

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0014; FRL-9390-4]

Product Cancellation Order for Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1a and 1b of Unit II. pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a November 28, 2012 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 2 of Unit II. to voluntarily cancel these product registrations. In the November 28, 2013 notice, EPA indicated that it would issue an order implementing the cancellations, unless the Agency received substantive comments within the 180-day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency received one comment on the notice but it did not merit its further review of the request. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations. This order includes the last resmethrin product

registrations in the United States. 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 June 26, 2013.

FOR FURTHER INFORMATION CONTACT: John W. Pates, Jr., Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 308-8195; email address: pates.john@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.

B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2010-0014, is available at <http://www.regulations.gov> or at the

Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

II. What Action is the Agency Taking?

This notice announces the cancellation, as requested by registrants, of 22 products, including the last resmethrin product registrations, registered under FIFRA section 3. These registrations are listed in sequence by registration number in Tables 1a and 1b of this unit.

This notice also corrects a typographical error in the **Federal Register** issue of November 28, 2012 (77 FR 70998) (FRL-9370-3) regarding two EPA registration numbers and is corrected as follows:

EPA registration numbers 062910-00032 and 062910-00035 are corrected to read 062190-00032 and 062190-00035, respectively. These corrected registration numbers are included below in Table 1a.

TABLE 1a—PRODUCT CANCELLATIONS

EPA registration No.	Product name	Chemical name
000264-00977	Tops-MZ-GaUCHo Potato Seed-Piece Treatment	Mancozeb Thiophanate-methyl Imidacloprid.
000264-00978	GaUCHo-MZ Potato Seed-Piece Treatment	Mancozeb Imidacloprid.
000264-00996	Raxil MD-W Seed Treatment	Metalaxyl Tebuconazole Imidacloprid.
005383-00011	Troysan 174	2-((Hydroxymethyl)amino) ethanol.
010466-00028	Ultrafresh DM-50	Tributyltin maleate.
040849-00072	Enforcer P002-082797-RMP	S-Methoprene/Permethrin.
042177-00009	Olympic Algaecide 20	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride).
046043-00031	Suncoast's Pool Algaecide 20	Poly(oxy-1,2-ethanediyl (dimethylimino)-1,2-ethanediyl (dimethylimino)-1,2-ethanediyl dichloride).
062190-00032	Arch CMIT/MIT	5-Chloro-2-methyl-3(2H)-isothiazolone
062190-00035	Arch CMIT/MIT 14 MUP	2-Methyl-3(2H)-isothiazolone
074601-00001	Chlorothalonil Technical Fungicide	5-Chloro-2-methyl-3(2H)-isothiazolone.
075449-00003	Sodium Bichromate Solution 69%	Chlorothalonil.
AZ-030006	Dual Magnum Herbicide	Dichromic acid, (H2Cr207), disodium salt, dihydrate.
AZ-070007	Gramoxone Inteon	S-Metolachlor.
AZ-090001	Ethrel Brand Ethephon Plant Regulator	Paraquat dichloride.
CO090004	Actara Insecticide	Ethephon.
CO120001	Gramoxone SL 2.0	Thiamethoxam.
LA-110006	Milestone VM	Paraquat dichloride.
OR-070032	DuPont Direx 4L Herbicide	Triisopropanolamine salt of aminopyralid.
		Diuron.

TABLE 1b—RESMETHRIN PRODUCT CANCELLATIONS

Registration No.	Product name	Chemical name
000432-00667	Scourge Insecticide W/SBP-1382/Piperonyl Butoxide 18%+54% MF Form II.	Piperonyl butoxide/resmethrin.
000432-00716	Scourge Insecticide W/SBP-1382/Piperonyl Butoxide 4%+12% MF FII.	Piperonyl butoxide/resmethrin.
073049-00086	SBP-1382 Technical with Antioxidant	Resmethrin.

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

TABLE 2—REGISTRANTS OF CANCELLED PRODUCTS

EPA company No.	Company name and address
264	Bayer Cropscience, LP, 2 T.W. Alexander Dr., P.O. Box 12014, Research Triangle Park, NC 27709.
432	Bayer Environmental Science, 2 T.W. Alexander Dr., P.O. Box 12014, Research Triangle Park, NC 27709.
5383	Troy Chemical Corp., 8 Vreeland Rd., P.O. Box 955, Florham Park, NJ 07932-4200.
10466	Thomas Research Associates, Shenstone Estates, 17804 Braemar Pl., Leesburg, VA 20176-7046.
40849	ZEP Commercial Sales & Services, 4196 Merchant Plaza, #344, Lake Ridge, VA 22192.
42177	Alliance Trading, Inc., 1150 18th St. NW., Suite 1000, Washington, DC 20036.
46043	Suncoast Chemicals Company, 14480 62nd St. N., Clearwater, FL 33760.
62190	Arch Wood Protection, Inc., 5660 New Northside Dr., Suite 1100, Atlanta, GA 30328.
73049	Valent Biosciences Corporation, 870 Technology Way, Libertyville, Ill 60048-6316.
74601	Oxon Italia S.P.A., Agent: Lewis & Harrison, LLC, 122 C St. NW., Suite 740, Washington, DC 20001.
75449	Elementis Chromium, LP, 5408 Holly Shelter Rd., Castle Hayne, NC 28429.
AZ030006, AZ070007, CO090004, CO120001.	Syngenta Crop Protection, LLC, 410 Swing Rd., P.O. Box 18300, Greensboro, NC 27419-8300.
LA110006	DOW Agrosciences, LLC, 9330 Zionsville Rd., 308/2E, Indianapolis, IN 46268-1054.
OR070032	E.I. Dupont de Nemours and Company, (S300/419), Manager, Registration & Regulatory Affairs, 1007 Market St., Wilmington, Delaware 19898-0001.
AZ090001	Bayer Cropscience, LP, 2 T.W. Alexander Dr., P.O. Box 12014, Research Triangle Park, NC 27709.

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

The Agency received one comment, but the Agency does not believe that the comment submitted during the comment period merits further review or a denial of the request for voluntary cancellation.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the registrations identified in Table 1a and 1b of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1a and 1b of Unit II. are canceled. The effective date of the cancellations that are the subject of this notice is June 26, 2013. Any distribution, sale, or use of existing stocks of the products identified in Table 1a and 1b of Unit II. in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI. will be 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 EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the **Federal Register** of November 28, 2012 (77 FR 70998) (FRL-9370-3). The comment period closed on May 28, 2013.

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 existing stocks provisions for the products subject to this order are as follows.

A. For All Products Listed in Table 1a in Unit II

The registrants may continue to sell and distribute existing stocks of products listed in Table 1a of Unit II. until June 26, 2014, which is 1-year after the publication of the Cancellation Order in the **Federal Register**. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1a, except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1a of Unit II. until existing 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.

B. For All Products Listed in Table 1b in Unit II

After December 31, 2015, registrants will be prohibited from selling, or distributing, existing stocks of products, containing resmethrin labeled for all uses. After December 31, 2015, persons other than the registrants will be allowed to sell, distribute, or use

existing stocks of products, containing resmethrin until supplies 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: June 18, 2013.

Michael Goodis,

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

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2013-0401; FRL-9390-7]

Registration Review; Pesticide Dockets Opened for Review and Comment; Announcement of Registration Review Case Closures

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: With this document, EPA is opening the public comment period for several registration reviews. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. Registration review dockets contain information that will assist the public in understanding the types of information and issues that the Agency may consider during the course of registration reviews. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment. This document also announces the registration review case closures for the pesticides oxydemeton-methyl (ODM) (case #0258) and resmethrin (case #0421), and the availability of their respective Case Closure Documents. The cancellation of all ODM registrations will become effective on December 31, 2014. The cancellation of all resmethrin registrations will become effective December 31, 2015. These case closures are being announced herein with no comment period.

DATES: Comments must be received on or before August 26, 2013.

ADDRESSES: Submit your comments identified by the docket identification (ID) number for the specific pesticide of interest provided in the table in Unit III.A., by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.htm>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: For pesticide specific information contact: The Chemical Review Manager identified in the table in Unit III.A. for the pesticide of interest.

For general 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; email 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, farmworker, 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.

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

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](http://www.regulations.gov) or email. 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:

- Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

- 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.

- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

- Describe any assumptions and provide any technical information and/or data that you used.

- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

- Provide specific examples to illustrate your concerns and suggest alternatives.

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

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

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticide(s) discussed in this document, compared to the general population.

II. Authority

EPA is initiating its reviews of the pesticides identified in this document pursuant to section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide