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#### List of Subjects

Environmental protection, Administrative practice and procedure, Pesticides.

Dated: September 15, 2015.

**Marty Monell,**

*Acting Director, Office of Pesticide Programs.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2015-0636; FRL-9934-48-OGC]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

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

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended (“CAA” or the “Act”), notice is hereby given of a proposed consent decree to address a lawsuit filed by WildEarth Guardians, HEAL Utah, National Parks Conservation Association, and Sierra Club (collectively, “Plaintiffs”): *Wildearth Guardians, et al. v. EPA*, No. 1:15-cv-00630 (D. CO). In 2012, EPA issued a rule partially disapproving a revision to a state implementation plan (SIP) submitted by Utah to address the State’s “best available retrofit technology” (“BART”) determination for Units 1 and 2 of the Hunter power plant and Units 1 and 2 of the Huntingdon power plant. In its lawsuit, Plaintiffs alleged that EPA has failed to meet the requirement of the Clean Air Act that the Agency promulgate a federal implementation plan (FIP) within two years of partially disapproving a SIP, in whole or in part. The proposed consent decree establishes proposed and final deadlines for EPA to take action to meet its obligations with respect to Utah.

**DATES:** Written comments on the proposed consent decree must be received by October 22, 2015.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2015-0636, online at [www.regulations.gov](http://www.regulations.gov) (EPA’s preferred method); by email 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:** M. Lea Anderson, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564-5571; fax number (202) 564-5603; email address: [anderson.lea@epa.gov](mailto:anderson.lea@epa.gov).

#### SUPPLEMENTARY INFORMATION:

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

On October 30, 2012, EPA partially disapproved a revision to the Utah SIP intended to address the regional haze requirements of the Clean Air Act. 77 FR 74355 (Dec. 14, 2012). When EPA disapproves a SIP submission in whole or in part, section 110(c) of the Act requires EPA to promulgate a FIP within two years unless the State corrects the deficiency and EPA approves the plan revision. On July 22, 2015, Plaintiffs filed an amended consolidated complaint in the United States District Court for the Northern District of Colorado alleging that EPA had failed to promulgate a FIP for Utah as required by the Clean Air Act.

The proposed consent decree would resolve the lawsuit filed by Plaintiffs by establishing that EPA must take proposed action by November 19, 2015 and final action by March 31, 2016, to address the deficiencies in Utah’s SIP revision regarding the State’s BART determination for Units 1 and 2 of the Hunter power plant and Units 1 and 2 of the Huntingdon power plant. See the proposed consent decree for the specific details.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed

consent decree from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines that consent to this consent decree should be withdrawn, the terms of the decree will be affirmed.

##### II. Additional Information About Commenting on the Proposed Consent Decree

*A. How can I get a copy of the consent decree?*

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2015-0636) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through [www.regulations.gov](http://www.regulations.gov). You may use [www.regulations.gov](http://www.regulations.gov) to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select “search”.

It is important to note that EPA’s policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at [www.regulations.gov](http://www.regulations.gov) without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA’s policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA’s electronic public docket but will be available only in printed, paper form in the official public

docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

*B. How and to whom do I submit comments?*

You may submit comments as provided in the ADDRESSES section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment and with any disk or CD-ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. 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.

Use of the [www.regulations.gov](http://www.regulations.gov) Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (email) system is not an "anonymous access" system. If you send an email comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your email address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: September 14, 2015.  
**Lorie J. Schmidt,**  
*Associate General Counsel.*  
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**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPP-2015-0296; FRL-9933-58]

**Product Cancellation Order and/or Amendments To Terminate Uses for Certain Pesticide Registrations**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order for the cancellations and/or amendments to terminate uses, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1 and 2 of Unit II., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a July 8, 2015 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 3 of Unit II to voluntarily cancel and/or amend these product registrations. In the July 8, 2015 notice, EPA indicated that it would issue an order implementing the cancellations and/or amendments to terminate uses, unless the Agency received substantive comments within the 30 day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency received comments on the notice but none merited its further review of the requests. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations and/or amendments to terminate uses. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

**DATES:** The cancellations and/or amendments are effective September 22, 2015.

**FOR FURTHER INFORMATION CONTACT:** Khue Nguyen, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 347-0248; email address: [nguyen.khue@epa.gov](mailto:nguyen.khue@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.

*B. How can I get copies of this document and other related information?*

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2015-0296, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

**II. What action is the Agency taking?**

This notice announces the cancellation and/or amendments to terminate uses, as requested by registrants, of products registered under FIFRA section 3 (7 U.S.C. 136a). These registrations are listed in sequence by registration number in Table 1 and Table 2 of this unit.

TABLE 1—PRODUCT CANCELLATIONS

EPA Registration No.	Product name	Chemical name
100-1217 .....	Gramoxone Inteon .....	Paraquat dichloride.
100-1316 .....	Cyclone Star .....	Carfentrazone-ethyl, paraquat dichloride.
279-3183 .....	Matador Herbicide .....	Quizalofop-p-ethyl.
352-522 <sup>a</sup> .....	DuPont Glean Fertilizer Compatible Herbicide .....	Chlorsulfuron.
352-586 <sup>a</sup> .....	DuPont Canvas Herbicide .....	Metsulfuron, thifensulfuron-methyl, tribenuron-methyl.
2724-819 .....	Pyrocyde Pressurized Ant & Roach Spray .....	Propoxur, pyrethrins, piperonyl butoxide, MGK 264.