

**FOR FURTHER INFORMATION CONTACT:** Shanaz Bacchus, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8097; e-mail address: [bacchus.shanaz@epa.gov](mailto:bacchus.shanaz@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

This action is directed to the public in general. This action may, however, be of interest to those persons who are interested in agricultural biotechnology or may be required to conduct testing of pesticidal substances under the Federal Food, Drug, and Cosmetic Act (FFDCA) or the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Since other entities may also 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. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](http://regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes 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 docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a 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**

Bayer CropScience has requested to revise the application request for EUP 264-EUP-RUG. In the **Federal Register** of September 12, 2007 (72 FR 52127) (FRL-8145-4) the receipt of this EUP application was published. This revised application updates the proposed acreages and dates for planting and seeks to harmonize the requests of two EUPs, 264-EUP-RUG and 264-EUP-140. The proposed program will be carried out in the States of: Alabama, Arkansas, Arizona, California, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee and Texas. Bayer CropScience is now proposing to extend the experimental program until December 31, 2010 to allow for fall planting in Puerto Rico. Details of the proposed experimental program in accordance with EUP 264-EUP-RUG are available to the public in electronic documents attached to the docket ID number EPA-HQ-OPP-2007-0884 (see <http://www.regulations.gov>).

**III. What Action is the Agency Taking?**

Following the review of the Bayer CropScience application and any comments and data received in response to this notice, EPA will decide whether to issue or deny the revised EUP request for this EUP program, and if issued, the conditions under which it is to be conducted. Any issuance of an EUP will be announced in the **Federal Register**.

**IV. What is the Agency's Authority for Taking this Action?**

The specific legal authority for EPA to take this action is under FIFRA section 5.

**List of Subjects**

Environmental protection, Experimental use permits.

Dated: June 25, 2008.

**W. Michael McDavit,**

*Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. E8-15158 Filed 7-2-08; 8:45 am]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8687-7]

**Proposed Settlement Agreement, Clean Air Act Citizen Suit**

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

**ACTION:** Notice of Proposed Settlement Agreement; Request for Public Comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement to address a lawsuit filed by the National Environmental Development Association's Clean Air Project in the United States Court of Appeals for the District of Columbia: *National Environmental Development Association's Clean Air Project v. EPA*, No. 06-1428 (D.C. Cir.). Petitioner filed a petition for review challenging EPA's notice entitled "Recent Posting to the Applicability Determination Index (ADI) of Agency Applicability Determinations, Alternative Monitoring Decisions, and Regulatory Interpretations Pertaining to Standards of Performance for New Stationary Sources and National Emission Standards for Hazardous Air Pollutants, and the Stratospheric Protection Program," 71 FR 70383 (December 4, 2006). Under the terms of the proposed settlement agreement, EPA agrees that in the first ADI Posting Notice signed after the settlement agreement becomes final, EPA will use specific language as set forth in the settlement agreement. In addition, no later than 30 days after the settlement agreement becomes final, EPA will provide a new search capability for users of the ADI.

**DATES:** Written comments on the proposed settlement agreement must be received by *August 4, 2008*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2008-0471, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed 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:**

Diane McConkey, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-5588; fax number (202) 564-5603; e-mail address: [mccconkey.diane@epa.gov](mailto:mccconkey.diane@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Additional Information About the Proposed Settlement**

Petitioner raised issues concerning the December 4, 2006, **Federal Register** notice entitled "Recent Posting to the Applicability Determination Index (ADI) of Agency Applicability Determinations, Alternative Monitoring Decisions, and Regulatory Interpretations Pertaining to Standards of Performance for New Stationary Sources and National Emission Standards for Hazardous Air Pollutants, and the Stratospheric Protection Program," 71 FR 70383 (December 4, 2006). EPA maintains a computerized database, known as the Applicability Determination Index ("ADI"), which is a compilation of applicability determinations, alternative monitoring decisions, and regulatory interpretations pertaining to standards of performance for new stationary sources, national emission standards for hazardous air pollutants, and the stratospheric protection program. From time to time, EPA publishes in the **Federal Register** notices of recent postings to the ADI ("ADI Posting Notices"), similar to the notice at issue in this petition for review.

The settlement agreement provides that in the first ADI Posting Notice signed after this settlement agreement is final and effective, EPA will not use the expressions "broadly termed applicability determinations," "broadly termed alternative monitoring decisions," or "broadly termed regulatory interpretations," but will instead use the following expressions, as needed: "commonly referred to as applicability determinations," "commonly referred to as alternative monitoring decisions," and "commonly referred to as regulatory

interpretations." In addition, EPA will include the following language: "This notice does not change the status of any document with respect to whether it is 'of nationwide scope and effect' for purposes of section 307(b)(1) of the Clean Air Act. For example, this notice does not make an applicability determination for a particular source into a nationwide rule. Neither does it purport to make any document that was previously non-binding into a binding document." The settlement agreement further states that no later than 30 days after the date the agreement becomes final, EPA will provide a new search capability for users of the ADI, such that users have the option of performing a search limited to the documents contained in a single ADI Posting Notice. If EPA complies with the terms of the settlement agreement, Petitioner shall file for dismissal of the petition for review with prejudice in accordance with Rule 42(b) of the Federal Rules of Appellate Procedures.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement 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 settlement agreement 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, based on any comment which may be submitted, that consent to the settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

**II. Additional Information About Commenting on the Proposed Settlement Agreement**

*A. How Can I Get A Copy of the Settlement Agreement?*

Direct your comments to the official public docket for this action under Docket ID No. EPA-HQ-OGC-2008-0471 which contains a copy of the settlement agreement. 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 <http://www.regulations.gov>. You may use <http://www.regulations.gov> to view the settlement agreement, 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, select "search," then key in the appropriate docket identification number.

It is important to note that EPA's policy is that public comments, whether submitted electronically or on paper, will be made available for public viewing online at <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 are 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 e-mail 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 <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, e-mail 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 (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail 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: June 26, 2008.

**Richard B. Ossias,**

*Associate General Counsel.*

[FR Doc. E8-15157 Filed 7-2-08; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8687-8; Docket ID No: EPA-RO8-OW-2008]

### Public Water System Supervision Program Variance and Exemption Review for the State of Montana

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

**ACTION:** Notice of results review.

**SUMMARY:** The Environmental Protection Agency, Region 8 has completed its statutory review of variances and exemptions issued by the State of Montana under the Safe Drinking Water Act (SDWA) Public Water System Supervision (PWSS) program. This review was announced in the **Federal Register** published February 21, 2008 ("73 FR 9567"), and provided the public with an opportunity to comment. No comments related to Variances and/or Exemptions issued or proposed by the State of Montana were received.

The Environmental Protection Agency, Region 8 determined as a result of this review that the State of Montana did not abuse its discretion on any variance or exemption granted or proposed as of the date of its on-site review on April 28, 2008.

**FOR FURTHER INFORMATION CONTACT:** Eric Finke at 406-457-5026 or e-mail at [Finke.Eric@epa.gov](mailto:Finke.Eric@epa.gov).

**SUPPLEMENTARY INFORMATION:** Montana has an EPA approved program for assuming primary enforcement authority for the PWSS program, pursuant to section 1413 of SDWA, 42 U.S.C. 300g-2 and 40 CFR Part 142.

#### A. Why Do States Issue Variances and Exemptions?

States with primary PWSS enforcement authority are authorized to grant variances and exemptions from National Primary Drinking Water Regulations due to particular situations with specific public water systems, providing these variances and exemptions meet the requirements of SDWA sections 1415 and 1416 and are protective of public health.

#### B. Why Is a Review of Variances and Exemptions Necessary?

Montana is authorized to grant variances and exemptions to drinking water systems in accordance with SDWA. The SDWA requires that EPA periodically conduct reviews on State-issued variances and exemptions to determine whether the State has abused its discretion or failed to prescribe schedules in accordance with the statute in a substantial number of cases, and publish the results of that review in the **Federal Register**. 42 U.S.C. 300g-4(e)(8); 42 U.S.C. 300g-5(d).

Dated: June 24, 2008.

**Judith Wong,**

*Acting Deputy Regional Administrator, Region 8.*

[FR Doc. E8-15147 Filed 7-2-08; 8:45 am]

BILLING CODE 6560-50-P

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### Agency Information Collection Activities: Proposed Collection; Submission for OMB Review

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Final notice of submission for OMB review—no change: Local Union Report EEO-3.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Equal Employment Opportunity Commission (EEOC) hereby gives notice that it has submitted to the Office of Management and Budget (OMB) a request for a three-year extension of the existing collection as described below.

**DATES:** Written comments on this final notice must be submitted on or before August 4, 2008.

**ADDRESSES:** The Request for Clearance (SF 83-I), supporting statement, and other documents submitted to OMB for review may be obtained from: Ronald Edwards, Director, Program Research and Surveys Division, 1801 L Street, NW., Washington, DC 20507. Comments on this final notice must be submitted to Chandana Achanta, Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503 or electronically mailed to [Chandana.L.Achanta@omb.eop.gov](mailto:Chandana.L.Achanta@omb.eop.gov). Comments should also be sent to Stephen Llewellyn, Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 10th Floor, 1801 L Street, NW., Washington, DC 20507 by the Federal eRulemaking Portal: <http://www.regulations.gov>. After accessing this Web site, follow its instructions for submitting comments. As a convenience to commentators, the Executive Secretariat will accept comments totaling six or fewer pages by facsimile ("FAX") machine. This limitation is necessary to assure access to the equipment. The telephone number of the FAX receiver is (202) 663-4114. (This is not a toll-free number). Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4070 (voice) or (202) 663-4074 (TDD). (These are not toll-free telephone numbers).

**FOR FURTHER INFORMATION CONTACT:** Ronald Edwards, Director, Program Research and Surveys Division, 1801 L Street, NW., Washington, DC 20507, at (202) 663-4958 or TDD (202) 663-7063. This notice is also available in the following formats: Large print, braille, audio tape and electronic file on computer disk. Requests for this notice in an alternative format should be made to the Publications Center at 1-800-669-3362.

**SUPPLEMENTARY INFORMATION:** A notice that EEOC would be submitting this request was published in the **Federal Register** on April 18, 2008, allowing for a 60-day public comment period. No comments were received.

#### Overview of This Information Collection

*Type of Review:* Three-Year Extension—No change.

*Collection Title:* Local Union Report (EEO-3).