

**ENVIRONMENTAL PROTECTION AGENCY****[FRL-9951-00-OGC; EPA-HQ-OGC-2016-0480]****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” or the “Act”), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree to address a lawsuit filed by Concerned Citizens of Seneca County, Inc. and Dixie D. Lemmon, (collectively “Plaintiffs”): *Concerned Citizens of Seneca County, Inc. v. McCarthy*, No. 6:16-cv-06196 (W.D.N.Y.). On March 25, 2016, Plaintiffs filed the complaint in this case alleging that Gina McCarthy, in her official capacity as Administrator of the United States Environmental Protection Agency (“EPA”), failed to perform a non-discretionary duty to grant or deny within 60 days a petition submitted by Plaintiffs. In their petition, Plaintiffs requested that EPA object to a CAA Title V permit issued by the New York State Department of Environmental Conservation to the Seneca County Landfill Gas-to-Energy Facility, for purposes of operating a landfill gas-to-energy facility in Seneca Falls, New York. The proposed consent decree would establish a deadline for EPA to respond to this petition.

**DATES:** Written comments on the proposed consent decree must be received by September 16, 2016.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2016-0480, online at [www.regulations.gov](http://www.regulations.gov) (EPA’s preferred method); by email 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:**

Zachary Pilchen, Air and Radiation Law Office (2344A), Office of General

Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW. Washington, DC 20460; telephone: (202) 564-2812; fax number (202) 564-5603; email address: [pilchen.zach@epa.gov](mailto:pilchen.zach@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. Additional Information About the Proposed Consent Decree**

This proposed consent decree would resolve a lawsuit filed by Plaintiffs seeking to compel the Administrator to take actions under CAA section 505(b)(2). Under the terms of the proposed consent decree, EPA would agree to sign a response to the petition by December 9, 2016. The proposed consent decree also provides for the possibility that certain circumstances could delay compliance with the December 9, 2016 deadline, and provides a framework for extending that deadline. In addition, the proposed consent decree also establishes a framework for resolving any request for costs of litigation, including attorney fees, and provides that after such resolution the proposed consent decree will be terminated and the case dismissed.

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 are 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 or withheld, 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 proposed consent decree?**

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2016-0480) 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 [www.regulations.gov](http://www.regulations.gov). You may use the [www.regulations.gov](http://www.regulations.gov) to 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, key in the appropriate docket identification number then select “search.”

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 [www.regulations.gov](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 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 email 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 [www.regulations.gov](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, email 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 (email) system is not an "anonymous access" system. If you send an email comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your email 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: August 10, 2016.

**Lorie J. Schmidt,**

*Associate General Counsel.*

[FR Doc. 2016-19639 Filed 8-16-16; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2016-0310; FRL-9950-76]

### Plant-Incorporated Protectants: Proposed Modifications of Registration Procedures for Plant-Incorporated Protectants in Breeding Line Intermediates; Notice of Availability; Extension of Comment Period

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

**ACTION:** Notice; extension of comment period.

**SUMMARY:** EPA issued a notice in the *Federal Register* of June 30, 2016, concerning the availability for public comment of a White Paper describing how the Agency is proposing to modify its current approach to plant-incorporated protectants in breeding line intermediates under section 3 of the Federal Insecticide, Fungicide and Rodenticide Act. This document extends the comment period for 45 days, from August 15, 2016 to September 29, 2016. Stakeholders have expressed a desire to comment on EPA's proposal and have requested additional time to review the proposal and respond.

**DATES:** Comments, identified by docket identification (ID) number EPA-HQ-

OPP-2016-0310, must be received on or before September 29, 2016.

**ADDRESSES:** Follow the detailed instructions provided under **ADDRESSES** in the *Federal Register* document of June 30, 2016 (81 FR 42704) (FRL-9947-25).

**FOR FURTHER INFORMATION CONTACT:** Robert McNally, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; main telephone number: (703) 305-7090; email address: [BPPDFRNotices@epa.gov](mailto:BPPDFRNotices@epa.gov).

#### SUPPLEMENTARY INFORMATION:

This document extends the public comment period established in the *Federal Register* document of June 30, 2016 (81 FR 42704) (FRL-9947-25). In that document, EPA makes available for public comment a White Paper describing how the Agency is proposing to modify its current approach to plant-incorporated protectants in breeding line intermediates under Section 3, Registration of Pesticides, of the Federal Insecticide, Fungicide and Rodenticide Act. EPA is hereby extending the comment period, which was set to end on August 15, 2016, to September 29, 2016.

To submit comments, or access the docket, please follow the detailed instructions provided under **ADDRESSES** in the *Federal Register* document of June 30, 2016. If you have questions, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

**Authority:** 7 U.S.C. 136 *et seq.*

Dated: August 11, 2016.

**Robert C. McNally,**

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

[FR Doc. 2016-19646 Filed 8-16-16; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL MARITIME COMMISSION

[Docket No. 16-16]

### MAVL Capital, Inc., IAM & AL Group Inc., and Maxim Ostrovskiy V. Marine Transport Logistics, Inc. and Dmitry Alper: Notice of Filing of Complaint and Assignment

Notice is given that a Complaint has been filed with the Federal Maritime Commission (Commission) by MAVL Capital, Inc. ("MAVL"), IAM & AL GROUP INC. ("IAM"), and Maxim Ostrovskiy, hereinafter "Complainants," against Marine Transport Logistics, Inc. ("MTL") and Dmitry Alper, hereinafter

"Respondents." Complainants allege that Respondents are a non-vessel-operating common carrier ("NVOCC") licensed by the Commission and its director of operations, "engaged in the business of exporting used cars, motorcycles, and other cargo . . . from the United States to ports abroad." Complainants allege that they had a business relationship with Respondents, having hired Respondents to ship Complainants' vehicles.

Complainants allege that Respondents violated provisions of the Shipping Act of 1984, including 46 U.S.C. 41102, 41101 and 46 CFR part 515, by:

- "i. Failing to establish, observe, and enforce just and reasonable regulations and practices relating to or connected with receiving, handling, storing, or delivering property;
- ii. Unreasonably refusing to deal or negotiate;
- iii. Retaliating against Complainants because the Complainants had patronized another carrier;
- iv. Knowingly misdelivering Complainants' cargo; and
- v. Converting Complainants' cargo under the false premise of having exercised a maritime lien."

Complainants allege damages "in excess of \$180,000" and request the following relief:

"(1) Respondents be required to answer the charges herein; (2) that after due hearing, an order be made commanding said respondent to pay to Complainants by way of reparations for the unlawful conduct hereinabove described, the sums described herein, with interest and attorney's fees, costs and expenses, or such other sum as the Commission may determine to be proper as an award of reparation; (3) that the Commission issue an Order holding that the respondents Dmitry Alper individually, and Marine Transport Logistics, Inc. violated the Shipping Act of 1984; and (4) that the Commission issue such other and further order or orders as the Commission determines to be just and proper."

The full text of the complaint can be found in the Commission's Electronic Reading Room at [www.fmc.gov/16-16](http://www.fmc.gov/16-16).

This proceeding has been assigned to the Office of Administrative Law Judges. The initial decision of the presiding officer in this proceeding shall be issued by August 11, 2017 and the final decision of the Commission shall be issued by February 26, 2018.

**Rachel E. Dickon,**

*Assistant Secretary.*

[FR Doc. 2016-19653 Filed 8-16-16; 8:45 am]

**BILLING CODE 6731-AA-P**