

## I. General Information

### A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may 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. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2007-1078. 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 Office of Pesticide Programs (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.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr>.

## II. Background

### A. What Action is the Agency Taking?

Under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is reevaluating existing pesticides to ensure that they meet current scientific and regulatory standards. EPA has completed a RED for the pesticide, prometon, under section 4(g)(2)(A) of FIFRA. Prometon is a non-selective herbicide intended to leave the treatment site bare and devoid of any vegetation. Products containing prometon can be used under block or solid paving, and at various industrial sites including pipelines, along fencerows, around building perimeters, cross connects, fire plugs, storage areas, fences, pumps, machinery, fuel tanks, recreational areas, guard rails, airports, military installations, highway medians, railroads, lumberyards, and rights-of-

way. EPA has determined that the database to support reregistration is substantially complete and that products containing prometon are eligible for reregistration depending on their specific uses, provided the risks are mitigated either in the manner described in the RED or by another means that achieves equivalent risk reduction. Upon submission of any required product specific data under section 4(g)(2)(B) of FIFRA and any necessary changes to the registration and labeling (either to address concerns identified in the RED or as a result of product specific data), EPA will make a final reregistration decision under section 4(g)(2)(C) of FIFRA for products containing prometon.

EPA is applying the principles of public participation to all pesticides undergoing reregistration and tolerance reassessment. The Agency's "Pesticide Tolerance Reassessment and Reregistration; Public Participation Process," published in the **Federal Register** on May 14, 2004, (69 FR 26819) (FRL-7357-9) explains that in conducting these programs, EPA is tailoring its public participation process to be commensurate with the level of risk, extent of use, complexity of issues, and degree of public concern associated with each pesticide. Due to its uses, minimal risks, and other factors, prometon was reviewed through the modified 4-Phase public participation process. Through this process, EPA worked extensively with stakeholders and the public to reach the regulatory decisions for prometon.

The reregistration program is being conducted under congressionally mandated time frames, and EPA recognizes the need both to make timely decisions and to involve the public. An additional comment period is not needed at this time, because few comments were received during the earlier comment period for this pesticide, and issues related to this pesticide were resolved through consultations with stakeholders. The Agency, therefore, is issuing the prometon RED without an additional comment period.

### B. What is the Agency's Authority for Taking this Action?

Section 4(g)(2) of FIFRA, as amended, directs that, after submission of all data concerning a pesticide active ingredient, "the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration," before calling in product specific data on individual end-use products and either reregistering

products or taking other "appropriate regulatory action."

## List of Subjects

Environmental protection, Pesticides and pests.

Dated: April 3, 2008.

**Steven Bradbury**,

*Director, Special Review and Reregistration Division, Office of Pesticide Programs.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2004-0369; FRL-8359-4]

### Chloroneb; Termination of Certain Uses

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's cancellation order for the termination of certain uses, voluntarily requested by the registrants and accepted by the Agency, of products containing the pesticide chloroneb, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a December 28, 2007 **Federal Register** Notice of Receipt of Requests from the chloroneb registrants to voluntarily terminate certain uses of their chloroneb product registrations. The requests would terminate chloroneb's use on residential lawns and turf, as well as on lawns and turf at parks and schools. These are the last chloroneb products with these uses registered for use in the United States. In the December 28, 2007 notice, EPA indicated that it would issue an order implementing the cancellation to terminate certain uses, unless the Agency received substantive comments within the 30 day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests within this period. The Agency did not receive any comments on the notice. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested termination on residential lawns and turf, as well as on lawns and turf at parks and schools. Any distribution, sale, or use of the chloroneb products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

**DATES:** The cancellations are effective April 16, 2008.

**FOR FURTHER INFORMATION CONTACT:** Wilhelmena Livingston, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8025; fax number: (703) 308-8005; e-mail address: [livingston.wilhelmena@epa.gov](mailto:livingston.wilhelmena@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may 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. How Can I Get Copies of this Document and Other Related Information?*

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2004-0369. 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 Office of Pesticide Programs (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.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the **Federal Register** listings at <http://www.epa.gov/fedrgstr>.

**II. What Action is the Agency Taking?**

This notice announces the cancellation order to terminate chloroneb's use on residential lawns and turf, as well as on lawns and turf at parks and schools, as requested by the registrants, of chloroneb's products registered under section 3 of FIFRA. These registrations are listed in

sequence by registration number in Table 1 of this unit.

**TABLE 1.—CHLORONEB PRODUCT REGISTRATIONS WITH TERMINATION OF CERTAIN USES**

EPA Registration Number	Product Name
2217-692	Teremec SP Turf Fungicide
9198-182	ProTuf Fungicide II
9198-204	Andersons Golf Products Fungicide IX

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.

**TABLE 2.—REGISTRANTS OF CHLORONEB PRODUCTS WITH TERMINATION OF CERTAIN USES**

EPA Company Number	Company Name and Address
2217	PBI/Gordon Corporation, 1217 West 12th Street, P.O. Box 014090, Kansas City, Missouri 64101-0090
9198	The Andersons Lawn Fertilizer Division, Inc., P.O. Box 119 Maumee, Ohio 43537

**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 December 28, 2007 **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellation to terminate certain uses of chloroneb.

**IV. Cancellation Order**

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellation to terminate certain uses of chloroneb registrations identified in Table 1 of Unit II. 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 considered 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 Administrator may approve such a request.

**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 cancellation action. The cancellation order issued in this notice includes the following existing stocks provisions.

Registrant may sell and distribute existing stocks for one year from the date of the use termination request and allow persons other than the registrant to continue to sell and/or use existing stocks of cancelled products until such stocks are exhausted, provided that such use is consistent with the terms of the previously approved labeling on, or that accompanied, the cancelled product. The order will specifically prohibit any use of existing stocks that is not consistent with such previously approved labeling.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: April 3, 2008.

**Steven Bradbury,**

*Director, Special Review and Reregistration Division, Office of Pesticide Programs.*

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**FEDERAL COMMUNICATIONS COMMISSION**

[Report No. AUC-08-78-A (Auction 78); AU Docket No. 08-46; DA 08-767]

**Auction of AWS-1 and Broadband PCS Licenses Scheduled for July 29, 2008; Comment Sought on Competitive Bidding Procedures for Auction 78**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document announces the auction of AWS-1 and Broadband PCS licenses with bidding scheduled to commence on July 29, 2008 (Auction 78). This document also seeks