

Prevention of Significant Deterioration of Air Quality (PSD) regulations under 40 CFR 52.21.

**DATES:** The effective date for the Board's decision is March 3, 2000. Judicial review of this permit decision, to the extent it is available pursuant to section 307(b)(1) of the Clean Air Act, may be sought by filing a petition for review in the United States Court of Appeals for the Seventh Circuit within 60 days of today's date.

**ADDRESSES:** The documents relevant to the above action are available for public inspection during normal business hours at the following address by calling Raj Vakharia at (608) 267-2015 to arrange a visit: Department of Natural Resources, Bureau of Air Management, 101 South Webster Street, 7th Floor, Madison, WI.

**FOR FURTHER INFORMATION CONTACT:** Mr. Constantine Blathras (AR-18), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, at (312) 886-0671.

**SUPPLEMENTARY INFORMATION:** On January 25, 1999, the WDNR issued PSD permit 98-RV-150 to RockGen Energy Center for the construction of a new 525 MW electric power generating facility in the Town of Christiana, Dane County, Wisconsin. The facility will include three 175-MW simple cycle combustion turbines using natural gas as a primary fuel and low sulfur No. 2 fuel oil as a back-up. The facility is subject to PSD for nitrogen oxides (NO<sub>x</sub>) and carbon monoxide (CO).

On April 5, 1999, the Responsible Use of Rural and Agricultural Land (RURAL) petitioned the EAB to review this permit alleging: (i) WDNR's selection of BACT for NO<sub>x</sub> was clearly erroneous; (ii) WDNR abused its discretion by failing to consider demand side management alternatives to the construction of the facility; (iii) WDNR's characterization of the facility as a "peak power generating facility" and its inclusion in the final permit of a continuous emission monitoring (CEM) exemption provision are inconsistent with applicable regulations; (iv) the start-up and shut-down provision in the final permit is not federally enforceable; and (5) WDNR failed to adequately reply to written comments on the draft permit or to explain changes to the draft permit.

On June 11, 1999, EPA filed an Amicus Brief that commented on (i) WDNR's BACT analysis, (ii) WDNR's conclusion that DLN was technically feasible as a control option, (iii) the permit provision regarding emissions during start-up and shutdown, and (iii)

demand-side management or other alternatives.

On August 25, the EAB issued its order remanding the permit as to (i) the conditions under which NO<sub>x</sub> estimation procedures may be used in lieu of CEM, (ii) the permit provision relating to exceedances of the permit's emission limitations during start-up or shutdown of the facility, and (iii) WDNR's reply to written comments, and denying review as to the BACT determination issue and the demand-side alternatives issue, which were not properly preserved for review, and all other issues raised in the petition.

On October 15, 1999, WDNR issued revised permit 98-RV-150-R1 to RockGen Energy Center and a revised response to comments. The revised permit strikes the permit condition concerning exceedances of emissions limits during start-up and shut-down and amends the permit conditions under which NO<sub>x</sub> estimation procedures may be used in lieu of CEM to reflect the language of applicable regulatory language under 40 CFR 72.2.

RURAL filed a petition for review of the revised permit on November 17, 1999, alleging that WDNR erroneously refused to consider the opposition of local and county zoning authorities to the permit. On March 3, 2000, the EAB denied the petition for review on the grounds that the issue had not been properly preserved.

Dated: July 21, 2000.

**Francis X. Lyons,**

*Regional Administrator, Region 5.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-30498; FRL-6737-2]

### Pesticide Product; Registration Applications

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

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of applications to register pesticide products containing new active ingredients not included in any previously registered products pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**DATES:** Written comments, identified by the docket control number OPP-30498, must be received on or before August 31, 2000.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the

**SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-30498 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** By mail: James Tompkins, (PM-25), Registration Division, Office of Pesticide Programs (7505C), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 305-5697; and e-mail address: tompkins.jim@epa.gov.

### SUPPLEMENTARY INFORMATION:

#### I. General Information

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

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Cat-egories	NAICS codes	Examples of poten-tially affected entities
Industry	111 112 311 32532	Crop production Animal production Food manufacturing Pesticide manufact-uring

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 the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have 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 Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "Federal Register—Environmental

Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-30498. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

#### C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-30498 in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: "opp-docket@epa.gov," or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be

CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP-30498. Electronic comments may also be filed online at many Federal Depository Libraries.

#### D. How Should I Handle CBI that I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any 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 version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified under **FOR FURTHER INFORMATION CONTACT**.

#### E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the registration activity.
7. Make sure to submit your comments by the deadline in this notice.
8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

## II. Registration Applications

EPA received applications as follows to register pesticide products containing active ingredients not included in any previously registered products pursuant to the provision of section 3(c)(4) of FIFRA. Notice of receipt of these applications does not imply a decision by the Agency on the applications.

#### Products Containing Active Ingredients not Included in any Previously Registered Products

1. *File Symbol:* 8033-RE. *Applicant:* Nippon Soda Co., Ltd. c/o Nisso America, 220 E. 42nd St., Suite 3002, New York, NY 10017. *Product name:* Equinox Herbicide. *Active ingredient:* Tepraloxym [(EZ-(RS)-2-[1-[(2E)-3-chloro-allyloxyimino]propyl]-3-hydroxy-5-perhydropryan-4-ylcyclohex-2-en-1-one)] at 20%. *Proposed classification/Use:* None. For use to control grasses in cotton, soybeans, and canola.

2. *File Symbol:* 8033-RG. *Applicant:* Nippon Soda Co., Ltd. *Product name:* BAS 620 H MUP. *Active ingredient:* Tepraloxym [(EZ-(RS)-2-[1-[(2E)-3-chloro-allyloxyimino]propyl]-3-hydroxy-5-perhydropryan-4-ylcyclohex-2-en-1-one)] at 94.8%. *Proposed classification/Use:* None. For use to control grasses in cotton, soybeans, and canola.

*Authority:* 7 U.S.C. 136.

#### List of Subjects

Environmental protection, Pesticides and pest.

Dated: July 20, 2000.

**James Jones,**

*Director, Registration Division, Office of Pesticide Programs.*

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**BILLING CODE 6560-50-F**

## ENVIRONMENTAL PROTECTION AGENCY

[PF-955; FRL-6595-4]

### Notice of Filing of Pesticide Petitions to Establish Tolerances for Certain Pesticide Chemicals in or on Food

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of pesticide petitions proposing the establishment of regulations for residues of certain pesticide chemicals in or on various food commodities.