

[FR Doc. 2012-10961 Filed 5-7-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9667-5]

### Notice of Approval of Clean Air Act Outer Continental Shelf Permits Issued to Shell Offshore, Inc. for the Kulluk Conical Drilling Unit

**AGENCY:** United States Environmental Protection Agency (EPA) Region 10.

**ACTION:** Notice of final action.

**SUMMARY:** This notice announces that EPA Region 10 has issued a final permit decision granting a Clean Air Act Outer Continental Shelf (OCS) permit to construct and Title V air quality operating permit to Shell Offshore, Inc. ("Shell") for operation of the Kulluk conical drilling unit in the Beaufort Sea off the north coast of Alaska.

**DATES:** EPA Region 10 issued a final permit decision on the OCS permit for Shell's operation of the Kulluk drilling unit in the Beaufort Sea on April 12, 2012. The permit also became effective on that date. Pursuant to section 307(b)(1) of the Clean Air Act, 42 U.S.C. 7607(b)(1), judicial review of this permit decision, to the extent it is available, may be sought by filing a petition for review in the United States Court of Appeals for the Ninth Circuit by July 9, 2012.

**ADDRESSES:** The documents relevant to the above-referenced permits are available for public inspection during normal business hours at the following address: U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue Suite 900, Seattle, WA 98101. To arrange for viewing of these documents, call Dan Meyer at (206) 553-4150.

**FOR FURTHER INFORMATION CONTACT:** Dan Meyer, Office of Air Waste and Toxics, U.S. Environmental Protection Agency, Region 10, 1200 6th Avenue, Suite 900, Seattle, WA 98101. Anyone who wishes to review the EPA Environmental Appeals Board (EAB) decision described below can obtain it at <http://www.epa.gov/eabl>.

**Notice of Final Action and Supplementary Information:** EPA Region 10 issued a final permit decision to Shell authorizing air emissions associated with the operation of the Kulluk conical drilling unit to conduct exploratory drilling operations in the Beaufort Sea, OCS Permit No. R10OCS30000 ("Kulluk permit"). The Kulluk permit was initially issued by EPA Region 10 on October 21, 2011. The

EPA's Environmental Appeals Board (EAB) received three petitions from review of the Shell Kulluk permit from the following entities: (1) The Inupiat Community of the Arctic Slope; (2) Resisting Environmental Destruction of Indigenous Lands, Alaska Wilderness League, Center for Biological Diversity, Natural Resources Defense Council, Northern Alaska Environmental Center, Ocean Conservancy, Oceana, Pacific Environment, Sierra Club, and the Wilderness Society; and (3) Mr. Daniel Lum. On March 30, 2012, the EAB issued an order denying review of all three petitions. See *In re Shell Offshore, Inc.*, OCS Appeal Nos. 11-05, 11-06 & 11-07 (EAB, Mar. 30, 2011) (Order Denying Petitions for Review). All conditions of the Kulluk permit, as initially issued by Region 10 on October 21, 2011, are final and effective. Pursuant to 40 CFR 71.11(l)(5) and 124.19(f)(1), final agency action by EPA has occurred because agency review procedures before the EAB have been exhausted and EPA has issued final permit decisions.

Dated: April 23, 2012.

**Richard Albright,**

*Director, Office of Air, Waste, and Toxics.*

[FR Doc. 2012-11042 Filed 5-7-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2012-0181; FRL-9342-8]

### *Wolbachia pipientis*; Pesticide Experimental Use Permit; Receipt of Application; Comment Request

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's receipt of an application 88877-EUP-R from the University of Kentucky, Department of Entomology requesting an experimental use permit (EUP) for the microbial *Wolbachia pipientis*, an intracellular bacterial pesticide of insects/mosquitoes. The Agency has determined that the permit may be of regional and national significance. Therefore, in accordance with 40 CFR 172.11(a), the Agency is soliciting comments on this application.

**DATES:** Comments must be received on or before June 7, 2012.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2012-0181, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

**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; email 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 or may be required to conduct testing of chemical 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://www.regulations.gov) or email. 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. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help