

September 30, 2019. Rate Order No. WAPA-173 will be submitted to FERC for confirmation and approval on a final basis.

Dated: February 26, 2016.

**Elizabeth Sherwood-Randall,**  
*Deputy Secretary of Energy.*

## DEPARTMENT OF ENERGY

### Deputy Secretary

In the Matter of: Western Area Power Administration Extension of Formula Rates for the Central Valley Project, California-Oregon Transmission Project, Pacific Alternating Current Intertie, and Third-Party Transmission Service; and Information on the Path 15 Transmission Upgrade, Rate Order No. WAPA-173.

### Order Confirming, Approving, And Placing The Central Valley Project, California-Oregon Transmission Project, Pacific Alternating Current Intertie, And Third-Party Transmission Service Formula Rates Into Effect On An Interim Basis

These rates were established in accordance with section 302 of the Department of Energy (DOE) Organization Act (42 U.S.C. 7152). This Act transferred to and vested in the Secretary of Energy the power marketing functions of the Secretary of the Department of the Interior and the Bureau of Reclamation under the Reclamation Act of 1902 (Ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent laws, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)), section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and other acts that specifically apply to the project involved.

By Delegation Order No. 00-037.00A, effective October 25, 2013, the Secretary of Energy delegated: (1) The authority to develop power and transmission rates to the Administrator of the Western Area Power Administration (Western); (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to the Federal Energy Regulatory Commission (FERC). This extension is issued pursuant to the Delegation Order and DOE rate extension procedures at 10 CFR 903.23(a).

### Background

On December 2, 2011, FERC confirmed and approved the existing formula rates, Rate Order No. WAPA-

156,<sup>1</sup> Rate Schedules CV-F13, CPP-2, CV-T3, CV-NWT5, COTP-T3, PACI-T3, CV-TPT7, CV-UUP1, CV-SPR4, CV-SUR4, CV-RFS4, CV-EID4, and CV-GID1. FERC approved the rates for five years through September 30, 2016. On August 25, 2015, Western published a notice in the **Federal Register** proposing to extend the existing formula Rate Schedules for three years, without adjustment.<sup>2</sup> In accordance with 10 CFR 903.23(a), Western provided for a consultation and comment period that ended on September 24, 2015. Western received three comments, each in support of the three-year rate extension.

### Discussion

The power, transmission, and ancillary service formula rates, Rate Schedules CV-F13, CPP-2, CV-T3, CV-NWT5, COTP-T3, PACI-T3, CV-TPT7, CV-UUP1, CV-SPR4, CV-SUR4, CV-RFS4, CV-EID4, and CV-GID1, approved under Rate Order No. WAPA-156, expire on September 30, 2016. The existing formula rate methodologies are recalculated at least annually and provide adequate revenue to recover annual expenses, including interest expense, and repay capital investments within allowable time periods, thus ensuring repayment within the cost recovery criteria set forth in DOE Order RA 6120.2.

Rate Order No. WAPA-173 extends, without adjustment, the existing formula Rate Schedules CV-F13, CPP-2, CV-T3, CV-NWT5, COTP-T3, PACI-T3, CV-TPT7, CV-UUP1, CV-SPR4, CV-SUR4, CV-RFS4, CV-EID4, and CV-GID1 through September 30, 2019, thereby continuing to ensure project repayment within the cost recovery criteria.

### Order

In view of the above and under the authority delegated to me, I hereby extend, on an interim basis, the existing power, transmission, and ancillary services formula Rate Schedules CV-F13, CPP-2, CV-T3, CV-NWT5, COTP-T3, PACI-T3, CV-TPT7, CV-UUP1, CV-SPR4, CV-SUR4, CV-RFS4, CV-EID4, and CV-GID1. Rate Order No. WAPA-173 extends, without adjustment, the existing formula rates through September 30, 2019. The formula rates shall be in effect on an interim basis, pending FERC's confirmation and approval of this extension or substitute rate on a final basis.

<sup>1</sup> See *U.S. Dept. of Energy, Western Area Power Admin., Docket No. EF11-9-000, 137 FERC ¶ 62,201 (2011)*.

<sup>2</sup> See 80 FR 51556 (August 25, 2015).

Dated: February 26, 2016.

**Elizabeth Sherwood-Randall,**  
*Deputy Secretary of Energy.*

[FR Doc. 2016-04876 Filed 3-3-16; 8:45 am]

**BILLING CODE 6450-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-9025-8]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7146 or <http://www2.epa.gov/nepa>.

*Weekly receipt of Environmental Impact Statements (EISs)*

Filed 02/22/2016 Through 02/26/2016, Pursuant to 40 CFR 1506.9.

### Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxnodengn.epa.gov/cdx-nepa-public/action/eis/search>.

*EIS No. 20160047, Final Supplement, NNSA, TN, Production of Tritium in a Commercial Light Water Reactor, Review Period Ends: 04/04/2016, Contact: Curtis Chambellan 505-845-5073.*

*EIS No. 20160048, Final, USAF, AK, United States Air Force F-35A Operational Beddown-Pacific, Review Period Ends: 04/04/2016, Contact: Toni Ristau 907-377-2116.*

*EIS No. 20160049, Final, DOE, NM, Disposal of Greater-than-Class-C (GTCC) Low-Level Radioactive Waste and GTCC-Like Waste, Review Period Ends: 04/04/2016, Contact: Theresa J. Kliczewski 202-586-3301.*

*EIS No. 20160050, Final, USFS, CA, Jess Project, Review Period Ends: 04/04/2016, Contact: Danika Carlson 530-468-1225.*

*EIS No. 20160051, Draft, DOC, PRO, Programmatic—Nationwide Public Safety Broadband Network for the Non-Contiguous United States, Comment Period Ends: 05/03/2016, Contact: Amanda Pereira 571-665-6141.*

*EIS No. 20160052, Final, USACE, CA, Cordova Hills, Review Period Ends: 04/04/2016, Contact: Lisa M. Gibson 916-557-5288.*

*EIS No. 20160053, Final Supplement, TVA, TN, Adoption—Production of Tritium in a Commercial Light Water Reactor, Contact: Charles P. Nicholson 865-632-3582. The Tennessee Valley Authority is adopting the U.S.*

Department of Energy's National Nuclear Security Administration's FSEIS #20160047, filed with EPA on 02/24/2016. TVA is a cooperating agency for the project. Therefore, recirculation of the document is not necessary under Section 1306.3(c) of the CEQ Regulations.

#### Amended Notices

*EIS No. 20150343, Draft, NPS, AZ, Backcountry Management Plan Grand Canyon National Park, Comment Period Ends: 04/04/2016, Contact: Rachel Bennett 928-638-7326.*

*Revision to FR Notice Published 12/11/2015; Extending Comment Period from 03/04/2016 to 04/04/2016.*

*EIS No. 20160028, Final, FHWA, WI, I-94 East-West Corridor (70th St-16th St), Review Period Ends: 04/15/2016, Contact: Michael Davies 608-829-7500. Revision to FR Notice Published 02/12/2016; Extending Comment Period from 03/14/2016 to 04/15/2016.*

Dated: March 1, 2016.

#### Dawn Roberts,

*Management Analyst, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 2016-04833 Filed 3-3-16; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2007-0099; FRL-9943-25]

### Flubendiamide; Notice of Intent To Cancel Pesticide Registrations

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

**ACTION:** Notice.

**SUMMARY:** Pursuant to section 6(e) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), EPA hereby announces its intent to cancel the registration of four (4) pesticide products containing the insecticide flubendiamide owing to the registrants' failure to comply with a required condition of their registrations. This document identifies the products at issue, summarizes EPA's basis for these actions, and explains how adversely affected persons may request a hearing and the consequences of requesting or failing to request such a hearing.

**DATES:** Under FIFRA section 6(e), affected registrants and other adversely affected persons must request a hearing within 30 days from the date that the affected registrant received EPA's Notice of Intent to Cancel. Please see Unit VII.A.2. for specific instructions.

**ADDRESSES:** All persons who request a hearing must comply with the Agency's Rules of Practice Governing Hearings, 40 CFR part 164. Requests for hearing must be filed with the Hearing Clerk in EPA's Office of Administrative Law Judges ("OALJ"), in conformance with the requirements of 40 CFR part 164. The OALJ uses different addresses depending on the delivery method. Please see Unit VII. for specific instructions.

**FOR FURTHER INFORMATION CONTACT:** Susan Lewis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; main telephone number: (703) 305-7090; email address: [RDfRNotices@epa.gov](mailto:RDfRNotices@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Executive Summary

###### A. What action is the Agency taking?

EPA is announcing its intent to cancel the registration of four (4) pesticide products containing the insecticide flubendiamide owing to the registrants' failure to comply with a required condition of their registrations. Specifically, EPA intends to cancel each of the following pesticide products, listed in sequence by EPA registration number.

- EPA Reg. No. 264-1025—BELT SC Insecticide.
- EPA Reg. No. 71711-26—FLUBENDIAMIDE Technical.
- EPA Reg. No. 71711-32—VETICA Insecticide.
- EPA Reg. No. 71711-33—TOURISMO Insecticide.

The following is a list of the names and addresses of record for all registrants of the products listed in this unit, in sequence by EPA company number (this number corresponds to the first part of the EPA registration numbers of the products).

- EPA Co. No. 264—Bayer CropScience LP, P.O. Box 12014, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709-2014.
- EPA Co. No. 71711—Nichino America, Inc., 4550 New Linden Hill Road, Suite 501, Wilmington, DE 19808-2951.

In addition, this document summarizes EPA's legal authority for the proposed cancellation (see Unit II.), the registrants' failure to comply with a required condition of registration (see Unit III.), EPA's existing stocks determination (see Unit IV.), scope of the ensuing cancellation proceeding if a hearing is requested (see Unit V.), timing of cancellation of registration (see Unit VI.), and procedural matters

that explain how eligible persons may request a hearing and the consequences of requesting or failing to request such a hearing (see Unit VII.).

###### B. What is the Agency's authority for taking these actions?

The Agency's authority is contained in section 6(e) of FIFRA, 7 U.S.C. 136d(e).

###### C. Who is affected by this action?

This announcement will directly affect the pesticide registrants listed in Unit I.A. and others who may distribute, sell or use the products listed in Unit I.A. This announcement may also be of particular interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. EPA believes the stakeholders described above encompass those likely to be affected; however, more remote effects are possible, and the Agency has not attempted to describe all the other specific entities that may be affected by this action.

##### II. Legal Authority

FIFRA generally governs pesticide sale, distribution, and use in the United States and establishes a federal registration scheme that generally precludes distributing or selling any pesticide that has not been "registered" by EPA. 7 U.S.C. 136a(a). A FIFRA registration is a license that establishes the terms and conditions under which a pesticide may be lawfully sold, distributed, and used. See *id.* 7 U.S.C. 136a(c)(1)(A)-(F) and 136a(d)(1).

The flubendiamide products at issue in this proceeding were conditionally registered pursuant to FIFRA section 3(c)(7)(C) and EPA's regulations at 40 CFR 152.114 and 152.115. Those provisions allow that a conditional registration of an active ingredient not contained in any currently registered products be registered for a reasonably sufficient time for the registrant to generate and submit newly-required data on the condition that by the end of such time the Administrator determines the data do not meet or exceed risk criteria and subject to such other conditions as the Administrator may prescribe. The conditional registration provision was added to FIFRA to address the inequity created by the then-existing statutory scheme between existing registrants and new applicants, and to provide a "middle ground" in the registration process between totally denying registration and granting it. See