

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-1017; FRL-8856-9]

### Notice of Receipt of Requests To Voluntarily Cancel Certain Pesticide Registrations

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

**ACTION:** Notice.

**SUMMARY:** In accordance with section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, EPA is issuing a notice of receipt of requests by registrants to voluntarily cancel certain pesticide registrations. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests, or unless the registrants withdraw their requests. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the registrations have been canceled only if such sale, distribution, or use is consistent with the terms as described in the final order.

**DATES:** Comments must be received on or before February 25, 2011.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2009-1017, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

Submit written withdrawal request by mail to: Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. Attention: Maia Tatinclaux.

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

*Instructions:* Direct your comments to docket ID number EPA-HQ-OPP-2009-

1017. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. 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 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.

**FOR FURTHER INFORMATION CONTACT:** Maia Tatinclaux, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 347-

0123; e-mail address: [tatinclaux.maia@epa.gov](mailto:tatinclaux.maia@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. If you have any questions regarding the information in this notice, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through [www.regulations.gov](http://www.regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

## II. What action is the agency taking?

This notice announces receipt by the Agency of requests from registrants to

cancel 46 pesticide products registered under FIFRA section 3 or 24(c). These registrations are listed in sequence by registration number (or company number and 24(c) number) in Table 1 of this unit.

The request to cancel the product with EPA Reg. No. 066330-00264 would

terminate the last butylate product registered for use in the United States.

Unless the Agency determines that there are substantive comments that warrant further review of the requests or the registrants withdraw their requests, EPA intends to issue an order in the **Federal Register** canceling all of the affected registrations.

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION

Registration No.	Product name	Active ingredient
000121-00098	Cutter Insect Repellent EI	d-Allethrin.
000192-00204	Dexol Mole Killer Pellets2	Zinc phosphide.
000239-02381	Triox Vegetation Killer	Prometon.
000239-02664	Weed B Gon Ready-Spray	Benzoic acid, 3,6-dichloro-2-methoxy-, compd with N-methylmethanamine (1:1); Mecoprop, dimethylamine salt; 2,4-D, dimethylamine salt.
000270-00319	AEH Super Concentrate Weed, Grass and Brush Killer	Glufosinate.
000432-00552	Pramex 57% Manufacturing Concentrate	Permethrin.
000432-00786	Permanone 40% EC LPI	Permethrin.
000432-01076	Permanone 40 EC Alternate	Permethrin.
000432-01133	Permanone 3.4 E.C	Permethrin.
000432-01141	Permanone Eighty	Permethrin.
000538-00218	Scotts Lawn Pro Lawn Weed Control Plus Fertilizer	MCPA (and salts and esters) Mecoprop (and salts and esters).
000538-00222	Scott's Lawn Pro Weed N' 'Feed	MCPA (and salts and esters) Mecoprop (and salts and esters).
001022-00476	Chapman PQ-8	Copper, bis.
001022-00490	PQ-57	Copper, bis.
001022-00491	PQ-15 RTU Clear Wood Preservative	Copper, bis.
001022-00492	PQ-20	Copper, bis.
001022-00493	PQ-15	Copper, bis.
001022-00503	PQ-7	Copper, bis.
001022-00504	PQ-56 RTU	Copper, bis.
001022-00505	PQ-20 R-T-U Wood Preservative	Copper, bis.
002382-00128	Duocide L.A. IGR	MGK 264. Piperonyl butoxide. Pyrethrins. Permethrin.
002596-00119	Hartz Rabon Flea and Tick Dip for Dogs and Cats	Pyriproxyfen.
004822-00512	Raid 260PO	Garadona (cis-isomer).
007424-00009	Jasco Termin-8 H2O Clear Wood Preservative	Sodium chlorite.
008660-00178	Golden Vigoro Moss Control Plus Lawn Fertilizer	Zinc naphthenate.
008660-00205	Koos Moss Control 16-2-4	Ferrous sulfate monohydrate.
008660-00248	Lawn Food 10-4-6 Plus Moss Killer	Ferrous sulfate monohydrate.
008848-00038	Black Jack Home & Garden #11 Multi-Purpose Insect Spray.	Ferrous sulfate monohydrate. Phenothrin. Tetramethrin.
009499-00001	Oxalis/Spurge X	Ammonium thiosulfate.
010806-00105	Pro/Pak Shure Shot Wasp & Hornet Spray	Phenothrin. Tetramethrin.
013283-00013	Rainbow Wasp & Ant Spray	Bioallethrin.
033660-00003	Trifluralin Technical	Trifluralin.
040849-00052	Enforcer Wasp & Hornet Killer XI	Phenothrin. Tetramethrin.
062719-00619	Oxyfluorfen Technical	Oxyfluorfen.
062719-00620	Oxyfluorfen 4 SC Herbicide	Oxyfluorfen.
066330-00068	Nutrapic	Chloropicrin.
066330-00264	Sutan + 6.7E	Butylate.
073049-00258	Neopynamim Technical	Tetramethrin.
073510-00008	Marketquest One Drop Flea & Tick Control-2	Permethrin.
082498-00005	Glyphosate Technical	Glyphosate.
083933-00001	Bioguard Paste	Sodium fluoride. Boric acid.
ID960006	Fyfanon ULV	Malathion.
LA000004	Fyfanon ULV	Malathion.
LA040013	Penncap-M, Microencapsulated Insecticide	Methyl parathion.
NJ950003	Fyfanon ULV	Malathion.
NV960001	Fyfanon ULV	Malathion.

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. This number corresponds to the first part of the EPA registration numbers of the products listed in this unit.

TABLE 2—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION

EPA Company No.	Company name and address
121	Spectrum, a div. of United Industries Corp., P.O. Box 142642 St. Louis, MO 63114–0642.
192	Value Gardens Supply, LLC, P.O. Box 585, Saint Joseph, MO 64052.
239	Scotts Company, The, D/B/A The Ortho Group, P.O. Box 190, Marysville, OH 43040.
270	Farnam Companies, Inc., D/B/A Central Life Sciences, 301 West Osborn Road, Phoenix, AZ 85013.
432	Bayer Environmental Science, 2 T. W. Alexander Drive, P.O. Box 12014, Research Triangle Park, NC 27709.
538	Scotts Company, The, 14111 Scottslawn Road, Marysville, OH 43041.
1022	IBC Manufacturing Co., 416 E. Brooks Rd., Memphis, TN 38109.
2382	Virbac AH, Inc., 13001 St. Charles Rock Road, Bridgeton, MO 63044.
2596	Hartz Mountain Corporation, The, 400 Plaza Drive, Secaucus, NJ 07094.
4822	S.C. Johnson & Son, Inc., 1525 Howe St., Racine, WI 53403.
7424	Jasco Chemical Corporation, 200 Westerly Road, Bellingham, WA 98226.
8660	United Industries Corp., D/B/A Sylorr Plant Corp., P.O. Box 142642, St. Louis, MO 63114–0642.
8848	Safeguard Chemical Corp., 411 Wales Ave., Bronx, NY 10454.
9499	National Chelating Company, 8203 West 20th St., Suite A, Greeley, CO 80634–4696.
10806	Contact Industries, Div. of Safeguard Chemical Corp., 411 Wales Ave., Bronx, NY 10454.
13283	Rainbow Technology Corporation, 8203 West 20th St., Suite A, Greeley, CO 80634–4696.
33660	Industria Prodotti Chimici S.P.A., 122 C St., NW., Suite 740, Washington, DC 20001.
40849	ZEP Inc., 1310 Seaboard Industrial Blvd., NW., Atlanta, GA 30318.
62719	Dow AgroSciences LLC, 9330 Zionsville Road, 308/2E, Indianapolis, IN 46268–1054.
66330	Arysta Lifescience North America, LLC, 155401 Weston Parkway, Suite 150, Cary, NC 27513.
73049	Valent BioSciences Corporation, 870 Technology Way, Suite 100, Libertyville, IL 60048–6316.
73510	Marketquest, Inc., Agent: Registrations By Design, Inc., P.O. Box 1019, Salem, VA 24153–3805.
82498	Agri Packaging & Logistics, Inc., 2509 South Frontage Road, Sardis, MS 38666.
83933	Preschlem Pty. Ltd., 12733 Director's Loop, Woodbridge, VA 22192.
ID960006, LA000004, NJ950003, NV960001.	Cheminova, Inc. Washington Office, 1600 Wilson Boulevard, Suite 700, Arlington, VA 22209.
LA040013	United Phosphorus, Inc., 630 Freedom Business Center, Suite 402, King of Prussia, PA 19406.

**III. 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. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**.

Section 6(f)(1)(B) of FIFRA requires that before acting on a request for voluntary cancellation, EPA must provide a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, FIFRA section 6(f)(1)(C) requires that EPA provide a 180-day comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless:

1. The registrants request a waiver of the comment period, or
2. The EPA Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The registrants in Table 2 of Unit II. have requested that EPA waive the 180-day comment period. Accordingly, EPA will provide a 30-day comment period on the proposed requests.

**IV. Procedures for Withdrawal of Request**

Registrants who choose to withdraw a request for cancellation should submit such withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the products have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

**V. Provisions for Disposition of Existing Stocks**

Existing stocks are those stocks of registered pesticide products that are currently in the United States and that were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. Because the Agency has identified no significant potential risk concerns associated with these pesticide products, upon cancellation of the products identified in Table 1 of Unit II., EPA anticipates allowing registrants to sell and distribute existing stocks of these products for 1 year after publication of the Cancellation Order in the **Federal Register**. Thereafter, registrants will be prohibited from selling or distributing the pesticides identified in Table 1 of Unit II., except for export consistent

with FIFRA section 17 or for proper disposal. Persons other than registrants will generally be allowed to sell, distribute, or use existing stocks until such stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: January 11, 2011.

**Richard P. Keigwin, Jr.,**  
*Director, Pesticide Re-evaluation Division,*  
*Office of Pesticide Programs.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[EPA–HQ–OAR–2007–1145; FRL–9257–9]

**Release of Final Document Related to the Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Sulfur**

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

**ACTION:** Notice of Availability.