

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of

this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration

numbers of the products listed in this unit.

TABLE 2—REGISTRANTS OF AMENDED PRODUCTS

EPA company No.	Company name and address
5481 .....	Amvac Chemical Corporation, 4695 MacArthur Ct., Suite 1250, Newport Beach, CA 92660.
10163 .....	Gowan Company, P.O. Box 5569, Yuma, AZ 85366–5569.
70506 .....	United Phosphorus, Inc., 630 Freedom Business Center, Suite 402, King of Prussia, PA 19406.
81964 .....	ChemStarr, LLC, 21 Hubble, Irvine, CA 92618.
83558 .....	Makhteshim Agan of North America, Inc., 4515 Falls of Neuse Rd, Suite 300, Raleigh, NC 27609.
84229 .....	Tide International, USA, Inc., 21 Hubble, Irvine, CA 92618.

**III. Summary of Public Comments Received and Agency Response to Comments**

During the public comment period provided, EPA received no comments in response to the July 13, 2011 **Federal Register** notice (76 FR 41250) (FRL–8879–7) announcing the Agency’s receipt of the requests for voluntary amendments to delete uses of products listed in Table 1 of Unit II.

**IV. Cancellation Order**

Pursuant to FIFRA section 6(f), EPA hereby approves the requested amendments to terminate uses of formetanate HCl and acephate registrations identified in Table 1 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 of Unit II. are amended to terminate the affected uses. The effective date of the cancellations that are subject of this notice is September 14, 2011. Any distribution, sale, or use of existing stocks of the products identified in Table 1 of Unit II. in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI. will be a violation of FIFRA.

**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 EPA Administrator may approve such a request. The notice of receipt for this action was published for comment on July 13, 2011. The comment period closed on August 15, 2011.

**VI. Provisions for Disposition of Existing Stocks**

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 action. The existing stocks provision for the products subject to this order is as follows.

Since the EPA has approved product labels reflecting the requested amendments to delete uses, formetanate HCl registrants will now be permitted to sell and distribute existing stocks of products under the previously approved labeling until November 30, 2011. Thereafter, registrants will be prohibited from selling or distributing the products whose labels include the deleted uses identified in Table 1 of Unit II., except for export consistent with FIFRA section 17 or for proper disposal. Persons other than the registrant may sell, distribute, or use existing stocks of products (including those of (24c) Special Local Needs registrations) whose labels include the deleted uses until December 31, 2013, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the deleted uses.

Now that EPA has approved product labels reflecting the requested amendments to delete uses, acephate registrants are permitted to sell or distribute products listed in Table 1 of Unit II. under the previously approved labeling until March 14, 2013, unless other restrictions have been imposed. Thereafter, registrants will be prohibited from selling or distributing the products whose labels include the deleted uses identified in Table 1 of Unit II., except for export consistent with FIFRA section 17 or for proper disposal.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: September 7, 2011.  
**Richard P. Keigwin, Jr.,**  
*Director, Pesticide Re-evaluation Division,*  
*Office of Pesticide Programs.*  
 [FR Doc. 2011–23338 Filed 9–13–11; 8:45 am]  
**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA–HQ–OPP–2011–0586; FRL–8887–6]

**Petition Requesting Ban on Use and Production of Atrazine; Notice of Availability**

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

**SUMMARY:** EPA is seeking public comment on a request from the environmental advocacy group Save the Frogs that EPA ban the use and production of atrazine.

**DATES:** Comments must be received on or before November 14, 2011.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2011–0586, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line 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.
- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S–4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility’s normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305–5805.

*Instructions:* Direct your comments to docket ID number EPA-HQ-OPP-2011-0586. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [regulations.gov](http://www.regulations.gov) or e-mail. The [regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** Melanie Biscoe, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; *telephone*

*number:* (703) 305-7106; *fax number:* (703) 308-8005; *e-mail address:* [biscoe.melanie@epa.gov](mailto:biscoe.melanie@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

###### *A. Does this action apply to me?*

You may be potentially affected by this action if you manufacture, distribute, sell, or use pesticides; are an environmental, human health, or agricultural advocate; or are a general member of the public. Potentially affected entities may include, but are not limited to:

- Pesticide Manufacturers (NAICS code 325320), e.g., herbicides manufacturing.
- Pesticides, agricultural, merchant wholesalers and lawn care supplies merchant wholesalers (NAICS code 424910).
- Corn farming (NAICS codes 111150, 111219).
- Sorghum farming (NAICS code 111199).
- Sugarcane farming (NAICS code 111930).
- Environment, conservation, and wildlife organizations (NAICS code 813312).

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 this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. 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 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. What action is the Agency taking?**

EPA seeks public comment on a petition from environmental advocacy group Save the Frogs requesting that EPA ban the use and production of atrazine. This petition, available in EPA-HQ-OPP-2011-0586, was submitted on May 6, 2011 during a meeting with Save the Frogs founder Dr. Kerry Kriger. The presentation and participant list from the meeting is also available in docket EPA-HQ-OPP-2011-0586.

The Save the Frogs petition includes over 10,000 signatures; select statements from the public; and two brief summaries of published literature, one by Dr. Jason Rohr and one by Dr. Tyrone Hayes that is co-authored by 39 other scientists.

In conjunction with this petition, EPA received nearly 50,000 emails from supporters of the Center for Biological Diversity and the Natural Resources Defense Council requesting that EPA "immediately take steps to phase out atrazine use in the United States," stating that atrazine poses an unreasonable risk to the environment. The emails express concern for impacts on amphibians and other aquatic species as well as concern for potential risks to human health.

Information on EPA's regulation of atrazine with regard to amphibians,

aquatic ecosystems and human health can be found on its atrazine Web page: [http://www.epa.gov/pesticides/reregistration/atrazine/atrazine\\_update.htm](http://www.epa.gov/pesticides/reregistration/atrazine/atrazine_update.htm).

The Agency asks that comments on the Save the Frogs petition's request to ban the use and production of atrazine be submitted to docket EPA-HQ-OPP-2011-0586 within 60 days. EPA will review all comments submitted before responding to the petition.

#### List of Subjects

Environmental protection, pesticides, and pests.

Dated: September 6, 2011.

**Richard P. Keigwin, Jr.,**

Director, Pesticide Re-evaluation Division,  
Office of Pesticide Programs.

[FR Doc. 2011-23516 Filed 9-13-11; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9463-3]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of Proposed Consent Decree; Request for Public Comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree to resolve a lawsuit filed by the WildEarth Guardians ("Plaintiff") in the United States District Court for the District of New Mexico: *WildEarth Guardians v. Jackson*, No. 1:11-cv-00461 (D. NM). Plaintiff's filed a deadline suit to compel the Administrator to respond to an administrative petition seeking EPA's objection to a CAA Title V operating permit issued by the New Mexico Environmental Department, Air Quality Bureau to the Public Service Company of New Mexico to operate the San Juan Generating Station. Under the proposed consent decree, EPA would agree to respond to the petition by February 15, 2012, or within 30 days after entry of the consent decree by the Court, whichever is later.

**DATES:** Written comments on the proposed consent decree must be received by *October 14, 2011*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2011-0764, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail 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:

Susan Stahle, Office of General Counsel (Mail Code 2344A), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; *telephone:* (202) 564-1272; *fax number* (202) 564-5603; *e-mail address:* [stahle.susan@epa.gov](mailto:stahle.susan@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Additional Information About the Proposed Consent Decree

This proposed consent decree would resolve a lawsuit alleging that the Administrator failed to perform a nondiscretionary duty to grant or deny, within 60 days of submission, an administrative petition to object to a CAA Title V permit issued by the New Mexico Environmental Department, Air Quality Bureau to the Public Service Company of New Mexico to operate the San Juan Generating Station. Under the proposed consent decree, EPA would agree to respond to the petition by February 15, 2012, or within 30 days after entry of the consent decree by the Court, whichever is later, and pay specified attorneys fees to the Plaintiffs. The Court would then dismiss the case with prejudice once EPA has fulfilled these obligations under the consent decree.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree 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 consent decree 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 that consent to this consent decree should be withdrawn, the terms of the consent decree will be affirmed.

##### II. Additional Information About Commenting on the Proposed Consent Decree

*A. How can I get a copy of the consent decree?*

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2011-0764) contains a copy of the proposed consent decree. 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 the <http://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and to 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 in 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 is 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