

Dated: September 10, 2009.

Steven M. Knott,

*Acting Director, Office of Science
Coordination and Policy.*

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0321; FRL-8432-7]

Dimethyldithiocarbamate Salts; Notice of Receipt of Requests to Voluntarily Cancel or to Amend to Terminate Uses of 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 requests by the registrants to voluntarily cancel and/or amend their registrations to terminate uses of certain products containing the pesticides sodium dimethyldithiocarbamate and potassium dimethyldithiocarbamate. The requests would terminate dimethyldithiocarbamate salts use in or on pressure-treated wood preservatives, sapstain, paints, coatings, and cutting fluids, and prohibit "open pour" applications of one product. The request(s) would not terminate the last dimethyldithiocarbamate salts products registered for use in the United States. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests, or unless the registrants withdraw their requests within this period. Upon acceptance of these requests, any sale, distribution, or use of products listed in this notice will be permitted only if such sale, distribution, or use is consistent with the terms as described in the final order.

DATES: Comments must be received on or before March 15, 2010. Written requests to withdraw the cancellation must be received on or before March 15, 2010.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2009-0321, 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-2009-0321. 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:

Eliza Blair, Antimicrobials Division (7510P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-7279; e-mail address: blair.eliza@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. 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 on the Receipt of Requests to Cancel and/or Amend Registrations to Delete Uses

This notice announces receipt by EPA of requests from registrants Buckman Laboratories, Inc. and Akzo Nobel Surface Chemistry LLC to cancel one sodium dimethyldithiocarbamate use and to amend to terminate uses of four sodium dimethyldithiocarbamate and potassium dimethyldithiocarbamate product registrations.

Dimethyldithiocarbamate salts are used as materials preservatives and water antifoulants in a wide range of water systems, including industrial cooling/air washer water and oil recovery fluids. In

letters dated June 6, 2009 and June 1, 2009, respectively, Buckman and Akzo Nobel requested that EPA cancel affected product registrations and/or to amend to terminate uses of pesticide product registrations identified in Tables 1 and 2. Specifically, a risk assessment performed for the Dimethyldithiocarbamate Salts RED identified human health and environmental risks of concern for several current uses, and suggested data needs that EPA will request in order to support the reregistration of dimethyldithiocarbamate salts. The registrants then identified specific uses that they would not support through the data-gathering process and submitted letters of request to amend/or remove the related product labels. The uses to be canceled are all wood-preservative uses, including pressure-treated wood and sapstain, all paints and coatings preservatives, and one registrant's metalworking fluids uses. One product with only wood-preservative uses will be canceled. One product label will be amended to prohibit "open pour" application of the product, and restrict application to "closed-system" methods such as water-soluble packets. The requests would not terminate the last dimethyldithiocarbamate salts products registered for use in the United States.

III. What Action is the Agency Taking?

This notice announces receipt by EPA of requests from registrants to cancel and/or amend to terminate uses of sodium dimethyldithiocarbamate and potassium dimethyldithiocarbamate

product registrations. The affected products and the registrants making the requests are identified in Tables 1–3 of this unit.

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that their pesticide registrations be canceled or amended to terminate one or more pesticide uses. Section 6(f)(1)(B) of FIFRA requires that before acting on a request for voluntary cancellation, EPA must provide a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, section 6(f)(1)(C) of FIFRA requires that EPA provide a 180-day comment period on a request for voluntary cancellation or 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 dimethyldithiocarbamate salts registrants have not requested that EPA waive the 180-day comment period. EPA will provide a 180-day comment period on the proposed requests.

Unless a request is withdrawn by the registrant within 180 days of publication of this notice, or if the Agency determines that there are substantive comments that warrant further review of this request, an order will be issued canceling and/or amending the affected registrations in the following tables 1 and 2.

TABLE 1.—SODIUM DIMETHYLDITHIOCARBAMATE PRODUCT REGISTRATION WITH PENDING REQUEST FOR CANCELLATION

Registration Number	Product Name	Company
34688–83	Aquatreat DCD	Akzo Nobel Surface Chemistry LLC

TABLE 2.—DIMETHYLDITHIOCARBAMATE SALTS PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR AMENDMENT

EPA Registration No.	Product Name	Active Ingredient	Delete from Label
34688–78	Aquatreat SDM	Sodium Dimethyldithiocarbamate	Sapstain
34688–82	Aquatreat DNM-80	Sodium Dimethyldithiocarbamate	All "open pour" applications in water systems - see Sec. II above
1448–70	Busan 85	Potassium Dimethyldithiocarbamate	Paints, coatings and cutting fluids
1448–381	Dimet	Potassium Dimethyldithiocarbamate	Paints, coatings and cutting fluids

Table 3 of this unit includes the names and addresses of record for the registrants of the products listed in Table 1 and Table 2 of this unit.

TABLE 3.—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION AND/OR AMENDMENTS

EPA Company Number	Company Name and Address
34688	Akzo Nobel Surface Chemistry LLC 7140 Heritage Village Plaza Gainesville, VA 20136
1448	Buckman Laboratories Inc. 1256 North McLean Blvd Memphis, TN 38108

IV. 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.

V. Procedures for Withdrawal of Request and Considerations for Reregistration of Sodium Dimethyldithiocarbamate and Potassium Dimethyldithiocarbamate

Registrants who choose to withdraw a request for cancellation must submit such withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**, postmarked before March 15, 2010. This written withdrawal of the request for cancellation will apply only to the applicable FIFRA section 6(f)(1) request listed in this notice. If the product(s) have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: August 28, 2009.

Betty Shackelford,

*Acting Director, Antimicrobials Division,
Office of Pesticide Programs.*

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8957-4]

Notice of U.S. Environmental Protection Agency Region III's Use of Web Site to Provide Notice of Intent To Terminate Pesticide Producing Establishment Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Information Notice.

SUMMARY: EPA Region III is announcing that it will be using its Web site to provide public notice of its intent to terminate pesticide producing establishment registrations under section 7 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) in cases where it is unable to provide notice of its intent to terminate directly.

FOR FURTHER INFORMATION CONTACT: Kyla Townsend-McIntyre, Pesticides and Asbestos Programs Branch (3LC62), EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029; telephone (215) 814-2045; fax (215) 814-3113; e-mail: townsend.kyla@epa.gov.

SUPPLEMENTARY INFORMATION: Section 7 of FIFRA requires that all establishments that produce pesticides, active ingredients used in producing pesticides, or devices subject to FIFRA be registered with EPA, and that all such establishments submit annual pesticide production reports to EPA. EPA regulations at 40 CFR part 167 establish requirements concerning these annual pesticide production reports including the types of information to be included in annual pesticide production reports (40 CFR 167.85). The regulations require annual pesticide production reports to be submitted to the EPA Regional Office which serves the area where the establishment is located (40 CFR 167.90). For establishments that are not found at the same location as their company headquarters, the regulations require the annual pesticide production reports to be submitted to the EPA Regional Office that has jurisdiction over the State in which the company headquarters is located (40 CFR 167.90). EPA's Region III office serves establishments or establishments with company headquarters located in Delaware, Maryland, Pennsylvania, Virginia, West Virginia and the District of Columbia (40 CFR 1.7).

The regulations state that establishment registrations are subject to termination if annual pesticide production reports are not submitted (40 CFR 167.20(f)). Upon deciding to terminate an establishment registration

based on the failure to submit annual pesticide production reports, EPA Region III generally sends a notice of intent to terminate letter (NOIT) directly to the establishment registrant via certified mail with return receipt requested, or by other reliable delivery service that provides written verification of delivery. If the establishment registrant does not submit the missing pesticide production report(s) by the deadline set forth in the NOIT, EPA Region III will issue it a notice of termination letter (NOT).

NOITs are generally mailed to the establishment registrant's last address of record. Occasionally, such notices are returned as undeliverable and, despite reasonable efforts to locate such registrants, EPA Region III is unable to directly notify them of its intent to terminate their establishment registrations. In the past, EPA used the **Federal Register** to provide public notice of its intent to terminate such registrations. EPA Region III will now be using its Web site to provide public notice of its intent to terminate such establishment registrations. The Web site address is: <http://www.epa.gov/reg3wcmd/pesticides.htm>.

EPA Region III will continue to first attempt to provide NOITs directly to establishment registrants at their last address of record. In cases where such notices are returned as undeliverable, and when reasonable subsequent efforts to locate such parties are unsuccessful, EPA Region III will use its Web site to provide public notice of its intent to terminate such registrations. This notice addresses establishments or establishments with company headquarters located in Delaware, Maryland, Pennsylvania, Virginia, West Virginia and the District of Columbia only.

Dated: September 3, 2009.

Abraham Ferdas,

*Director, Land and Chemicals Division,
Region III.*

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FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

September 10, 2009.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other