

National Center for Environmental Assessment (Mail Code: 8601P), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; *telephone*: 703-347-8537; *facsimile*: 703-347-8689; or *e-mail*: flowers.lynn@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Information About IRIS

IRIS is a database that contains potential adverse human health effects information that may result from chronic (or lifetime) exposure to specific chemical substances found in the environment. The database (available on the Internet at <http://www.epa.gov/iris>) contains qualitative and quantitative health effects information for more than 540 chemical substances that may be used to support the first two steps (hazard identification and dose-response evaluation) of a risk assessment process. When supported by available data, the database provides oral reference doses (RfDs) and inhalation reference concentrations (RfCs) for chronic health effects, and oral slope factors and inhalation unit risks for carcinogenic effects. Combined with specific exposure information, government and private entities can use IRIS data to help characterize public health risks of chemical substances in a site-specific situation and thereby support risk management decisions designed to protect public health.

II. How To Submit Comments to the Docket at <http://www.regulations.gov>

Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2010-0047, by one of the following methods:

- *http://www.regulations.gov*: Follow the on-line instructions for submitting comments.

- *E-mail*: ORD.Docket@epa.gov.

- *Facsimile*: 202-566-1753.

- *Mail*: Office of Environmental Information (OEI) Docket (Mail Code: 2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. The telephone number is 202-566-1752. If you provide comments by mail, please submit one unbound original with pages numbered consecutively, and three copies of the comments. For attachments, provide an index, number pages consecutively with the comments, and submit an unbound original and three copies.

- *Hand Delivery*: The OEI Docket is located in the EPA Headquarters Docket Center, EPA West Building, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center's 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. Deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information. If you provide comments by hand delivery, please submit one unbound original with pages numbered consecutively, and three copies of the comments. For attachments, provide an index, number pages consecutively with the comments, and submit an unbound original and three copies.

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 and cannot contact you for clarification, EPA may not be able to consider your comment.

Instructions: Direct your comments to Docket ID No. EPA-HQ-ORD-2010-0047. Please ensure that your comments are submitted within the specified comment period. Comments received after the closing date will be marked "late," and may only be considered if time permits. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at <http://www.regulations.gov>, including any personal information provided, unless a 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 <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site 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 <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public 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 and any form of encryption and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA

Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

Docket: All documents in the docket are listed in the <http://www.regulations.gov> index. 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, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the OEI Docket in the EPA Headquarters Docket Center.

Dated: January 22, 2010.

Rebecca Clark,

Director, National Center for Environmental Assessment.

[FR Doc. 2010-4082 Filed 2-25-10; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0130; FRL-8812-8]

Pesticide Products; Registration Applications

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received applications to register pesticide products containing an active ingredient not included in any previously registered pesticide products. Pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and opportunity to comment on these applications.

DATES: Comments must be received on or before March 29, 2010.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0130, 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.

- *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-2010-0130. 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 or e-mail. The 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, 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: Rita Kumar, Registration Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8291; e-mail address: kumar.rita@epa.gov.

SUPPLEMENTARY INFORMATION

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. 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. 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 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. Background

A. FIFRA Registration Applications

On October 10, 2006, EPA received applications from Bayer CropScience LLC, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709, to register three new pesticide products containing the active ingredient spirotetramat – a tetramic acid derivative insecticide – under section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136a, for use on a wide variety of agricultural crops and on Christmas trees. On February 5, 2007, EPA received another application from Bayer Environmental Science for a spirotetramat end-use product for insect control in greenhouses, nurseries, and interior plantscapes. On April 27, 2007, EPA received an application from Bayer CropScience for another spirotetramat end-use product for agricultural use. The applications are described in Unit IV. of this Notice.

Although later vacated by court order (described in this unit), the Agency approved the applications for the technical and one end-use product on June 30, 2008, as Spirotetramat Technical and Movento (EPA Registration Number 264-1049 and 264-1050, respectively) for control of insects on several agricultural crops and Christmas trees. The Agency approved the application for Spirotetramat 240 SC Greenhouse and Nursery (EPA Registration Number 432-1471) on August 8, 2008 for insect control in greenhouses, nurseries, and interior plantscapes. The Agency approved the application for BYI 8330 150 OD

Insecticide (EPA Registration Number 264-1051) on September 24, 2008 for control of insects on several agricultural crops and Christmas tree plantations. The Agency approved the application for Ultor (EPA Registration Number 264-1065) on December 16, 2008 for control of insects on several agricultural crops and Christmas tree plantations.

On December 23, 2009, due to lack of publication of a notice of receipt of the spirotetramat registration applications in the **Federal Register** under section 3(c)(4) of FIFRA, the U.S. District Court for the Southern District of New York issued an order vacating the spirotetramat registrations that the Agency issued in 2008, and remanding the matter to EPA for further proceedings in accordance with FIFRA and the Administrative Procedure Act (APA). See *Natural Resources Defense Council, Inc. v. EPA*, 2009 WL 5033959 (Dec. 23, 2009). As a result of the court's order, the spirotetramat registration applications submitted to EPA in 2008 are currently pending before the Agency.

While the 2009 case was pending before the U.S. District Court for the Southern District of New York, EPA published in the **Federal Register** on August 6, 2009 (74 FR 39321) (FRL-8431-6), a Notice of Pesticide Product Registration Approval; Opportunity for Public Comment, seeking comment on the spirotetramat registrations. EPA received a number of comments in response to the August 6, 2009 Notice, but has not responded to those comments. As described in Unit III. of this Notice, EPA is now issuing a new notice of receipt of the pending spirotetramat registration applications and opening a new comment period. EPA will place the comments received in response to the August 6, 2009 Notice in the new docket and consider those comments, along with all new comments received, in issuing a decision on the pending applications. Commenters who wish the Agency to consider their earlier comments are welcome to submit additional comments, as well, if they so desire.

B. FFDCA Tolerances

Along with the applications for registration of Spirotetramat Technical, Movento 240 SC Insecticide, and Movento 150 OD Insecticide filed on October 10, 2006, Bayer CropScience also filed a petition under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, to establish tolerances for residues of spirotetramat in or on the raw agricultural commodities citrus (Crop Group 10); cucurbit vegetables (Crop

Group 9); fruiting vegetables (Crop Group 8); grape (Crop Subgroup 13F); hops; leafy Brassica vegetables (Crop Group 5); leafy Non-Brassica vegetables (Crop Group 4); pome fruit (Crop Group 11); potato and other tuberous and corm vegetables (Crop Subgroup 1C); stone fruit (Crop Group 12); tree nuts (Crop Group 14); import tolerances on onions and strawberries; milk; meat, fat, and meat byproducts of cattle, goat, hog, sheep and horse.

EPA issued a Notice pursuant to section 408(d)(3) of the FFDCA, 21 U.S.C. 346a(d)(3), in the **Federal Register** of July 25, 2007 (72 FR 40877) (FRL-8137-1) announcing the filing of the petition for tolerances. EPA issued a Final Rule establishing tolerances for spirotetramat in the **Federal Register** of July 9, 2008 (73 FR 39251) (FRL-8367-1). The final rule establishing tolerances for spirotetramat was not before the court in *Natural Resources Defense Council, Inc. v. EPA*, 2009 WL 5033959 (Dec. 23, 2009), and that rule remains in effect.

III. What Action is the Agency Taking?

EPA is now issuing a new notice of receipt of the pending spirotetramat registration applications and opening a new comment period pursuant to section 3(c)(4) of FIFRA. EPA will place the comments received in response to the August 6, 2009 Notice (74 FR 39321) (FRL-8431-6) in the new docket (OPP-2010-0130) and consider those comments, along with all new comments received in response to the present Notice, in issuing a decision on the pending applications. Commenters to the August 6, 2009 Notice may elect to:

1. Submit new, amended, or additional comments; or
2. Do nothing and rely on their original comments.

With respect to this new comment period, the question has arisen as to whether the spirotetramat applications will be subject to the new comment period opportunity EPA has been providing on certain pesticide applications since October 1, 2009 (see EPA's website at <http://epa.gov/pesticides/regulating/registration-public-involvement.html>). Because of the very limited information available for comment in the early stages of pesticide applications, EPA last year established a second comment period for certain applications that takes place at the end of the application period, when EPA has completed its scientific reviews of the application and has prepared a draft decision. Given the amount of information that is now available to commenters with respect to

spirotetramat, including the Agency's science reviews and risk assessments and the public availability of the earlier decision that EPA reached on the applications without the benefit of public comment, EPA does not believe it necessary to have two separate new comment periods on the spirotetramat applications; the comment period here commenced will provide the robust comment opportunity that the Agency sought to provide with the policy that went into effect on October 1, 2009.

IV. Registration Applications

EPA received applications as follows to register pesticide products containing active ingredients not included in any previously registered products pursuant to the provision of section 3(c)(4) of FIFRA. Notice of receipt of these applications does not imply a decision by the Agency on the applications.

1. *Applicant:* Bayer CropScience LLC, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709. *Product name:* Spirotetramat Technical. *Product type:* Insecticide. *Active ingredient:* Spirotetramat at 97.37%. *PC Code:* 392201. *Proposed classification:* None. *Use:* For formulating use only.

2. *Applicant:* Bayer CropScience LLC, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709. *Product name:* Movento. *Product type:* Insecticide. *Active ingredient:* Spirotetramat at 22.4%. *PC Code:* 392201. *Proposed classification:* None. *Use:* For insect control on citrus, grapes, pome fruit, stone fruit, tree nuts, hops, Christmas tree plantations, vegetables, and potato.

3. *Applicant:* Bayer CropScience LLC, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709. *Product name:* Spirotetramat 240 SC Greenhouse and Nursery. *Product type:* Insecticide. *Active ingredient:* Spirotetramat at 22.4%. *PC Code:* 392201. *Proposed classification:* None. *Use:* For insect control on ornamentals, fruit and nut trees, and vegetable plants in greenhouses, nurseries, and interiorscapes.

4. *Applicant:* Bayer CropScience LLC, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709. *Product name:* BYI 8330 150 OD Insecticide. *Product type:* Insecticide. *Active ingredient:* Spirotetramat at 15.3%. *PC Code:* 392201. *Proposed classification:* None. *Use:* For insect control on citrus, grapes, pome fruit, stone fruit, tree nuts, hops, Christmas tree plantations, vegetables, and potato.

5. *Applicant:* Bayer CropScience LLC, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709. *Product name:* Ultor. *Product type:* Insecticide. *Active ingredient:* Spirotetramat at 14.5%. *PC*

Code: 392201. *Proposed classification:* None. *Use:* For insect control on citrus, grapes, pome fruit, stone fruit, tree nuts, hops, Christmas tree plantations, vegetables, and potato.

List of Subjects

Environmental protection, Pesticides and pest.

Dated: February 18, 2010.

G. Jeffrey Herndon,

Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 2010-3857 Filed 2-25-10; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0977; FRL-8813-6]

Maneb; Product Cancellation Order for Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Order.

SUMMARY: This notice announces EPA's order for the cancellations, voluntarily requested by the registrant and accepted by the Agency, of products containing the pesticide maneb, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a January 6, 2010 **Federal Register** Notice of Receipt of Requests from the registrant, Drexel Chemical Company, to voluntarily cancel these product registrations. These are not the last products containing this pesticide registered for use in the United States. In the January 6, 2010 notice, EPA indicated that it would issue an order implementing the cancellations unless the Agency received substantive comments within the 30-day comment period that would merit its further review of these requests or unless the registrant withdrew their requests within this period. The Agency did not receive any comments on the notice. Further, the registrant did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations. 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 February 26, 2010.

FOR FURTHER INFORMATION CONTACT: Barbara Briscoe, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection

Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8177; fax number: (703) 308-8090; e-mail address: *Briscoe.Barbara@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. 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-2009-0977. 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 Action is the Agency Taking?

This notice announces the cancellation, as requested by registrants, of products registered under section 3 of FIFRA. These registrations are listed in sequence by registration number in Table 1.

TABLE 1.—MANEB PRODUCT CANCELLATIONS

| EPA Registration Number | Product Name |
|-------------------------|-----------------------|
| 019713-00378 | Drexel Manzeb 80W |
| 019713-00379 | IDA, Inc. Maneb 80W |
| 019713-00380 | Drexel Manzi Flowable |
| 019713-00381 | IDA Maneb 4L |

Table 2 below includes the name and address of record for the registrant of the products listed in Table 1.

TABLE 2.—REGISTRANT OF CANCELED PRODUCTS

| EPA Company Number | Company Name and Address |
|--------------------|--|
| 019713 | Drexel Chemical Company 1700 Channel Ave. P. O. Box 13327 Memphis, TN 38113 |

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

During the public comment period provided, EPA received no comments in response to the January 6, 2010 **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellation of the products listed in Table 1.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the maneb registrations identified in Table 1. Accordingly, the Agency orders that the product registrations identified in Table 1 are hereby canceled. Any distribution, sale, or use of existing stocks of the products identified in Table 1 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. 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 action. EPA anticipates allowing sale, distribution and use in the cancellation order as described below.

1. The registrant may continue to sell or distribute existing stocks of maneb