

and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available on EPA's website at <https://www.epa.gov/ogc/proposed-consent-decrees-and-draft-settlement-agreements#NRDCetalv.epa> and 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 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, above. Please ensure that your comments are submitted within the specified comment period.

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) website 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: January 23, 2020.

**John R. Michaud,**

*Associate General Counsel.*

[FR Doc. 2020-01998 Filed 1-31-20; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

**[Petition I-2019-3; FRL-10004-45-Region 1]**

### **Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Wheelabrator Environmental System Inc., Wheelabrator Concord Company, L.P., Concord, New Hampshire**

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

**ACTION:** Notice of final order on petition to object to state operating permits.

**SUMMARY:** The EPA Administrator signed an Order, dated October 30, 2019, denying a petition dated March 14, 2019, filed by Anthony Caplan, Katherine Lajoie, Rebecca MacKenzie, and Janet Ward (the Petitioners). The Petitioners requested that the EPA object to a proposed Clean Air Act (CAA) title V operating permit (Permit No. TV-0032) issued by the New Hampshire Department of Environmental Services (NHDES) to Wheelabrator Environmental System, Inc., Wheelabrator Concord Company, L.P. (Wheelabrator), a large municipal waste incinerator located in Concord, New Hampshire.

**ADDRESSES:** Copies of the Order, the petition, and all pertinent information relating thereto are on file at the following location: EPA Region 1; Air

and Radiation Division; 5 Post Office Square—Suite 100, (Mail code 05-2), Boston, MA 02109-3912. The Order is also available electronically at the following address: [https://www.epa.gov/sites/production/files/2019-11/documents/wheelabrator\\_response2019.pdf](https://www.epa.gov/sites/production/files/2019-11/documents/wheelabrator_response2019.pdf).

#### **FOR FURTHER INFORMATION CONTACT:**

Jessica Kilpatrick, Air Permits, Toxics, and Indoor Programs Branch, U.S. Environmental Protection Agency, EPA Region 1, 5 Post Office Square—Suite 100, (Mail code 05-2), Boston, MA 02109-3912, tel. (617) 918-1652, email [kilpatrick.jessica@epa.gov](mailto:kilpatrick.jessica@epa.gov).

**SUPPLEMENTARY INFORMATION:** The CAA affords the EPA a 45-day period to review and, as appropriate, the authority to object to operating permits proposed by state permitting authorities under title V of the CAA, 42 U.S.C. 7661-7661f. Section 505(b)(2) of the CAA and 40 CFR 70.8(d) authorizes any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of the EPA's 45-day review period if the EPA has not objected on its own initiative. 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.

The Petitioners submitted a petition on March 14, 2019, requesting that the EPA object to the proposed CAA title V operating permit issued by NHDES to Wheelabrator (Permit No. TV-0032). The Petitioners alleged that (1) the operation of the Wheelabrator incinerator violates New Hampshire's Revised Statutes Annotated (RSA) 125-C, Title 10 Public Health, Chapter 125-C Air Pollution Control, Section 125-C:1 and releases persistent toxic substances, such as lead, mercury, cadmium, and dioxin, that "accumulate in our bodies (known as body burden) and in our environment (known as toxic loading) and cause harm in low doses;" (2) that "[s]napshot testing of smokestack emissions can neither determine nor ensure continuous compliance with air standards that are themselves not health based;" and that NHDES "has discretionary authority to either deny or approve a Title V permit and is not constrained by a requirement to only consider whether Wheelabrator's stack test results comply with emission standards;" (3) Wheelabrator violated state and federal law by incinerating

used baghouse filters; and (4) the NHDES has mischaracterized its authority under New Hampshire's RSA 125C:13 and CAA § 129(e) and that NHDES can deny, suspend, or revoke the permit, or order measures beyond existing emission limitations to protect public health.

On October 30, 2019, the Administrator issued an Order denying the petition. The Order explains the EPA's basis for denying the petition.

Pursuant to sections 307(b) and 505(b)(2) of the CAA, a petition for judicial review of those parts of the Order that deny issues in the petition may be filed in the United States Court of Appeals for the appropriate circuit by April 3, 2020, 60 days from the date this notice is published in the **Federal Register**.

Dated: January 21, 2020.

**Dennis Deziel,**

*Regional Administrator, EPA Region 1.*

[FR Doc. 2020-02010 Filed 1-31-20; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPP-2017-0751; FRL-10004-39]

**Pesticide Registration Review; Interim Decision for Glyphosate; Notice of Availability**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's interim registration review decision for glyphosate. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, that the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

**FOR FURTHER INFORMATION CONTACT:** *For pesticide specific information:* Contact the glyphosate registration review email address and phone number identified in Unit IV.

*For general information on the registration review program, contact:* Melanie Biscoe, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (703) 305-7106; email address: *biscoe.melanie@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, farm worker, 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, contact the glyphosate registration review email address and phone number identified in the Table in Unit IV.

*B. How can I access the docket?*

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2017-0751, 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. Background**

Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. As part of the registration review process, the Agency has completed interim decisions for glyphosate. Through this program, EPA is ensuring that glyphosate's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

**III. Authority**

EPA is conducting its registration review of glyphosate pursuant to section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. Section 3(g) of FIFRA provides, among other things, that the registrations of pesticides are to be reviewed every 15 years. Under FIFRA, a pesticide product may be registered or remain registered only if it meets the statutory standard for registration given in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). When used in accordance with widespread and commonly recognized practice, the pesticide product must perform its intended function without unreasonable adverse effects on the environment; that is, without any unreasonable risk to man or the environment, or a human dietary risk from residues that result from the use of a pesticide in or on food.

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

Pursuant to 40 CFR 155.58, this notice announces the availability of EPA's interim registration review decision for glyphosate. The interim registration review decision is supported by rationales included in the docket identified in Unit I.B.

**TABLE—REGISTRATION REVIEW INTERIM DECISIONS BEING ISSUED**

Registration review case name and No.	Docket ID No.	Contact information
Glyphosate Case Number 0178 .....	EPA-HQ-OPP-2009-0361 .....	<i>glyphosateregview@epa.gov</i> , 703-347-0292.

The proposed interim registration review decision for glyphosate was posted to the docket and the public was invited to submit any comments or new

information. EPA addressed the comments or information received during the 120-day comment period for the proposed interim decisions in the

discussion for glyphosate. Comments from the 120-day comment period that were received may or may not have affected the Agency's interim decision.