

ii. Education: B.S. in Environmental and Forest Biology (Wildlife Management) from State University of New York—Syracuse; M.S. in Wildlife Science (Wildlife Management) from Texas Tech University; PhD in Biology (Ecology, Evolution and Organismal Biology) from the University of Michigan.

iii. Professional Experience: Dr. Rick A. Relyea is a Professor of Biology at the University of Pittsburgh and Director of the Pymatuning Laboratory of Ecology. Dr. Relyea regularly teaches courses in ecology, evolution, and animal behavior at the undergraduate and graduate levels. For two decades, Dr. Relyea has conducted research on a wide range of topics including community ecology, evolution, disease ecology, and ecotoxicology. He has served on multiple scientific panels for the NSF and has been an associate editor for the journals of the *Ecological Society of America*. He has authored more than 80 scientific articles and book chapters, and has presented research seminars throughout the world. In 2005, he was named the “Chancellor’s Distinguished Researcher” at the University of Pittsburgh.

18. Lee Shugart, PhD, LR Shugart & Associates, Inc., Oak Ridge, TN.

i. Expertise: Biochemistry, environmental sciences, genetic ecotoxicology.

ii. Education: B.S. in Chemistry from East Tennessee State University; M.S. in Biochemistry and PhD in Microbiology from the University of Tennessee.

iii. Professional Experience: Dr. Lee Shugart is President of LR Shugart and Associates, Inc. His research interests are concerned with elucidating the cellular mechanisms of environmental genotoxins and the development of new methodologies for quantifying the interaction of genotoxins with DNA and proteins. He has published over one hundred articles in the peer-reviewed, scientific literature on such topics as protein biosynthesis, mechanisms of enzyme action, and nucleic acid biochemistry, and has conducted extensive research on the chemical modification of macromolecules by environmental contaminants in fish, rodents, and humans. He is considered an established authority on the use of the Biomarker Approach for evaluating the effects of contaminants on the health of environmental species. He is the current and founding Editor-in-Chief of the international scientific journal *Ecotoxicology*, a past member of the editorial board of *Biomarkers* and an Associate Editor for the 2nd edition of the *Encyclopedia of Toxicology*. He has served as a Consultant to the Science

Advisory Board of the EPA and as a Scientific Assistant to the Deputy Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Matters/Counter Proliferation. Dr. Shugart was a Line Officer in the U.S. Navy and served as a Communication Officer for the Chief of Naval Operation and as a Chief Engineer on a destroyer stationed with the 6th fleet. He is a veteran of the Korean Conflict.

19. Joseph P. Sullivan, PhD, Ardea Consulting, Woodland, CA.

i. Expertise: Pesticide ecotoxicology.

ii. Education: B.A. in Biology from Ripon College; M.S. in Biology/Ecology from Utah State University; PhD in Wildlife Science from Virginia Polytechnic Institute & State University.

iii. Professional Experience: Dr. Joseph Sullivan is Principal Consultant/Owner of Ardea Consulting. His work since graduate school has involved the evaluation of impacts of pesticides on terrestrial wildlife species. His graduate research investigated blood biomarkers indicative of reproductive impacts following exposure to organochlorine insecticides. Immediately following graduate school, he worked for 3½ years as the avian toxicologist for a pesticide manufacturing company. Dr. Sullivan acted as Study Director conducting EPA guideline ecotoxicology tests according to Good Laboratory Practices. He also spent 3 years conducting field studies evaluating exposure to and impacts of pesticides to wildlife, primarily birds. This experience provided in-depth knowledge and understanding of the testing necessary for the registration of pesticides. In 1997, he established Ardea Consulting which he continues to operate in Woodland, CA, specializing in avian and wildlife biology/toxicology as well as ecological risk assessment. In 2009, Dr. Sullivan co-authored a chapter on impacts of environmental contaminants on wildlife in the six volume compendium *General and Applied Toxicology*. In Pennsylvania, he served as President of the Pennsylvania Chapter of the Wildlife Society, member of the Pennsylvania Biodiversity Partnership, and Secretary of the Morrisville Environmental Advisory Council. He has served as Treasurer, Secretary and Vice Chair of the Wildlife Toxicology Working Group of The Wildlife Society. Now in California, Dr. Sullivan serves on the Woodland Water Rate Advisory Committee.

20. Vasilis Vasiliou, Ph.D., University of Colorado Denver, Aurora, CO.

i. Expertise: Pharmacology & toxicology.

ii. Education: B.S. in Chemistry, Ph.D. in Biochemistry and postdoctoral training in Pharmacology from

University of Ioannina, Greece; Postdoctoral training in Molecular Toxicology from the University of Cincinnati.

iii. Professional Experience: Dr. Vasilis Vasiliou is Professor of Molecular Toxicology at the Departments of Pharmaceutical Sciences and Ophthalmology at the University of Colorado Denver. He is also Director of the Toxicology Graduate Program at the University of Colorado Denver since 2001, a program that has been ranked in the top 10 of the country. Dr. Vasiliou spent his one-year Sabbatical as a Guest Scientist at the National Eye Institute, National Institutes of Health (NIH 2005–2006) in the laboratory of Molecular and Developmental Biology. Dr. Vasiliou’s major research interest has been the cellular responses to oxidative stress induced by physical agents (e.g., UV radiation), metabolism and toxicity of both endogenous and foreign chemicals. Dr. Vasiliou is a world expert in the Aldehyde Dehydrogenases (ALDH) and he maintains the official Web page for the ALDH superfamily. He is a Specialist Advisor for the Human Gene Nomenclature Committee of the Human Genome Organization (HUGO). He is a member of ARVO (Cornea Specialty Section) and Society of Toxicology (Ocular Toxicology & Mechanisms Specialty Section). Dr. Vasiliou’s research program has been funded since 1997, from NEI/NIH and NIAAA/NIH. He is the author of about 110 original scientific papers and review articles published in peer reviewed international journals as well as a number of book chapters and editorials. Dr. Vasiliou is the editor of the journal *Human Genomics* and he is a member of the Editorial Board of the *Cutaneous and Ocular Toxicology*, and *The Ocular Surface*.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: July 21, 2011.

**Frank Sanders,**

*Director, Office of Science Coordination and Policy.*

[FR Doc. 2011–19174 Filed 7–28–11; 8:45 am]

**BILLING CODE 6560–50–P**

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL–9446–3]

#### 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” or the “Act”), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree to address a lawsuit filed by Kentucky Environmental Foundation in the United States District Court for the District of Columbia: *Kentucky Environmental Foundation v. Jackson*, No. 10–CV–1814–PLF (D. D.C.). On October 22, 2010, Plaintiff filed a complaint alleging that EPA failed to perform a nondiscretionary duty under section 110(k)(2) of the CAA, 42 U.S.C. 7410(k)(2), to take final action on an attainment demonstration contained within a SIP submittal from the State of Kentucky for the 1997 fine particulate matter National Ambient Air Quality Standard in the Kentucky portion of the Huntington-Ashland area. The proposed consent decree establishes a deadline of March 30, 2012 for EPA to take action.

**DATES:** Written comments on the proposed consent decree must be received by *August 29, 2011*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA–HQ–OGC–2011–0634, 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:** Geoffrey L. Wilcox, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564–5601; fax number (202) 564–5603; e-mail address: [wilcox.geoffrey@epa.gov](mailto:wilcox.geoffrey@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

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

The proposed consent decree would resolve a lawsuit seeking to compel the Agency to take final action under section 110(k) of the CAA on an attainment demonstration contained

within a SIP submittal from the State of Kentucky for the 1997 fine particulate matter National Ambient Air Quality Standard in the Kentucky portion of the Huntington-Ashland area (“Attainment Demonstration”). The proposed consent decree requires that no later than March 30, 2012, EPA shall sign a notice taking final action on the Attainment Demonstration pursuant to section 110(k) of the CAA, 42 U.S.C. 7410(k). In addition, the proposed consent decree requires that no later than 15 business days following signature, EPA shall send the notice to the Office of the Federal Register for review and publication in the **Federal Register**. After EPA fulfills its obligations under the proposed consent decree, the matter shall be dismissed with prejudice.

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 proposed 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–HQOGC–2011–0634) 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 <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, 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 <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 e-mail 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 <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, e-mail 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 (e-mail) system is not an “anonymous access” system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail 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: July 22, 2011.

**Richard B. Ossias,**  
Associate General Counsel.

[FR Doc. 2011–19291 Filed 7–28–11; 8:45 am]

BILLING CODE 6560–50–P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL–9446–2]

### 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 Sierra Club (“Plaintiff”) in the United States District Court for the Western District of Wisconsin: *Sierra Club v. Jackson*, No. 11–cv–36–SLC (W.D. Wisc.). Plaintiffs 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 Wisconsin Department of Natural Resources to Carmeuse Lime & Stone, a lime kiln facility in Manitowoc, Wisconsin. Under the proposed consent decree, EPA would agree to respond to the petition by October 7, 2011, 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 August 29, 2011.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA–HQ–OGC–2011–0637, 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:** Sara Froikin, Office of General Counsel (Mail Code 2344A), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564–3187; fax number (202) 564–5603; e-mail address: [froikin.sara@epa.gov](mailto:froikin.sara@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 Wisconsin Department of Natural Resources to Carmeuse Lime & Stone, a lime kiln facility in Manitowoc, Wisconsin. Under the proposed consent decree, EPA would agree to respond to the petition by October 7, 2011, 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–2011–0348) 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