

[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.

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

address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticide discussed in this document, compared to the general population.

II. What action is the agency taking?

Under section 5 of FIFRA, 7 U.S.C. 136c, EPA can allow manufacturers to field test pesticides under development. Manufacturers are required to obtain an EUP before testing new pesticides or new uses of pesticides if they conduct experimental field tests on 10 acres or more of land or one acre or more of water.

Pursuant to 40 CFR 172.11(a), the Agency has determined that the following EUP application may be of regional and national significance, and therefore is seeking public comment on the EUP application:

Submitter: Dr. Robert I. Rose, on behalf of Stephen L. Dobson, University of Kentucky, Department of Entomology, S-225 Ag. Science Center North, Lexington, KY 40546-0091, (88877-EUP-R).

Pesticide Chemical: *Wolbachia pipientis*.

Summary of Request: The applicant proposes release of male *Aedes polynesiensis* mosquitoes infected with *Wolbachia pipientis* in American Samoa. The male mosquitoes will mate with indigenous female *Aedes polynesiensis*, causing conditional sterility and resulting in mosquito population suppression. Adult and egg collection data from treated areas will be compared to those in the control site to examine for the effect of the released product on the indigenous population.

A copy of the application and any information submitted is available for public review in the docket established for this EUP application as described under **ADDRESSES**.

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

List of Subjects

Environmental protection,
Experimental use permits.

Dated: April 26, 2012.

Keith A. Matthews,

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

[FR Doc. 2012-11087 Filed 5-7-12; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-9670-1]

National and Governmental Advisory Committees to the U.S. Representative to the Commission for Environmental Cooperation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of advisory committee meeting teleconference call.

SUMMARY: Under the Federal Advisory Committee Act, Public Law 92-463, EPA gives notice of a meeting of the National Advisory Committee (NAC) and Governmental Advisory Committee (GAC) to the U.S. Representative to the North American Commission for Environmental Cooperation (CEC). The National and Governmental Advisory Committees advise the EPA Administrator in her capacity as the U.S. Representative to the CEC Council. The Committees are authorized under Articles 17 and 18 of the North American Agreement on Environmental Cooperation (NAAEC), North American Free Trade Agreement Implementation Act, Public Law 103-182, and as directed by Executive Order 12915, entitled "Federal Implementation of the North American Agreement on Environmental Cooperation." The NAC is composed of 13 members representing academia, environmental non-governmental organizations, and private industry. The GAC consists of 12 members representing state, local, and Tribal governments. The Committees are responsible for providing advice to the U.S. Representative on a wide range of strategic, scientific, technological, regulatory, and economic issues related to implementation and further elaboration of the NAAEC.

The purpose of this teleconference is to discuss and approve the draft advice letter addressing the draft Guidelines for Submissions on Enforcement Matters under Articles 14 and 15 of the NAAEC. A copy of the agenda will be posted at <http://www.epa.gov/ofacmo/nacgac-page.htm>.

DATES: The NAC/GAC will hold a public teleconference on Wednesday, May 16, 2012, from 12 p.m. to 1 p.m. Eastern

Standard Time. Due to an expedited advice request, EPA is announcing the meeting with less than 15 days public notice.

ADDRESSES: The meeting will be held at the U.S. EPA East Building, 1201 Constitution Ave. NW., Room 1132, Washington, DC 20004.

FOR FURTHER INFORMATION CONTACT:

Oscar Carrillo, Designated Federal Officer, carrillo.oscar@epa.gov, 202-564-0347, U.S. EPA, Office of Federal Advisory Committee Management and Outreach (1601-M), 1200 Pennsylvania Avenue NW., Washington, DC 20460.

SUPPLEMENTARY INFORMATION: Requests to make oral comments or to provide written comments to NAC/GAC should be sent to Oscar Carrillo at carrillo.oscar@epa.gov by Thursday, May 10, 2012. The meeting is open to the public, with limited seating on a first-come, first-served basis. Members of the public wishing to participate in the teleconference should contact Oscar Carrillo at carrillo.oscar@epa.gov or (202) 564-0347 by May 10, 2012.

Meeting Access: For information on access or services for individuals with disabilities, please contact Oscar Carrillo at 202-564-0347 or carrillo.oscar@epa.gov. To request accommodation of a disability, please contact Oscar Carrillo, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: May 1, 2012.

Oscar Carrillo,

Designated Federal Officer.

[FR Doc. 2012-11043 Filed 5-7-12; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9667-8]

Proposed Settlement Agreement

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 ("CAA" or the "Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement between EPA and the industry petitioners in *Portland Cement Ass'n v. EPA*, No. 10-1358 (D.C. Circuit). Under the settlement agreement, EPA would propose action on pending reconsideration issues and on issues raised by the court's remand in *Portland Cement Ass'n v. EPA* by June 15, 2012