

determinations for the 1997 8-hour ozone standard.

**DATES:** These MVEBs are effective November 27, 2009.

**FOR FURTHER INFORMATION CONTACT:** Dianna Smith, U.S. Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street, SW., Atlanta, Georgia 30303. Ms. Smith can also be reached by telephone at (404) 562-9207, or via electronic mail at [smith.dianna@epa.gov](mailto:smith.dianna@epa.gov). The finding is available at EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/currstips.htm>.

**SUPPLEMENTARY INFORMATION:** This notice is simply an announcement of a finding that EPA has already made. EPA Region 4 sent a letter to TDEC on

September 18, 2009, stating that the MVEBs identified for Shelby County in Tennessee's maintenance plan SIP

revision for their portion of the bi-state Memphis Area, submitted on February 26, 2009, are adequate and must be used for transportation conformity determinations in Shelby County, Tennessee. The bi-state Memphis, Tennessee 8-hour ozone nonattainment area is comprised of Shelby County in Tennessee and Crittenden County in Arkansas. Tennessee's redesignation request and maintenance plan submittal addresses only MVEBs for the Tennessee portion of this Area (*i.e.*, Shelby County). The MVEBs for the Arkansas portion of this Area are addressed in a separate submittal provided by the State of Arkansas. In a previous action, EPA found the MVEBs associated with Crittenden County (as a part of the bi-state Memphis 1997 8-hour ozone area) adequate for transportation conformity purpose. More details on EPA's finding for the

Crittenden County MVEBs can be obtained at the EPA Web site: <http://www.epa.gov/otaq/stateresources/transconf/paststips.htm>.

EPA posted the availability of the Shelby County MVEBs on EPA's Web site on March 12, 2009, as part of the adequacy process, for the purpose of soliciting comments. The adequacy comment period ran from March 12, 2009, through April 13, 2009. During EPA's adequacy comment period, no adverse comments were received on the Shelby County MVEBs. Through this notice, EPA is informing the public that these MVEBs are adequate for transportation conformity. This finding has also been announced on EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/paststips.htm>. The adequate MVEBs are provided in the following table:

#### SHELBY COUNTY, TENNESSEE 8-HOUR OZONE MVEBS

[Tons per day]

	2006	2009	2017	2021
NO <sub>x</sub> .....	55.878	55.620	55.173	54.445
VOC .....	25.216	27.240	18.323	13.817

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule, 40 CFR part 93, requires that transportation plans, programs and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do so. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which EPA determines whether a SIP's MVEBs are adequate for transportation conformity purposes are outlined in 40 CFR 93.118(e)(4). We have also described the process for determining the adequacy of submitted SIP budgets in our July 1, 2004, final rulemaking entitled, "Transportation Conformity Rule Amendments for the New 8-hour Ozone and PM<sub>2.5</sub> National Ambient Air Quality Standards and Miscellaneous Revisions for Existing Areas; Transportation Conformity Rule Amendments: Response to Court Decision and Additional Rule Changes" (69 FR 40004). Please note that an adequacy review is separate from EPA's completeness review, and it should not be used to prejudge EPA's ultimate approval of Tennessee's maintenance plan SIP revision submittal for Shelby

County. Even if EPA finds a budget adequate, the maintenance plan SIP revision submittal could later be disapproved.

Within 24 months from the effective date of this notice, the transportation partners will need to demonstrate conformity to the new MVEBs, if the demonstration has not already been made, pursuant to 40 CFR 93.104(e). See, 73 FR 4419 (January 24, 2008).

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: October 29, 2009.

**Beverly H. Banister,**

*Acting Regional Administrator, Region 4.*

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#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0321; FRL-8795-1]

#### Dimethyldithiocarbamate Salts; Amendment to Terminate Uses

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order to terminate uses, voluntarily requested by the registrant and accepted by the Agency, of products containing the pesticide sodium

dimethyldithiocarbamate, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a July 1, 2009 **Federal Register** Notice of Receipt of Request from a sodium dimethyldithiocarbamate registrant to voluntarily amend to terminate uses of their sodium dimethyldithiocarbamate preservation of cotton fabric, preservation of wood veneer, and preservation of alginate pastes product registrations. These are not the last sodium dimethyldithiocarbamate products registered for use in the United States. In the July 1, 2009 Notice, EPA indicated that it would issue an order implementing the amendment to terminate uses, 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 its request within this period. The Agency did not receive any comments on the notice. Further, the registrant did not withdraw its request. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested amendment to terminate uses. Any distribution, sale, or use of the sodium dimethyldithiocarbamate products subject to this cancellation order is permitted only in accordance

with the terms of this order, including any existing stocks provisions.

**DATES:** The cancellation is effective November 12, 2009.

**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](mailto: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. How Can I Get Copies of this Document and Other Related Information?*

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2009-0321. 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.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr>.

**II. What Action is the Agency Taking?**

This notice announces the termination of use, as requested by the registrant, of materials-preservation manufacturing-use sodium dimethyldithiocarbamate product registered under section 3 of FIFRA. The registered product and the uses that are

terminated and removed from the label are listed in Table 1 of this unit.

**TABLE 1.—SODIUM DIMETHYLDITHIOCARBAMATE PRODUCT REGISTRATION AMENDMENTS TO TERMINATE USES**

EPA Registration Number	Product Name	Delete from Label
1965-8	Vancide 51	Preservation of cotton fabric, preservation of wood veneer, and preservation of alginate pastes

Table 2 of this unit includes the name and address of record for the registrant of the product in Table 1 of this unit.

**TABLE 2.—REGISTRANTS OF AMENDED SODIUM DIMETHYLDITHIOCARBAMATE PRODUCTS**

EPA Company Number	Company Name and Address
1965	R.T. Vanderbilt Co. Inc. 30 Winfield Street Norwalk, CT 06856-5150

**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 July 1, 2009 **Federal Register** notice (74 FR 31428) (FRL-8417-2) announcing the Agency's receipt of the request for amendment to terminate uses of sodium dimethyldithiocarbamate.

**IV. Cancellation Order**

Pursuant to FIFRA section 6(f), EPA hereby approves the requested amendment to terminate uses of sodium dimethyldithiocarbamate registrations identified in Table 1 of Unit II. Accordingly, the Agency orders that the sodium Dimethyldithiocarbamate product registration identified in Table 1 of Unit II is hereby amended to terminate the affected uses. 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 order. The cancellation order issued in this notice includes the following existing stocks provisions.

The Agency has authorized the registrants to sell or distribute product under the previously approved labeling for a period of 18 months after approval of the revision, unless other restrictions have been imposed, as in special review actions.

**List of Subjects**

Environmental protection, Pesticides and pests, Antimicrobials, dimethyldithiocarbamate salts, Sodium dimethyldithiocarbamate.

Dated: October 22, 2009.

**Betty Shackelford,**

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

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**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPPT-2009-0840; FRL-8799-5]

**Certain New Chemicals; Receipt and Status Information**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** Section 5 of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory) to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a premanufacture notice (PMN) or an application for a test marketing exemption (TME), and to publish periodic status reports on the chemicals