

Dated: November 9, 2000.

**Donald G. Barnes,**

*Staff Director, Science Advisory Board.*

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-34203E; FRL-6753-3]

### Chlorpyrifos; Receipt of Requests For End-Use Product Amendments and Cancellations

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

**ACTION:** Notice.

**SUMMARY:** Companies that hold the pesticide registrations of enduse pesticide products containing chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2-pyridinyl)phosphorothioate] have asked EPA to cancel or amend their registrations. Pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is announcing the Agency's receipt of these requests from the registrants. These requests for voluntary cancellation and amendment are the result of a memorandum of agreement signed by EPA and the basic manufacturers of the active ingredient chlorpyrifos on June 7, 2000. Registrants identified in this notice requesting voluntary cancellation and amendments are in large part the customer of these basic manufacturers. Given the potential risks, both dietary and nondietary, that chlorpyrifos use poses, especially to children, EPA intends to grant the requested cancellations and amendments to delete uses. EPA also plans to issue a cancellation order for the deleted uses and the canceled registrations at the close of the comment period for this announcement. Upon the issuance of the cancellation order, any distribution, sale, or use of chlorpyrifos products will only be permitted if such distribution, sale, or use is consistent with the terms of that order.

**DATE:** Comments must be received on or before December 18, 2000. Comments on the requested amendments to delete uses and the requested registration cancellations must be submitted to the address provided in **ADDRESSES** and identified by docket control number OPP-34203E.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the

**SUPPLEMENTARY INFORMATION.** To ensure

proper receipt by EPA, it is imperative that you identify docket control number OPP-34203E in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** Tom Myers, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-8589; fax number: (703) 308-8041; e-mail address: myers.tom@epa.gov.

**SUPPLEMENTARY INFORMATION:** This announcement consists of three parts. The first part contains general information. The second part addresses the registrants' requests for registration cancellations and amendments to delete uses. And the third part proposes existing stock provisions that will be set forth in the cancellation order that the Agency intends to issue at the close of the comment period for this announcement.

#### I. General Information

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

This action is directed to the public in general. You may be potentially affected by this action if you manufacture, sell, distribute, or use chlorpyrifos products. The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, does not apply because this action is not a rule, for purposes of 5 U.S.C. 804(3). 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 person listed under **FOR FURTHER INFORMATION CONTACT**.

##### B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules" and then look up the entry for this document under the "Federal Register—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>. To access information about the risk assessment for chlorpyrifos, go to the Home Page for

the Office of Pesticide Programs or go directly <http://www.epa.gov/pesticides/op/chlorpyrifos.htm>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-34203E. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

##### C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-34203E in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by email to: [opp-docket@epa.gov](mailto:opp-docket@epa.gov), or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be

CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP-34203E. Electronic comments may also be filed online at many Federal Depository Libraries.

*D. How Should I Handle CBI that I Want to Submit to the Agency?*

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any 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 version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*E. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the notice or collection activity.

7. Make sure to submit your comments by the deadline in this notice.

8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

**II. Receipt of Requests To Cancel and Amend Registrations To Delete Uses**

*A. Background*

In a memorandum of agreement (Agreement) effective June 7, 2000, EPA and the basic manufacturers of the active ingredient chlorpyrifos agreed to several voluntary measures that will reduce the potential exposure to children associated with chlorpyrifos containing products. EPA initiated the negotiations with registrants after finding chlorpyrifos, as currently registered, was an exposure risk especially to children. As a result of the Agreement, registrants that hold the pesticide registrations of end-use products containing chlorpyrifos (who are in large part the customer of these basic manufacturers) have asked EPA to cancel or amend their registrations for these products. Pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is announcing the Agency's receipt of these requests from the registrants. With respect to the registration amendments, the registrants have asked EPA to amend end-use product registrations to delete the following uses: All termite control uses (these will be phased out); all residential uses (except for ant and roach baits in child resistant packaging (CRP) and fire ant mound drenches for public health purposes by licensed applicators and mosquito control for public health purposes by public health agencies); all indoor non-residential uses (except ship holds, industrial plants, manufacturing plants, food processing plants, and containerized baits in CRP); all outdoor non-

residential sites (except golf courses, road medians, industrial plant sites, nonstructural wood treatments, and fire ant mound drenches for public health purposes by licensed applicators and mosquito control for public health purposes by public health agencies); and use on post-bloom apple trees. In addition, the companies agreed to limit the maximum chlorpyrifos end-use dilution to 0.5% active ingredient (a.i.) for termiticide uses that will be phased out, limit the maximum label application rate for outdoor non-residential use on golf courses, road medians, and industrial plant sites to 1 lb/a.i. per acre, and either classify all new/amended chlorpyrifos products (except baits in CRP) as Restricted Use or package the products in large containers, depending on the formulation type, to ensure that remaining chlorpyrifos products are not available to homeowners. In return, EPA stated that with this Agreement, it had no current intention to initiate any cancellation or suspension proceedings under section 6(b) or 6(c) of FIFRA with respect to the issues addressed in the Agreement.

EPA previously published on September 20, 2000 a **Federal Register** Notice (65 FR 56886) (FRL-6743-7) announcing receipt of amendments and cancellations for manufacturing use products and associated enduse products for signatories of the Memorandum of Agreement that was signed on June 7, 2000 and subsequent ancillary agreements. A copy of the Memorandum of Agreement that was signed on June 7, 2000 is located in docket control number OPP-34203D.

*B. Requests for Voluntary Cancellation of End-Use Products*

Pursuant to the Agreement and FIFRA section 6(f)(1)(A), several registrants have submitted requests for voluntary cancellation of registrations for their end-use products. The registrations for which cancellations were requested are identified in the following Table 1.

**TABLE 1.—END-USE PRODUCT REGISTRATION CANCELLATION REQUESTS**

Company	Reg. No.	Product	
Verdant Brands, Inc	70-178	Dursban 1/2G Granular Insecticide	
	70-180	Dursban Lawn & Ornamental Spray	
	70-184	Kill-Ko Dursban 1G Granular Insecticide	
	70-228	Home Pest Insect Killer	
	70-232	Rigo Dursban 2EC Liquid Insecticide	
	70-255	Rigo Home Pest Control	
	70-286	Rigo Dursban 1E Insecticide	
	70-290	Rigo's Best Termite Killer	
	Dexol, A Division of Verdant Brands, Inc	192-141	Dexol Dexa-Klor Granules Soil Insect Control
		192-142	Dexol Dexa-Klor Insect Spray
		192-151	Dexol Dexa-Klor Pest Control Indoor Insect Killer

TABLE 1.—END-USE PRODUCT REGISTRATION CANCELLATION REQUESTS—Continued

Company	Reg. No.	Product
Whitmire Micro-Gen Research Laboratories, Inc.	192-171	Dexol Roach, Cricket and Spider Dust
	192-173	Dexol Termite and Lawn Insect Killer
	192-180	Dexol Dursban Granules Insect Control
	192-192	Dexol Predator Home Insect Killer II
	499-147	Whitmire PT 270 Dursban
	499-256	Whitmire Chlorpyrifos Pressurized Residual Spray
	499-270	Whitmire 1-12 Insecticide
	499-292	Whitmire PT 279 Engage Residual Injection System
	499-315	Whitmire Duration PT 275
	499-317	Whitmire 1-6 Insecticide
	499-364	Whitmire PT 1900 Total Release Insecticide
	499-379	Whitmire PT 479 Regulator
	499-423	Whitmire TC-135 Chlorpyrifos MC
	499-424	Whitmire TC-160 Microencapsulated Termiticide
	499-448	Whitmire TC 151 Bait
Walco-Linck Company	506-158	TAT Flea & Tick Killer with Residual Action
	506-164	TAT Roach & Ant Killer II
The Scotts Company	538-69	Scotts Western Lawn Insect Control
	538-94	Scotts Western Lawn Insect Control Plus Fertilizer
	538-140	Summer Insect and Disease Control Plus Lawn Fertilizer
	538-153	Scotts Proturf Insect Control Plus Fertilizer
	538-154	Scotts Summer Insect Control Plus Fertilizer For Lawns
Rockland Corporation	572-213	Rockland Insecticide for Wood Destroying Pests
	572-219	Rockland Super Professional Dursban Chinch Bug Killer
Indy Specialty Products, Inc.	654-131	Klor-Ban Concentrate
Prentiss Incorporated	655-577	Prentox Residual Insect Spray #2
	655-739	Prentox Pyrifos 0.5 Water Base Insecticide
	655-743	Prentox Pyrifos 1E
The Garden Grow Company	802-530	Lilly/Miller Chlorban Insect Spray
	802-532	Lilly/Miller Chlorban Insect Granules
	802-560	Lilly/Miller 1% Chlorban Insect Granules
	802-595	Lilly/Miller Hose'n Go Ant, Flea & Tick Killer
Southern Agricultural Insecticides, Inc.	829-250	Home & Garden Home Pest Control Spray
	829-281	SA-50 Brand Home Pest Control Concentrate
Green Light Company	869-158	Green Light Dursban Granules
	869-168	Green Light Many Purpose Dursban Granules
	869-172	Green Light Borer Killer II
	869-184	Green Light Fire Ant Killer
	869-185	Green Light House Plant Spray II
	869-191	Green Light Indoor Flea & Tick Spray
	869-205	Green Light Ready-to-Use Fire Ant Mound Drench
	869-209	Green Light Dursban 5% Granules
	869-210	Green Light Double Dursban Granules
	869-221	Green Light Many Purpose Dursban Concentrate II
The Garden Grow Company	909-94	Cooke Act Plus Lawn Insecticide
	909-108	Cooke Ant Barrier
Agriliance	1381-149	Green Velvet Lawn Food Plus Insect Control
Universal Cooperatives, Inc.	1386-627	Red Panther Dursban Granular Turf and Lawn Insecticide
	1386-628	Red Panther Dursban 1
	1386-659	Agway Insect Spray
I. Schneid	2155-127	KR-24
PBI/Gordon Corporation	2217-646	Gordon's Dursban Turf Insecticide
Sergeant's	2517-52	Sergeant's Flea & Tick Collar
	2517-57	Sergeant's Fast-Acting Flea & Tick Collar for Dogs
Hartz	2596-135	Hartz 330 Day Flea & Tick Collar for Dogs
Wellmark International	2724-327	Zoecon RF-150 Yard and Kennel Spray
	2724-486	Arthitol 0.5% Dursban (Granular) Ant and Roach Bait
Coyne Chemical Company	3050-136	Coyne Formula No. 101
ABC Compounding	3862-93	Assault
	3862-126	WB Residual Pressurized Spray
BETCO	4170-78	RA26 Residual Insecticide Spray
Combe Incorporated	4306-15	Sulfodene Scratchex Flea and Tick Collar for Dogs
Pet Chemicals	4758-135	Holiday Flea & Tick Killer
S.C. Johnson & Son, Inc.	4822-152	Raid Treatment for Crawling Insects
	4822-189	Raid Liquid Roach & Ant Killer Formula I
	4822-226	Raid Tree Guard Spray
	4822-230	Raid Outdoor Flea Killer
	4822-231	Raid Gypsy Moth & Japanese Beetle Killer II
	4822-232	Raid Gypsy Moth & Japanese Beetle Killer
	4822-236	Raid Tree Guard Spray Formula II
	4822-238	Raid Home Insect Killer Formula II
	4822-263	Raid Fire Ant Killer

TABLE 1.—END-USE PRODUCT REGISTRATION CANCELLATION REQUESTS—Continued

Company	Reg. No.	Product
	4822-264	Raid Fire Ant Killer Formula 2
	4822-275	Raid Outdoor Insect Killer
	4822-382	Raid Wasp & Hornet Killer
	4822-390	Raid Wasp & Hornet Killer Formula XII
	4822-402	Raid Max Roach Bait III
	4822-412	Raid Wasp & Hornet Killer ND
	4822-451	Raid Wasp & Hornet Killer AD
	4822-498	PA Formula #2
Verdant Brands, Inc	5887-144	Black Leaf Dursban
	5887-177	Ready-to-Use Ant, Roach, Flea and Spider Spray
Midco Products Company, Inc.	6658-42	Pyreban-3
Carl Pool Products	6926-11	Carl Pool Lawn and Turf Food Plus Dursban 15-5-10
Cessco, Inc.	6959-73	Cessco ID Residual Insecticide
Carter-Wallace, Inc.	8220-38	Victory 12 Full Year Collar with Dursban Insecticide for Large Dogs
	8220-39	Victory II Full Season Cat Collar
Robinson Associates	8278-6	Metro (Tested) Soildrin D
Pursell Industries, Inc.	8660-10	Sta-Green Law Pest Control & Fertilizer 25-3-3
	8660-13	Sta-Green Lawn Pest Control & Fertilizer A
	8660-14	Sta-Green Lawn Pest Control & Fertilizer B
	8660-78	Dursban Lawn Insect Control
	8660-88	Dursban Granules
	8660-94	Green Up Insect & Grub Control with Dursban
	8660-97	Dursban 4E Insecticide
	8660-102	Dursban Plus
	8660-108	VertaGreen Dursban—DDVP 1.25 Turf Insecticide
	8660-109	VertaGreen Dursban—DDVP 2.50 Turf Insecticide
	8660-110	VertaGreen Home Pest Killer
	8660-122	Lawn & Ornamental Insect Spray Concentrate
	8660-123	Vertagreen Dursban 0.5% Granules
	8660-152	VertaGreen Professional Turf Food with Dursban
	8660-177	Golden Vigoro Insect Control Plus Lawn Fertilizer
	8660-182	Green Turf Lawn Food with Insect Control
	8660-193	Ideal 18 Insect Control Plus Lawn Fertilizer
	8660-194	Ideal 20 Insect Control Plus Lawn Fertilizer
	8660-195	Ideal 25 Insect Control Plus Lawn Fertilizer
	8660-203	Koos Dursban 1.00 Granules
	8660-213	Par Ex Slow Release Fertilizer Plus Insect Control
	8660-232	Vigoro 2.32 Insecticide Granules
	8660-239	Vigoro Granular Cinch Bug Control
	8660-240	Vigoro Insect Control Plus Lawn Fertilizer for Texas Turf
Sherwin-Williams Company	10900-67	858 P.D. Aqueous Roach & Ant Spray
Illinois Tool Works, Inc.	11694-91	Duramist
Speer Products Incorporated	11715-70	Speer Roach & Ant Killer
	11715-97	Magic Guard Dursban Ant & Roach Pressurized Spray
	11715-99	Magic Guard Ant & Roach Killer
	11715-110	Mug-A-Bug Professional Strength Insecticide
	11715-132	Better World Ready-to-use Insecticide
	11715-133	Mug-A-Bug II Professional Strength Insecticide
	11715-139	SPI Spot Treatment Spray
	11715-142	SPI Ant & Roach Spray
	11715-163	Speer Transparent Emulsion Spray 0.1% + 0.5%
	11715-298	Pro-Tect Home Pest Control
	11715-299	Speer Point Five Chlorpyrifos Aerosol
	11715-306	Speer Cyfluthrin Flea Killer
	11715-312	Speer D-Trans Residual Spray with Nylar
	11715-324	SPI Chlorpyrifos Wasp & Hornet Spray
	11715-326	SPI Chlorpyrifos Pet Area Treatment with Nylar
	11715-327	Security Granulated Chinch Bug Killer
Louisiana Chemical USA, Inc.	11746-15	Davis Kill-A-Bug XI
	11746-16	Davis Kill-A-Bug XII
Rainbow Technology Corporation	13283-8	Rainbow Insect Control
	13283-15	Rainbow Liquid RTU Fire Ant Killer
Positive Formulators, Inc.	26693-3	6 Months Pest Control
	26693-5	Killmaster II CC
Unicorn Laboratories	28293-35	Unicorn 30 Flea Spray
	28293-49	Unicorn Yard & Kennel Spray Concentrate
	28293-103	Unicorn House & Carpet Spray WB
	28293-104	Unicorn Dursban Household Insecticide
	28293-211	Termi-Chlor Termite Concentrate
	28293-321	Dursban 1EC Insecticide
PBI/Gordon Corporation	33955-540	Acme Ant Granules Contains Dursban Insecticide

TABLE 1.—END-USE PRODUCT REGISTRATION CANCELLATION REQUESTS—Continued

Company	Reg. No.	Product	
Pet Chemicals	33955-547	Acme Dursban Insecticide for Lawns & Ornamentals	
	33955-550	Acme Roach-Rid Brand Home Pest Killer	
	37425-10	Adams Surface Spray	
	37425-24	Adams Lawn and Kennel Spray Concentrate	
Morgro, Inc.	42057-100	Dursban (R) Insecticide	
	CCL Industries Inc.	46813-38	CCL Crawling Insect Killer I
		46813-42	CCL Insecticide Foam Spray I
Marman USA, Inc. Gro Tec, Inc.	48273-16	Agroban 4E	
	59144-8	Ant, Flea & Tick Granules	
	59144-9	Green Charm Dursban 1% Granules	
	59144-37	R & M Yard & Kennel Spray Concentrate	
	60061-106	Woodlife B Clear Wood Preservative	
Kop-Coat, Inc.	67572-53	CP Flea and Brown Dog Tick Granules—S.F.	
	Contract Packaging, Inc. Speer Products Incorporated	68688-3	Elite Yard & Kennel Spray
68688-40		Elite Dursban 1-12-R144 Insecticide	

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that EPA cancel any of their pesticide registrations. Section 6(f)(1)(B) of FIFRA requires that EPA provide a 30-day period in which the public may comment before the Agency may act on the request for voluntary cancellation. In addition, section 6(f)(1)(C) of FIFRA requires that EPA provide a 180-day comment period on a request for voluntary termination of any minor agricultural use before granting the request, unless (1) the registrants request a waiver of the comment period, or (2) the Administrator determines that

continued use of the pesticide would pose an unreasonable adverse effect on the environment. The registrants have requested that EPA waive the 180-day comment period. In light of this request, EPA is granting the request to waive the 180-day comment period and is providing a 30-day public comment period before taking action on the requested cancellations. Given the potential risks, both dietary and nondietary, that chlorpyrifos use poses, especially to children, EPA intends to grant the requested cancellations at the close of the comment period for this announcement.

*C. Requests for Voluntary Amendments to Delete Uses From the Registrations of End-Use Products*

Pursuant to section 6(f)(1)(A) of FIFRA, several registrants have also submitted requests to amend their other enduse registrations of pesticide products containing chlorpyrifos to delete the aforementioned uses from any product bearing such use. The registrations for which amendments to delete uses were requested are identified in the following Table 2.

TABLE 2.—END-USE PRODUCT REGISTRATION AMENDMENT REQUESTS

Company	Reg. No.	Product/SLNs	
Whitmire Micro-Gen Research Laboratories, Inc.	499-367	Whitmire PT 275 Dur-O-Cap Microencapsulated Chlorpyrifos Liquid Concentration	
	499-405	Whitmire PT-1920 Total Release Insecticide	
	499-413	Whitmire TC 100 Intern	
	499-419	Whitmire PT 275 Dur-O-Cap Microencapsulated Chlorpyrifos	
The Scotts Company	538-98	Proturf 30-5-3 Fertilizer Plus Insecticide III	
	538-111	Proturf Insecticide III	
	538-191	24-3-3 Fertilizer Plus Insecticide III	
	538-226	Fertilizer Plus Insecticide/Preemergent Weed Control	
Rockland Corporation Prentiss Incorporated	572-329	Urban Insect Spray	
	655-441	Prentox Residual Concentrate DV-One	
	655-466	Prentox Dursban 2E Insecticide	
	655-499	Prentox Dursban 4E Insecticide	
	655-696	Prentox Pyrifos 0.50 RTU	
	655-764	Prentox Dursban 2.32G Granular Insecticide	
	655-766	Prentox Dursban 1/2G Granular Insecticide	
	655-786	Prentox Pyrifos Residual Spray	
	655-792	Prentox D+2 Insecticide	
	655-793	Prentox Super Brand D+2 Insecticide	
	Southern Agricultural Insecticides, Inc.	829-223	SA-50 Dursban .5G Granular insecticide
		829-279	SA-50 Dursban 2-E Insecticide
829-280		SA-50 Dursban 4-E Insecticide	
829-291		SA-50 Brand Dursban 1% Mole Cricket Bait	
829-292		SA-50 Brand Dursban 2.5% Granular Insecticide	
ISK Biocides, Inc.	1022-543	Chapcide 4-EC	
	1386-652	Security Pro-Turf 1 Insect Control Granules	
Universal Cooperatives, Inc.	1386-653	Security Pro-Turf 2 Insect Control Granules	
	1386-613	Dursban Lawn and Ornamental Insect Control	
	1386-615	Termite Kill II	
	1386-649	Dursban 4E Insecticide	
	2724-487	Arthitrol 0.5% Dursban Paste Bait	
Wellmark International Cessco, Inc.	6959-67	Cessco Accudose Aerosol for Fire Ant Control	

TABLE 2.—END-USE PRODUCT REGISTRATION AMENDMENT REQUESTS—Continued

Company	Reg. No.	Product/SLNs	
Knox Fertilizer Company, Inc.	8378–26	Dursban 92 with Plant Food	
	8378–27	Dursban 114 + Fertilizer	
	8378–28	Dursban 50 Granular Insecticide	
	8378–33	Dursban 1.14 Granules	
	8378–34	2.32 Dursban Granules	
The Andersons, Inc.	9198–32	Turf Care for Lawn Maintenance 38–0–0 with Dursban Brand Insecticide	
	9198–39	Turf Care Dursban 2.5G	
	9198–68	The Andersons 1% Dursban Brand Insecticide	
	9198–82	Tee Time Fertilizer with 0.52% Dursban 30–3–5	
	9198–84	Andersons Tee Time 30–3–5 with 0.65% Dursban	
	9198–85	Tee Time Fertilizer with 0.71% Dursban 30–3–5	
	9198–98	Andersons Tee Time with Team/Dursban I	
	9198–99	Andersons Tee Time 19–5–9 with Team/Dursban	
	9198–127	Twinlight Professional Dursban Lawn Insect Killer	
	9198–132	The Andersons 0.97% Dursban Brand Insecticide	
	9198–137	The Andersons 0.5% Dursban Brand Insecticide	
	Gowan Company Lesco, Inc.	10163–158	Gowan Chlorpyrifos 4E
		10404–15	Lesco 2.32 Granular Insecticide
10404–27		Lesco 40–0–0 Fertilizer with Dursban	
10404–29		Lesco 32–5–7 Fertilizer with Dursban	
10404–40		Lesco 20–0–10 Fertilizer with Dursban	
10404–67		Lesco 1% Dursban Granular	
10404–81		Lesco 0.97 Dursban Granules	
Sungro Chemicals, Inc.	11474–40	Sungro Reside Du	
	11474–55	Sungro Combo Water Base	
	11474–66	Sungro Dursbo	
	11474–90	Sungro Buggone II Residual Insecticide	
Rainbow Technology Corporation	13283–14	Rainbow Fire Ant Killer	
	13283–17	Rainbow KO Fire Ant Killer	
Drexel Chemical Company Positive Formulators, Inc. Unicorn Laboratories	19713–504	Regatta 4E	
	26693–2	Killmaster II	
	28293–87	Unicorn House and Carpet Spray	
	28293–99	Unicorn Dursban Spray	
	28293–121	Unicorn Dursban—Resmethrin Spray	
	28293–142	Unicorn Kennel Spray	
	28293–149	Unicorn House and Carpet Spray II	
	28293–200	Unicorn Dursban 2E	
	28293–201	Unicorn Dursban 2.5% Granules	
	28293–202	Unicorn Dursban 1.0% Granules	
	28293–203	Unicorn Dursban 1%-D Dust	
	28293–204	Unicorn Dursban 4E	
	28293–205	Unicorn Dursban 1–12	
	28293–210	Dursban 1E Insecticide	
	28293–265	Unicorn Dursban 6.7% Insecticide	
Howard Johnson's Enterprises, Inc.	28293–266	Dursban Plus Resmethrin Concentrate	
	32802–19	Dursban Insecticide 0.7 Plus Fertilizer	
	32802–20	Dursban 1.14 Granular Lawn and Turf Insect Control	
	32802–21	Dursban 1.14 Plus Lawn Fertilizer	
	32802–22	Dursban 2.32G	
	32802–39	Dursban .5 Granules Insecticide	
	32802–49	Dursban 100 Granules	
	47006–5	Orlik Dursban granules	
Phaeton Corporation Marman USA, Inc.	48273–13	Pestban 2E	
	48273–14	Pestban TC	
	48273–19	Pestban 4E	
Biodyne Americas Corporation	59920–1	Super IQ Insecticide Coating APT	
	59920–2	Super IQ Insecticide Coating LC	

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that their pesticide registrations be amended to delete one or more pesticide uses. The registrants have requested that EPA waive the 180-day comment period. In light of this request, EPA is granting the request to waive the 180-day comment period and is providing a 30-day public

comment period before taking action on the requested amendments to delete uses. Given the potential dietary and nondietary risks that chlorpyrifos use poses, especially to children, EPA intends to grant the requested amendments to delete uses at the close of the comment period for this announcement.

### III. Proposed Existing Stocks Provisions

The registrants have requested voluntary cancellation of the chlorpyrifos registrations identified in Table 1 and voluntary amendment to terminate certain uses of the chlorpyrifos registrations identified in Table 2. Pursuant to section 6(f) of FIFRA, EPA intends to grant the

requests for voluntary cancellation and amendment. For purposes of the cancellation order that the Agency intends to issue at the close of the comment period for this announcement, the term existing stocks will be defined, pursuant to EPA's existing stocks policy at 56 FR 29362, Wednesday, June 26, 1991, as those stocks of a registered pesticide product which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation or amendment. Any distribution, sale, or use of existing stocks after the effective date of the cancellation order that the Agency intends to issue that is not consistent with the terms of that order will be considered a violation of section 12(a)(2)(K) and /or 12(a)(1)(A) of FIFRA.

1. *Distribution, sale or use of products bearing instructions for use on apple trees post-bloom*. The distribution or sale of existing stocks by any person of any product listed in Table 1 or 2 that bears instructions for post-bloom application to apple trees (other than tree trunk use) will not be lawful under FIFRA after December 31, 2000. The use of existing stocks of such product for post-bloom application to apple trees (other than tree trunk use) will not be lawful under FIFRA after December 31, 2000. Any other use of such product until that date must be in accordance with the existing labeling of that product.

2. *Distribution or sale by registrants of products bearing other uses— (a) restricted use and package size limitations*. (i) The distribution or sale by registrants of existing stocks of any EC formulation product listed in Table 1 or 2 will not be lawful under FIFRA after February 1, 2001 unless the product is labeled as restricted use.

(ii) The distribution or sale by registrants of existing stocks of any product listed in Table 1 or 2 labeled for any agricultural use and that is not an EC, will not be lawful under FIFRA after February 1, 2001, unless the product is either labeled for restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation, 50 pounds of a granular formulation, or 25 pounds of any other dry formulation;

(iii) The distribution or sale by registrants of existing stocks of any product listed in Table 1 or 2 labeled solely for nonagricultural uses (other than containerized baits in CRP) and that is not an EC, will not be lawful under FIFRA after February 1, 2001, unless the product is either labeled for restricted use or packaged in containers no smaller than 15 gallons of a liquid

formulation or 25 pounds of a dry formulation.

(b) *Prohibited uses*. The distribution or sale of existing stocks by registrants of any product identified in Table 1 or 2 that bears instructions for any of the following uses will not be lawful under FIFRA after February 1, 2001:

(i) Termite control, unless the product bears directions for use of a maximum 0.5% active ingredient chlorpyrifos enduse dilution;

(ii) Post-construction termite control, except for spot and local termite treatment, provided the label of the product states that the product may not be used for spot and local treatment after December 31, 2002;

(iii) Indoor residential except for containerized baits in CRP;

(iv) Indoor non-residential except for containerized baits in CRP and products with formulations other than EC that bear labeling solely for one or more of the following uses: Warehouses, ship holds, railroad boxcars, industrial plants, manufacturing plants, or food processing plants;

(v) Outdoor residential except for products bearing labeling solely for one or more of the following public health uses: Individual fire ant mound treatment by licensed applicators or mosquito control by public health agencies;

(vi) Outdoor non-residential except for products that bear labeling solely for one or more of the following uses: golf courses, road medians, and industrial plant sites, provided the maximum label application rate does not exceed 1lb./ai per acre; mosquito control for public health purposes by public health agencies; individual fire ant mound treatment for public health purposes by licensed applicators; and fence posts, utility poles, railroad ties, landscape timbers, logs, pallets, wooden containers, poles, posts and processed wood products.

3. *Retail and other distribution or sale*. The retail distribution of existing stocks of products listed in Table 1 or 2 bearing instructions for the prohibited uses set forth above in Unit III.2.(b)(i)(vi) of this Notice will not be lawful under FIFRA after December 31, 2001. Except as provided in the previous sentence or in Units III.1. and III.4. of this Notice, EPA intends to permit distribution or sale of products identified in Table 1 or 2 by persons other than registrants until such stocks are exhausted.

4. *Final distribution, sale and use date for pre-construction termite control*. The distribution, sale or use of any product listed in Table 1 or 2 bearing instructions for pre-construction

termite use will not be lawful under FIFRA after December 31, 2005, unless, prior to that date, EPA has issued a written determination that such use may continue consistent with the requirements of FIFRA.

5. *Use of existing stocks*. Except as provided above in Units III.1. and III.4., EPA intends to permit the use of existing stocks of products listed in Table 1 or 2 until such stocks are exhausted, provided such use is in accordance with the existing labeling of that product.

#### List of Subjects

Environmental protection,  
Memorandum of Agreement, Pesticides  
and pests.

Dated: November 8, 2000.

**Lois Rossi,**

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

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-6904-1]

#### Proposed CERCLA Administrative Cashout Settlement; Energynorth Natural Gas, Inc., and Public Service of New Hampshire, Nashua River Asbestos Site, Nashua, NH

**AGENCY:** Environmental Protection  
Agency.

**ACTION:** Notice of proposed settlement;  
request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement for recovery of past and projected future response costs concerning the Nashua River Asbestos Site in Nashua, New Hampshire with the following settling parties: EnergyNorth Natural Gas, Inc., and Public Service of New Hampshire. The settlement requires the settling party to pay \$787,341.76 to the Hazardous Substance Superfund plus an additional sum for interest on that amount calculated from December 31, 1999 through the date of payment. The settlement includes a covenant not to sue the settling party pursuant to Sections 106 and 107(a) of CERCLA," 42 U.S.C. 9606 and 9607(a).

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating