

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. Registration Applications

EPA has received applications to register pesticide products containing active ingredients not included in any previously registered pesticide products. Pursuant to the provisions of section 3(c)(4) of FIFRA, EPA is hereby providing notice of receipt and opportunity to comment on these applications. Notice of receipt of these applications does not imply a decision by the Agency on these applications.

1. *File Symbol:* 264-RRRI. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* Penflufen TC. *Active ingredient:* Fungicide with Penflufen at 98.72%. *Proposed classification/Use:* Manufacturing use product. For formulation into an end-use fungicide for terrestrial food use for in-furrow potato use and seed piece treatment on vegetable, tuberous and corm, (CSG1); for use as seed treatment fungicide on alfalfa, grains, cereal (CG15 & 16); vegetables, legume, including soybeans (CG 6 & 7); canola, borage, crambe, cuphea, echium, flax seed, gold of pleasure, hare's ear mustard, lesquerella, lunaria, meadowfoam, milkweed, mustard seed, oil radish, poppy seed, rapeseed, sesame, sweet rocket, calendula, castor oil plant, Chinese tallowtree, euphorbia, evening primrose, jojoba, niger seed, rose hip, safflower, stokes aster, sunflower, tallowwood, tea oil plant, veronia, cottonseed. *Contact:* Marianne Lewis, (703) 308-8043, lewis.marianne@epa.gov.

2. *File Symbol:* 264-RRRO. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PEN 240FS. *Active ingredient:* Fungicide with

Penflufen at 22.7%. *Proposed classification/Use:* Terrestrial food use for in-furrow application on potato and other tuberous and corm vegetables (CSG1C), seed piece application on potato; for use as seed treatment on alfalfa, beans and peas including soybean and legume (CG 6 & 7); cotton, cereal grains (CG 15 & 16); corn, rice, canola, borage, crambe, cuphea, echium, flax seed, gold of pleasure, hare's ear mustard, lesquerella, lunaria, meadowfoam, milkweed, mustard seed, oil radish, poppy seed, rapeseed, sesame, sweet rocket, calendula, castor oil plant, Chinese tallowtree, euphorbia, evening primrose, jojoba, niger seed, rose hip, safflower, stokes aster, sunflower, tallowwood, tea oil plant, veronia, cottonseed. *Contact:* Marianne Lewis, (703) 308-8043, lewis.marianne@epa.gov.

3. *File Symbol:* 264-RREN. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENRED 240FS. *Active ingredient:* Fungicide with Penflufen at 22.4%. *Proposed classification/Use:* Terrestrial food use for in-furrow application on potato and other tuberous and corm vegetables (CSG1C), seed piece application on potato; for use as seed treatment on alfalfa, beans and peas including soybean and legume (CG 6 & 7); cotton, cereal grains (CG 15 & 16); corn, rice, canola, borage, crambe, cuphea, echium, flax seed, gold of pleasure, hare's ear mustard, lesquerella, lunaria, meadowfoam, milkweed, mustard seed, oil radish, poppy seed, rapeseed, sesame, sweet rocket, calendula, castor oil plant, Chinese tallowtree, euphorbia, evening primrose, jojoba, niger seed, rose hip, safflower, stokes aster, sunflower, tallowwood, tea oil plant, veronia, cottonseed. *Contact:* Marianne Lewis, (703) 308-8043, lewis.marianne@epa.gov.

4. *File Symbol:* 264-RREL. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENCLO 273.5FS. *Active ingredient:* Fungicide with Penflufen at 6.0% and Clothianidin at 18.6%. *Proposed classification/Use:* Seed treatment on cotton. *Contact:* Marianne Lewis, (703) 308-8043, lewis.marianne@epa.gov.

5. *File Symbol:* 264-RREU. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENTRI 308FS. *Active ingredient:* Fungicide with Penflufen at 13.3% and Trifloxystrobin at 13.3%. *Proposed*

classification/Use: Seed treatment on alfalfa, beans and peas including soybean (CG 6) rice, corn, cotton and wheat. *Contact:* Marianne Lewis, (703) 308-8043, lewis.marianne@epa.gov.

6. *File Symbol:* 264-RRER. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENCLOTRIME 310.68FS. *Active ingredient:* Fungicide with Penflufen at 0.82%, Clothianidin at 22.3%, Metalaxyl at 0.55%, and Trifloxystrobin at 0.55%. *Proposed classification/Use:* Seed treatment on canola, mustard seed, and rapeseed. *Contact:* Marianne Lewis, (703) 308-8043, lewis.marianne@epa.gov.

7. *File Symbol:* 264-RREE. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENPROME 177FS. *Active ingredient:* Fungicide with Penflufen at 3.59%, Metalaxyl at 5.74%, and Prothioconazole at 7.18%. *Proposed classification/Use:* Seed treatment on alfalfa, beans and peas (dried) including soybean (CG 6), rice, wheat, barley, and triticale. *Contact:* Marianne Lewis, (703) 308-8043, lewis.marianne@epa.gov.

8. *File Symbol:* 264-RREG. *Docket Number:* EPA-HQ-OOP-2010-0425. *Applicant:* Bayer CropScience LP2, T.W. Alexander Dr., Research Triangle Park, NC 27709. *Product name:* PENPRO 118FS. *Active ingredient:* Fungicide with Penflufen at 9.35% and Prothioconazole at 1.68%. *Proposed classification/Use:* Seed piece application on potato and seed treatment on wheat. *Contact:* Marianne Lewis, (703) 308-8043, lewis.marianne@epa.gov.

List of Subjects

Environmental protection, Pesticides and pest.

Dated: June 7, 2010.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 2010-14521 Filed 6-15-10; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0030; FRL-8809-5]

Pesticides; Availability of Updated Schedule for Registration Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is announcing the availability of an updated schedule for the pesticide registration review program, the periodic review of all registered pesticides mandated by section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The updated schedule provides the timetable for opening dockets for the next 4 years of the registration review program – FY 2010 to 2013—and includes information on the FY 2007 through FY 2009 registration review cases.

FOR FURTHER INFORMATION CONTACT: Kevin Costello, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 305–5026; fax number: (703) 308–8090; e-mail address: costello.kevin@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, farm worker, 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?

EPA has established a docket for this action under docket identification (ID) number EPA–HQ–OPP–2010–0030. 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.

II. Background

A. What Action is the Agency Taking?

EPA is issuing an updated schedule for the registration review program, the Agency's periodic review of all registered pesticides mandated by section 3(g) of FIFRA. This updated schedule provides the timetable for opening dockets for the next 4 years of the program, FY 2010 to FY 2013.

The Pesticide Registration Improvement Act of 2003 as amended in 2007 (PRIA II) requires EPA to complete registration review decisions by October 1, 2022 for all pesticides registered as of October 1, 2007. To ensure meeting this requirement, EPA will continue to open approximately 70 pesticide registration review dockets annually continuing through 2017, so that almost all pesticides registered at the start of the program will have dockets opened by 2017. Some biopesticide dockets will be opened in 2018 through 2020. The Agency anticipates that this scheduling will provide adequate lead times to complete registration review decisions by October 1, 2022 for all pesticides registered as of October 1, 2007. EPA expects a total of about 721 pesticide cases comprising 1,135 pesticide active ingredients to undergo registration review by 2022.

Each pesticide's place on the schedule is generally determined by its baseline date — the date of its last substantive review — with the oldest cases going first. The baseline date for a pesticide that was subject to reregistration is the date of the Reregistration Eligibility Decision (RED). The baseline date for pesticides that were not subject to reregistration is the registration date of the first product containing the active ingredient. Although, the schedule generally is constructed chronologically, some registration review cases are grouped in the schedule for greater efficiency. For example, pesticides that are chemically related or use-related (e.g., organophosphate and carbamate chemical classes, the coppers group, and the pyrethroids, pyrethrins, and synergists group) generally will be reviewed during the same time frame.

The updated registration review schedule reflects EPA's decision to review all pesticides in two groups — the fumigants and the triazines — within the same time frame. In recent years, the Agency moved these pesticides ahead in the schedule so that dockets for all pesticides in these groups will open in FY 2013. While EPA is implementing risk mitigation decisions for the soil fumigants, new research is underway to address current data gaps and to refine understanding of factors

that affect how fumigants move in the environment. New methods and technologies for fumigation are emerging. By moving the soil fumigants forward in registration review from 2017 to 2013, the Agency will be able to consider new data and new technologies sooner, determine whether mitigation included in its decisions is effectively addressing risks as EPA believes it will, and include other fumigants that were not part of the reregistration review of these pesticides.

EPA initiated a reevaluation of the triazine pesticide atrazine in fall 2009. Given the availability of new scientific information as well as the documented presence of atrazine in both drinking water sources and other bodies of water, EPA has determined it appropriate to consider the new research and to ensure that the Agency's regulatory decisions about atrazine protect health and the environment. EPA's reevaluation process is based on transparency and sound science, including independent scientific peer review. The current atrazine reevaluation will help address aspects of the atrazine registration review scheduled to begin in 2013 that involve human health risk assessment. As a result, the current reevaluation should reduce the scope and resources needed to complete the atrazine registration review.

The registration review schedule for FY 2010 to FY 2013 and an explanation of the schedule are available at: http://www.epa.gov/oppsrd1/registration_review/schedule.htm. Information about the status of individual pesticides in registration review is available at: http://www.epa.gov/oppsrd1/registration_review/reg_review_status.htm. Background information on the registration review program is provided at: http://www.epa.gov/oppsrd1/registration_review/.

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

EPA is announcing this updated schedule for the registration review program as provided in 40 CFR 155.42(d) and 155.44 of the Procedural Regulations for Registration Review: Final Rule, document number EPA–HQ–OPP–2004–0404–0052 at: <http://www.regulations.gov>. The Agency may consider issues raised by the public or registrant when reviewing a posted schedule, to schedule a pesticide registration review, or to modify the schedule of a pesticide registration review as appropriate. This schedule will be updated at least once every year.

List of Subjects

Environmental protection,
Agricultural commodities, Pesticides
and pests.

Dated: June 7, 2010.

Richard P. Keigwin, Jr.,

*Director, Pesticide Re-Evaluation Division,
Office of Pesticide Programs.*

[FR Doc. 2010-14517 Filed 6-15-10; 8:45 a.m.]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-1017; FRL-8829-6]

Product Cancellation Order for Certain Pesticide Registrations; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; correction.

SUMMARY: EPA issued a notice in the **Federal Register** of May 11, 2010, concerning the final cancellation of certain pesticide product registrations. This document is being issued to correct an error in company contact information.

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.

SUPPLEMENTARY INFORMATION:**I. General Information***A. Does this Action Apply to Me?*

The Agency included in the notice a list of those who may be potentially affected by this action. If you have 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?

EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2009-1017. 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.

II. What Does this Correction Do?

FR Doc. 2010-11142 published in the **Federal Register** of May 11, 2010 (75 FR 26253) (FRL-8822-4), on page 26253, 3rd column, in Table 2, EPA Registration Number 1021, the Company Name and Address, is corrected to read "McLaughlin Gormley King Co. D/B/A MGK, 8810 Tenth Ave. North, Minneapolis, MN 55427-4319."

List of Subjects

Environmental protection, Pesticides
and Pests.

Dated: June 4, 2010.

Richard P. Keigwin, Jr.

*Director, Pesticide Re-evaluation Division,
Office of Pesticide Programs.*

[FR Doc. 2010-14519 Filed 6-15-10; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9162-9]

Proposed CERCLA Section 122(h) Cost Recovery Settlement for the H.M. Quackenbush, Inc. Superfund Site, Herkimer, Herkimer County, NY

AGENCY: Environmental Protection Agency.

ACTION: Notice; request for public comment.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given by the U.S. Environmental Protection Agency ("EPA"), Region II, of a proposed cost recovery settlement agreement pursuant to Section 122(h) of CERCLA, 42 U.S.C. 9622(h), regarding the H.M. Quackenbush, Inc. Superfund Site ("Site") in Herkimer, Herkimer County, New York. The proposed settlement requires Frederick H. Hagar ("Settling Party"), CEO, Chairman and majority shareholder of H.M. Quackenbush, Inc., to pay EPA, in nine annual installments, \$225,000.00, plus interest, for EPA's past response costs incurred at the Site. The Settling Party also agrees to pay \$75,000.00 pursuant to a settlement with the Village of Herkimer into an interest-bearing escrow account for Site-related restoration purposes. If the escrow funds are not utilized by Herkimer within 5 years of the effective date of the Settlement Agreement, the escrow funds, plus accrued interest,

shall be paid into the EPA Hazardous Substance Superfund. The settlement includes a covenant by EPA not to sue or to take administrative action against the Settling Party pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a), with regard to certain past response costs related to the Site. For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the settlement. EPA will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations that indicate that the proposed settlement is inappropriate, improper or inadequate. EPA's response to any comments received will be available for public inspection at EPA Region II, 290 Broadway, New York, New York 10007-1866.

DATES: Comments must be submitted on or before July 16, 2010.

ADDRESSES: The proposed settlement is available for public inspection at EPA Region II offices at 290 Broadway, New York, New York 10007-1866. Comments should reference the H.M. Quackenbush, Inc. Superfund Site, Herkimer, Herkimer County, New York, Index No. CERCLA-02-2010-2007. To request a copy of the proposed settlement agreement, please contact the EPA employee identified below.

FOR FURTHER INFORMATION CONTACT: Brian Carr, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 290 Broadway—17th Floor, New York, New York 10007-1866. E-mail: carr.brian@epa.gov Telephone: 212-637-3170.

Dated: May 26, 2010.

John E. LaPadula,

Acting Director, Emergency and Remedial Response Division, Region 2.

[FR Doc. 2010-14511 Filed 6-15-10; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0014; FRL-8827-1]

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