

TABLE 2—REGISTRANTS OF CANCELLED AND/OR AMENDED [CARBARYL PRODUCTS—Continued

EPA Company Number	Company Name and Address
8119	Matson, LLC c/o Registrations by Design, Inc. 118 1/2 East Main Street, Ste. 1 Salem, Virginia 24153-3805
9198	The Andersons Lawn Fertilizer Division, Inc. P.O. Box 119 Maumee, Ohio 43537
11656	Western Farm Service, Inc. 2787 W. Bullard, Suite 105 Fresno, California 93711
19713	Drexel Chemical Company 1700 Channel Avenue PO Box 13327 Memphis, TN 38113-0327
34704	Loveland Products, Inc. 7251 W 4th Street (80634) PO Box 1286 Greely, CO 80632-1286
71096	Or-Cal, Inc. 17220 Westview Road Oswego, Oregon 97034
82200	Viachem, LLC 9701 Fields Road, No. 2400 Gaithersburg, Maryland 20878

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

EPA received four public comments on the August 20, 2008 6(f) Notice (73 FR 49184) and one comment on the October 15 6(f) Notice (73 FR 61121), from Jan Meneley of AgBio Inc., Dr. Steven Booth of Willapa Bay/Grays Harbor Oyster Grower Association, C. Weeber, a private citizen, and from two anonymous private citizens. The comment from C. Weeber requested that EPA evaluate carbaryl use on pine trees in residential areas, which is not one of the uses being deleted, and is therefore not relevant to this action. The comment from Steven Booth focused on the importance of a special local need registration of carbaryl for control of burrowing shrimp in oyster beds in Willapa Bay, WA, which is also not one of the registrations being amended, and

is therefore not relevant to this action. The comments received from private citizens requested cancellation of all carbaryl uses, including use to control Mountain Pine Beetle in Colorado, and further testing of carbaryl. These commenters do not, however, object to the deletion of uses or elimination of application methods that are the subject of this order. Nor do these commenters provide information that would lead the Agency to further review or deny the requests. Accordingly, the Agency does not believe that the comments submitted during the comment period merit further review or a denial of the requests for amendments to terminate uses of and eliminate certain application methods for carbaryl products.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested amendments to terminate uses of and eliminate certain application methods for carbaryl registrations identified in Table 1 of Unit II. Accordingly, the Agency orders that the carbaryl product registrations identified in Tables 1 of Unit II. are hereby amended to terminate the affected uses and application methods. 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 or termination action. The existing stocks provisions of this order terminating uses and eliminating certain application methods are as follows and are effective immediately.

Provided that these stocks bear labels previously approved by EPA, registrants may sell and distribute existing stocks of the affected products for 18 months from the effective date of this order, with the exception of Scotts Ortho Business Group and Matson LLC, who may sell and distribute existing stocks of EPA Registration Numbers 239-2514 and 8119-5, respectively, in Table 1 of Unit II. for 24 months from the effective date of this order. Thereafter the distribution and sale of existing stocks by registrants of any of the products listed in Table 1 that bear the terminated uses or application methods will not be lawful under FIFRA, except for the purposes of shipping such stocks for export consistent with section 17 of FIFRA or for proper disposal. This order allows 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, Carbaryl, SEVIN®.

Dated: February 27, 2009.

Richard P. Keigwin, Jr.,

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

[FR Doc. E9-5695 Filed 3-17-09; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8779-5]

Public Water System Supervision Program Revision for the State of Arkansas

AGENCY: United States Environmental Protection Agency (EPA).

ACTION: Notice of proposed approval.

SUMMARY: Notice is hereby given that the State of Arkansas is revising its approved Public Water System Supervision Program adopting regulations for the Ground Water Rule (GWR), promulgated by EPA on November 26, 2006. The GWR will provide for increased protection against microbial pathogens in public water systems that use ground water sources. EPA has determined that the proposed GWR revisions are no less stringent than the corresponding Federal regulations.

Therefore, EPA proposes to approve these program revisions.

DATES: All interested parties may request a public hearing. A request for a public hearing must be submitted by April 17, 2009 to the Regional Administrator at the EPA Region 6 address shown below. Requests for a hearing may be denied by the Regional Administrator. However, if a substantial request for a public hearing is made by April 17, 2009, a public hearing will be held. If no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become final and effective on April 17, 2009. Any request for a public hearing shall include the following information: the name, address, and telephone number of the individual, organization, or other entity requesting a hearing; a brief statement of the requesting person's interest in the Regional Administrator's determination and a brief statement of the information that the requesting person intends to submit at such hearing; and the signature of the individual making the request or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

ADDRESSES: All documents relating to this determination are available for inspection between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, at the following offices: Arkansas Department of Health, Division of Engineering, 4815 West Markham, Little Rock, Arkansas 72205; and the EPA Region 6, Drinking Water Section (6WQ-SD), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202.

FOR FURTHER INFORMATION CONTACT: Amy Camacho, EPA Region 6, Drinking Water Section at the Dallas address given above or at telephone (214) 665-7175, or camacho.amy@epa.gov.

Authority: Section 1413 of the Safe Drinking Water Act, as amended (1996), 40 CFR parts 141 and 142 of the National Primary Drinking Water Regulations.

Dated: February 27, 2009.

Lawrence E. Starfield,

Acting Regional Administrator, Region 6.
[FR Doc. E9-5841 Filed 3-17-09; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0135; FRL-8407-3]

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 request by registrants to voluntarily cancel certain pesticide registrations.

DATES: Unless a request is withdrawn by September 14, 2009 or April 17, 2009 for registrations for which the registrant requested a waiver of the 180-day comment period, orders will be issued canceling these registrations. The Agency will consider withdrawal requests postmarked no later than September 14, 2009 or April 17, 2009, whichever is applicable. Comments must be received on or before September 14, 2009 or April 17, 2009, for those registrations where the 180-day comment period has been waived.

ADDRESSES: Submit your comments and your withdrawal request, identified by docket identification (ID) number EPA-HQ-OPP-2009-0135, 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. Please direct written withdrawal requests to the attention of: John Jamula, Information Technology and Resources Management Division (7502P).

- *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'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-2009-0135. 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 [regulations.gov](http://www.regulations.gov) or e-mail. The [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 [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 in [regulations.gov](http://www.regulations.gov). To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the [regulations.gov](http://www.regulations.gov) website to view the docket index or access available documents. 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: John Jamula, Information Technology and Resources Management Division, Office