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Nathaniel J. Davis, Sr.,
Deputy Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-R05-OAR-2009-0221, EPA-R05-OAR-2009-0220; FRL-8907-2]

Adequacy Status of the Cleveland/Akron, Ohio and the Columbus, Ohio Submitted 8-Hour Ozone Redesignation and Maintenance Plans for Transportation Conformity Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of adequacy.

SUMMARY: In this notice, EPA is notifying the public that we have found that the motor vehicle emissions budgets (MVEBs) for volatile organic compounds (VOC) and oxides of nitrogen (NO_x) in the Cleveland/Akron, Ohio area and the Columbus, Ohio area are adequate for use in transportation conformity determinations. Ohio submitted the Cleveland/Akron area budgets with an 8-hour ozone redesignation and maintenance plan on

March 17, 2009. Ohio submitted the Columbus area budgets with an 8-hour ozone redesignation and maintenance plan on March 17, 2009. As a result of our finding, the Cleveland/Akron, Ohio area and the Columbus, Ohio area must use the MVEBs from the submitted 8-hour ozone maintenance plan for future transportation conformity determinations.

DATES: This finding is effective June 4, 2009.

FOR FURTHER INFORMATION CONTACT: Anthony Maietta, Life Scientist, Criteria Pollutant Section (AR-18J), Air Programs Branch, Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8777, Maietta.anthony@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, whenever "we," "us" or "our" is used, we mean EPA.

Background

Today's notice is simply an announcement of a finding that we have already made. On March 30, 2009, EPA Region 5 sent a letter to the Ohio Environmental Protection Agency stating that the 2010 and 2020 MVEBs for the Cleveland/Akron area, and also for the Columbus area, which were submitted with the state's 8-hour ozone redesignation and maintenance plan, are adequate. Receipt of these MVEBs was announced on EPA's transportation conformity website, and no comments were submitted. The finding is available at EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm>.

The adequate 2010 and 2020 MVEBs, in tons per day (tpd), for VOC and NO_x for the Cleveland/Akron area are as follows:

	2012 MVEB (tpd)	2020 MVEB (tpd)
VOC	46.64	31.48
NO _x	95.89	42.75

The adequate 2010 and 2020 MVEBs, in tons per day (tpd), for VOC and NO_x for the Columbus area are as follows:

	2012 MVEB (tpd)	2020 MVEB (tpd)
VOC	54.86	36.60
NO _x	91.64	46.61

Please note that the March 30, 2009, letter to the state had the budgets in the wrong columns and this has been corrected in this notice.

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do conform. Conformity to a State Implementation Plan (SIP) means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for transportation conformity purposes are outlined in 40 CFR 93.118(e)(4). We have described our process for determining the adequacy of submitted SIP budgets in our July 1, 2004, preamble starting at 69 FR 40038, and we used the information in these resources while making our adequacy determination. Please note that an adequacy review is separate from EPA's completeness review, and it also should not be used to prejudge EPA's ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

The finding and the response to comments are available at EPA's transportation conformity web site: <http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm>.

Authority: 42 U.S.C. 7401-7671q.

Dated: May 7, 2009.

Walter W. Kovalick Jr.,
Acting Regional Administrator, Region 5.
[FR Doc. E9-11639 Filed 5-19-09; 8:45 am]
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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2008-0722; FRL-8412-8]

Amendments to Terminate Certain Pesticide Uses

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's order for the amendments to terminate certain uses, voluntarily requested by the registrants and accepted by the Agency, of certain pesticide products, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows an October 8, 2008, **Federal Register** Notice of Receipt of Requests from registrants to voluntarily amend their registrations of

certain pesticide products (73 FR 58958; FRL-8385-2). In the October 8, 2008, Notice, EPA indicated that it would issue an order implementing the cancellation and amendments 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 except for comments pertaining to aldicarb. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested amendments to terminate certain pesticide product uses except for the uses of aldicarb on coffee, pecans, and tobacco. The product cancellation order for the chloroneb product, Demosan 65W (EPA Reg. No. 073782-00002), which was included in the October 8, 2008 notice will be included in a separate **Federal Register** notice. Any distribution, sale, or use of the 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 May 20, 2009.

FOR FURTHER INFORMATION CONTACT: Eric Olson, Special Review and

Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8067; fax number: (703) 308-7070; e-mail address: olson.eric@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-2008-0722. 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 amendments to terminate uses, as requested by registrants, of certain products registered under section 3 of FIFRA. These registrations are listed in sequence by registration number in Table 1 of this unit.

TABLE 1.—PRODUCT REGISTRATION AMENDMENTS TO TERMINATE USES

Registration Number	Product Name	Active Ingredient	Delete from Use
000264-00330	Temik Brand 15G Aldicarb Pesticide	Aldicarb	Alfalfa grown for seed; Ornamentals; Sugarcane; Sorghum
000264-00426	Temik Brand 15g Aldicarb Pesticide For Sale And Use In Calif.	Aldicarb	Alfalfa grown for seed; Ornamentals; Sugarcane; Sorghum
000264-00729	Monitor 4	Methamidophos	Cotton
000264-00741	Monitor Technical	Methamidophos	Cotton
000264-00744	Monitor 60% Concentrate	Methamidophos	Cotton
000264-01020	Monitor 4 Spray	Methamidophos	Cotton
000264 AR-81-0044	Monitor 4	Methamidophos	Cotton
000264 AR-87-0007	Monitor 4	Methamidophos	Cotton
000264 CA-79-0188	Monitor 4	Methamidophos	Cotton
000264 MS-81-0014	Monitor 4	Methamidophos	Cotton
000264 MS-81-0055	Monitor 4	Methamidophos	Cotton

TABLE 1.—PRODUCT REGISTRATION AMENDMENTS TO TERMINATE USES—Continued

Registration Number	Product Name	Active Ingredient	Delete from Use
010330-00016	Ethylene Oxide 10% and Carbon Dioxide Sterilizing Gas	ETO	Basil
010330-00018	20% Ethylene Oxide and 80% Carbon Dioxide Sterilizing Gas	ETO	Basil
010330-00021	8.5% Ethylene Oxide and Carbon Dioxide Sterilizing Gas	ETO	Basil
036736-00002	Ethylene Oxide 100%	ETO	Basil
036736-00003	Sterilizing Gas 3	ETO	Basil
036736-00004	Sterilizing Gas 4	ETO	Basil
036736-00005	Sterilizing Gas 5	ETO	Basil
036736-00006	Sterilizing Gas 6	ETO	Basil
036736-00007	Sterilizing Gas 8	ETO	Basil
036736-00008	Ethylene Oxide – MUP	ETO	Basil
045728-00001	Thiram Technical	Thiram	Parks; Athletic Fields; Commercial Areas; Sod; Homeowner turf; Homeowner fungicide
045728-00021	Thiram 75WP Fruit, Vegetable and Turf Fungicide	Thiram	Parks; Athletic Fields; Commercial Areas; Sod; Homeowner turf; Homeowner fungicide
400-434	Thiram 480 DP	Thiram	Parks; Athletic Fields; Commercial Areas; Sod; Homeowner turf; Homeowner fungicide
062719-00391	Kerb 50-W Selective Herbicide	Pronamide	All residential uses
062719-00397	Kerb 50-W Herbicide in WSP	Pronamide	All residential uses
062719-00578	Kerb 3.3 SC	Pronamide	All residential uses
067470-00006	Ethylene Oxide	ETO	Basil
067470-00007	Ethylene Oxide 100 R	ETO	Basil

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

TABLE 2.—REGISTRANTS OF AMENDED PRODUCTS

EPA Company Number	Company Name and Address
000264	Bayer Crop Science LP, 2 T.W., Alexander Drive, Research Triangle Park, NC 27709
010330	Praxair, Inc., 39 Old Ridgebury Road, Danbury CT, 06810-5113

TABLE 2.—REGISTRANTS OF AMENDED PRODUCTS—Continued

EPA Company Number	Company Name and Address
036736	Balchem Corporation, PO Box 600, New Hampton, NY 10958
400	Chemtura Corporation, 199 Benson Road, Middlebury CT, 06749
045728	Taminco Inc., 21320 Sweet Clover Place, Ashburn, VA 20147

TABLE 2.—REGISTRANTS OF AMENDED PRODUCTS—Continued

EPA Company Number	Company Name and Address
062719	Dow Agrosciences LLLC, 9330 Zionsville Rd 308/2e, Indianapolis, IN 462681054
067470	Honeywell – Specialty Chemicals NIC- 4, 101 Columbia Road, Morristown, NJ 07962-1139

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

On November 3, 2008, Bayer CropScience submitted a withdrawal of its request to voluntarily cancel the

registration of TEMIK 15G for use on coffee, pecans and tobacco. EPA received no comments pertaining to the other registrations in this notice in response to the October 8, 2008, **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellation and amendments to terminate certain uses.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested amendments to terminate uses of registrations identified in Table 1 of Unit II. Accordingly, the Agency orders that the product registrations identified in Table 1 of Unit II. are hereby amended to terminate the affected uses except for methamidophos products which will become effective September 30, 2009. 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.

A. Methamidophos.

On April 7, 2002, EPA signed the Interim Reregistration Eligibility Decision (IREED) for methamidophos. That IREED specified risk mitigation measures including: "Implement a 5-year phase out of the use on cotton."

In accordance with the IREED, Bayer CropScience has submitted a request to voluntarily terminate all cotton uses of the methamidophos products listed above in Table 2 effective September 30, 2009. Provisions for the sale,

disposition, and use of existing stocks of methamidophos products include the following: All sale or distribution by the registrant of existing stocks labeled for use on cotton is prohibited after September 30, 2009, unless that sale or distribution is solely for the purpose of facilitating disposal or export of the product. Existing stocks labeled for use on cotton may be sold and distributed by persons other than the registrant until July 31, 2010. Existing stocks labeled for use on cotton may be used until September 30, 2010, provided that such use complies with the EPA-approved label and labeling of the product.

B. Other Chemicals Addressed in this Order.

The cancellation order will allow persons other than the registrant to continue to sell and/or use existing stocks of canceled 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 canceled product. This order specifically prohibits any use of existing stocks that is not consistent with such previously approved labeling.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: May 7, 2009.

Richard P. Keigwin, Jr.,

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

[FR Doc. E9-11630 Filed 5-19-09; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2009-0270; FRL-8417-1]

Approval of Test Marketing Exemptions for Certain New Chemicals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's approval of applications for test marketing exemptions (TMEs) under section 5(h)(1) of the Toxic Substances Control Act (TSCA) and 40 CFR 720.38. EPA has designated these applications as TME-08-01; TME-08-02; TME-08-03; TME-08-04; TME-08-05; TME-08-06; TME-08-07; TME-08-08; TME-08-09; TME-08-10; TME-08-11; TME-08-12; TME-08-13; TME-08-14; TME-08-15; TME-08-16; TME-08-17; TME-08-19; and TME-08-20. The test marketing

conditions are described in each TME application and in this notice.

DATES: Approval of these TMEs is effective May 14, 2009.

FOR FURTHER INFORMATION CONTACT: *For general information contact:* Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

For technical information contact: Adella Underdown, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-9364; e-mail address: underdown.adella@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed in particular to the chemical manufacturer and/or importer who submitted the TME applications to EPA. This action may, however, be of interest to the public in general. Since other entities may also 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 technical 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 ID number EPA-HQ-OPPT-2009-0270. All documents in the docket are listed in the docket index at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically at <http://www.regulations.gov>, or, if only available in hard copy, at the OPPT Docket. The OPPT Docket is located in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30