TABLE 1—TRIS NITRO PRODUCT REGISTRATION AMENDMENTS TO TERMINATE USES

<table>
<thead>
<tr>
<th>Registration No.</th>
<th>Product name</th>
<th>Company</th>
<th>Uses to be terminated</th>
</tr>
</thead>
<tbody>
<tr>
<td>464–657 ..........</td>
<td>Tris Nitro™ Solid Industrial Bacteriocistat.</td>
<td>The Dow Chemical Company</td>
<td>Use in metalworking fluids; Latex paints; Resin/latex/polymers emulsions; Specialty industrial products.</td>
</tr>
<tr>
<td>464–658 ..........</td>
<td>Tris Nitro™ Brand of 50% Aqueous Tris (hydroxymethyl) nitromethane.</td>
<td>The Dow Chemical Company</td>
<td>Use in metalworking fluids; Latex paints; Resin/latex/polymers emulsions; Specialty industrial products.</td>
</tr>
<tr>
<td>464–663 ..........</td>
<td>Tris Nitro™ Brand of 50% Aqueous Tris (hydroxymethyl) nitromethane.</td>
<td>The Dow Chemical Company</td>
<td>Use in paints, emulsions and thickener solutions; Use in metalworking fluids; Use as a preservative for packaged emulsions, solutions, or suspensions, such as detergents and polishes containing water.</td>
</tr>
<tr>
<td>464–668 ..........</td>
<td>Tris Nitro™ Brand of 25% Aqueous Tris (hydroxymethyl) nitromethane.</td>
<td>The Dow Chemical Company</td>
<td>Use in paints, emulsions, and thickener solutions; Use in metalworking fluids; Use as a preservative for packaged emulsions, solutions, or suspensions, such as detergents and polishes containing water.</td>
</tr>
<tr>
<td>464–679 ..........</td>
<td>Tris Nitro™ Brand</td>
<td>The Dow Chemical Company</td>
<td>Use in metalworking fluids; Use as a preservative for packaged emulsions, solutions, or suspensions, such as detergents and polishes containing water; Use in pulp and paper-mill process water systems.</td>
</tr>
</tbody>
</table>

V. What is the agency’s authority for taking this action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the Federal Register. Thereafter, following the public comment period, the Administrator may approve such a request.

VI. Provisions for Disposition of Existing Stocks

EPA’s existing stocks policy that published in the Federal Register June 26, 1991 (56 FR 29362) (FRL–3845–4) provides that: “If a registrant requests to voluntarily cancel a registration where the Agency has identified no particular risk concerns, the registrant has complied with all applicable conditions of reregistration, conditional registration, and data call ins, and the registration is not subject to a Registration Standard, Label Improvement Program, or reregistration decision, the Agency will generally permit a registrant to sell or distribute existing stocks for 1 year after the cancellation request was received. Persons other than registrants will generally be allowed to sell, distribute, or use existing stocks until such stocks are exhausted.”

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The effective date of this cancellation order is August 26, 2011. The cancellation order that is the subject of this notice includes the following existing stock provisions:

The registrant may sell and distribute existing stocks of products listed in Table 1 until August 27, 2012. Persons other than the registrant may sell and distribute existing stocks of products listed in Table 1 until exhausted. Use of the products listed in Table 1 may continue until existing stocks are exhausted, provided that such use is consistent with the terms of the previously approved labeling on, or that accompanied, the amended product.
SUMMARY: Pursuant to the Clean Air Act (CAA), the Director of the EPA Region III Air Protection Division issued a letter, dated July 8, 2011, denying a petition, filed by New Jersey, asking that EPA reopen the 2001 Title V permit issued by the Pennsylvania Department of Environmental Protection (PADEP) to Reliant Energy Mid-Atlantic Power Holdings, LLC, for its Portland Generating Station in Northampton County, Pennsylvania.

FOR FURTHER INFORMATION CONTACT: Kathleen Cox, Associate Director, Office of Permits and Air Toxics, Air Protection Division, EPA Region III (3AP10), telephone (215) 814–2173; e-mail: cox.kathleen@epa.gov.

SUPPLEMENTARY INFORMATION:

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

Copies of the letter responding to the Petition to Reopen, the Petition to Reopen and attachments to the Petition, and other relevant documents relating thereto are on file at the following location: Environmental Protection Agency, Region III, Air Protection Division (APD), 1650 Arch Street, Philadelphia, Pennsylvania 19103.

II. Background

On or about July 23, 2009, the New Jersey Attorney General’s Office filed a petition to reopen the 2001 Title V permit issued to the Reliant Portland Generating Station in Northampton County, Pennsylvania. The petition to reopen followed a 2006 petition by New Jersey under Section 505(b)(2) of the Clean Air Act asking EPA to object to the issuance of a new Title V permit to Reliant Portland, and a subsequent 2008 petition from New Jersey asking EPA to reconsider its 2007 denial of the Petition to Object. EPA denied the petition for reconsideration. New Jersey also filed an appeal of EPA’s initial denial of the petition to object, and an appeal of EPA’s denial of the petition to reconsider, in the United States Court of Appeals for the appropriate circuit. The denial of New Jersey’s petition to reopen the 2001 Title V permit for the Reliant Portland Generating Station is a final action which is not nationally applicable. The Third Circuit Court of Appeals is the appropriate court of appeals. Section 307(b)(1) also requires that any petition for review must be filed within sixty (60) days from the date that this Notice is published in the Federal Register.

Dated: August 9, 2011.

W.C. Early,
Acting Regional Administrator, Region III.

[FR Doc. 2011–21933 Filed 8–25–11; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–8998–7]

Environmental Impacts Statements; Notice of Availability


Notice

In accordance with Section 309(a) of the Clean Air Act, EPA is required to make its comments on EISs issued by other Federal agencies public. Historically, EPA met this mandate by publishing weekly notices of availability of EPA comments, which includes a brief summary of EPA’s comment letters, in the Federal Register. Since February 2008, EPA has included its comment letters on EISs on its Web site at: http://www.epa.gov/compliance/nepa/eisdata.html. Including the entire EPA comment letters on the Web site satisfies the Section 309(a) requirement to make EPA’s comments on EISs available to the public. Accordingly, on March 31, 2010, EPA discontinued the publication of the notice of availability of EPA comments in the Federal Register.


EIS No. 20110273, Final EIS, FERC, CA, Kilarc-Cow Creek Hydroelectric Project, (FERC Project No. 606) Proposes to Surrender the License for Operation Project, Old Crow Creek and South Cow Creek, Shasta County, CA, Wait Period Ends: 09/26/2011, Contact: Leonard Tao 1–866–208–3372.


