Supplement, FHWA, CO, US 550 South Connection to US 160, Updated Information, To US 160 from Durango to Bayfield, US Army COE Section 404 Permit, La Plata County, CO, *Review Period Ends:* 08/27/2012, *Contact:* Stephanie Gibson 720-963-3013. Revision to FR Notice Published 07/20/2012; Filed Corrected Version and Extending Review Period from 8/20/2012 to 8/27/2012.

Dated: July 24, 2012.

#### Cliff Rader,

Director, NEPA Compliance Division, Office of Federal Activities.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9706-8]

### Forms and Procedures for Submitting Compliance Reports: Requirements Pertaining to Reformulated Gasoline, Anti-dumping, Gasoline Sulfur, Renewable Fuel Standard Requirements, etc. and Greenhouse Gas Reporting Requirements Related to Coal-Based Liquid Fuels and Petroleum Products

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

**ACTION:** Notice.

**SUMMARY:** EPA's Office of Transportation and Air Quality (OTAQ) is announcing that compliance reports submitted or due on or after August 31, 2012 must be submitted via EPA's Central Data Exchange (CDX). The substance and format of the reports is unchanged. EPA is switching to all-electronic reporting using CDX because it is simple, cost effective, and will improve the availability and integrity of data. As of August 31, 2012, parties will no longer be permitted to submit reports via portable electronic media, such as CDs or diskettes. This notice affects parties subject to reporting requirements under 40 CFR part 80, including requirements pertaining to reformulated gasoline, anti-dumping, gasoline sulfur, ultra-low sulfur diesel, benzene content, and the renewable fuel standard. This notice also affects parties subject to greenhouse gas reporting requirements related to coal-based liquid fuels and petroleum products under 40 CFR part 98, subparts LL and MM.

**DATES:** The reporting procedures described in this notice are effective starting with reports due or submitted to EPA on or after August 31, 2012.

#### FOR FURTHER INFORMATION CONTACT:

Anne-Marie C. Pastorkovich, Attorney/Advisor, Environmental Protection Agency, 1200 Pennsylvania Avenue NW. (6406J), Washington, DC 20460; telephone number: 202-343-9623; fax number: 202-343-2801; email address: [pastorkovich.anne-marie@epa.gov](mailto:pastorkovich.anne-marie@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Does this notice apply to me?

This action affects regulated parties who submit information to EPA under fuels programs governed by 40 CFR Part 80, including the reformulated gasoline, anti-dumping, gasoline sulfur, ultra-low sulfur diesel, and benzene programs, as well as the renewable fuel standard. This action also affects regulated parties who submit information to EPA related

to the greenhouse gas reporting requirements of 40 CFR part 98, subparts LL and MM. The specific programs and forms affected are discussed in *Section III—What Reports Must Be Submitted via CDX?* Reports due or submitted to EPA on or after August 31, 2012 must be submitted to the OTAQ Fuels Reporting System via the EPA Central Data Exchange (CDX). As of that date, regulated parties will no longer be permitted to report by submitting portable electronic media, such as CDs or diskettes. This notice also affects the resubmission of any report to EPA, if the resubmission occurs on or after August 31, 2012. If you have further questions regarding the applicability of this action to a particular party, please contact the person listed in **FOR FURTHER INFORMATION CONTACT**.

#### II. Why is EPA switching to all-electronic reporting using CDX?

EPA's Central Data Exchange (CDX) enables fast, efficient, and secure submission of data to EPA. Among the advantages offered by CDX are the following features, which will improve fuel reporting under 40 CFR Part 80 and greenhouse gas reporting under 40 CFR part 98, subparts LL and MM. CDX allows regulated parties to:

- Submit data through one centralized and secure point of access;
- Receive confirmation from EPA when submissions are received;
- Submit data in a variety of formats including Excel and flat-file; and
- Reduce costs associated with submitting and processing data submissions.

EPA does not charge the regulated party to set up a CDX account. Virtually all regulated parties subject to 40 CFR part 80 already have CDX accounts and EPA's primary reporting instructions already specify the submission of compliance reports using CDX. However, to date we have permitted submission of CDs or diskettes as an alternative to CDX reporting under certain circumstances. Starting with reports due or submitted on or after August 31, 2012, these alternative options for submitting reports will no longer apply.

There are several reasons for eliminating alternative submission options. Parties often submit CDs without properly "burning" data to them, so that no report is submitted. EPA staff must then notify the regulated party that they must re-submit using CDX or by sending a CD that actually contains the required data. This type of reporting error cannot occur with a CDX transmission.