

Butoxide, Resmethrin, 2,4-DB, and 2,4-DP.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of Aldicarb, Aliphatic Solvents, Carbaryl, Copper Salts, Copper Sulfate, Cypermethrin, Naphthalene Acetic Acid, Piperonyl Butoxide, Resmethrin, 2,4-DB, and 2,4-DP 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 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 action. The cancellation order issued in this notice includes the following existing stocks provisions.

The effective date of cancellation will be the date of the cancellation order.

The orders effecting these requested cancellations will generally permit a registrant to sell or distribute existing stocks until all stocks are exhausted, unless other factors (such as hazard) necessitate modified terms. Exceptions to this general rule will be made if a product poses a risk concern, or is in noncompliance with reregistration requirements, or is subject to a data call-in.

Unless the provisions of an earlier order apply, existing stocks already in the hands of dealers or users can be distributed, sold, or used legally until they are exhausted, provided that such further sale and use comply with the EPA-approved label and labeling of the affected product. Exception to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in a special review action, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

List of Subjects

Environmental protection, pesticides, and pests.

Dated: September 14, 2009.

Richards P. Keigwin, Jr

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

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0503; FRL-8437-1]

Disulfoton and Methamidophos; Product Cancellation Order

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 pesticide products containing disulfoton or methamidophos, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a July 22, 2009 Federal Register Notice of Receipt Requests (FRL-8427-2) from the disulfoton and methamidophos registrants to voluntarily cancel their product registrations. These are the last disulfoton and methamidophos products registered for use in the United States. In the July 22, 2009 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 registrants withdrew their requests within this period. The Agency did not receive any comments on the notice. Further, the registrants 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 disulfoton and methamidophos products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stock provisions.

DATES: This order is effective on September 23, 2009.

FOR FURTHER INFORMATION CONTACT:

| Chemical Review Manager | Pesticide | Office location for Mail and Special Courier | Telephone Number | e-mail address |
|-------------------------|---------------|--|------------------|---------------------------|
| Joy Schnackenberg | Methamidophos | Pesticide Re-evaluation Division, (7508P) Environmental Protection Agency 1200 Pennsylvania Ave., NW. Washington, DC 20460-0001 | (703) 308-8072 | schnackenberg.joy@epa.gov |

| Chemical Review Manager | Pesticide | Office location for Mail and Special Courier | Telephone Number | e-mail address |
|-------------------------|------------|---|------------------|-------------------------|
| Eric Miederhoff | Disulfoton | Pesticide Re-evaluation Division Office of Pesticide Programs Environmental Protection Agency 1200 Pennsylvania Ave., NW. Washington, DC 20460-0001 | (703) 347-8028 | miederhoff.eric@epa.gov |

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 these actions under docket identification (ID) number EPA-HQ-OPP-2009-0503. Additional information regarding these pesticide active ingredients is available in: Docket ID number EPA-HQ-OPP-2009-0054 for disulfoton and docket ID number EPA-HQ-OPP-2009-0842 for methamidophos. 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 cancellations, as requested by registrants, of all disulfoton and methamidophos products registered under sections 3 and 24(c) of FIFRA. These registrations are listed in sequence by registration number in Table 1 of this Unit.

TABLE 1.—DISULFOTON AND METHAMIDOPHOS PRODUCTS SUBJECT TO THIS CANCELLATION ORDER

| Registration Number | Product Name | Active Ingredient |
|---------------------|---|-------------------|
| 264-723 | Di-Syston 15% Granular | Disulfoton |
| 264-725 | Disulfoton Technical | Disulfoton |
| 264-729 | Monitor 4 | Methamidophos |
| 264-734 | Disulfoton 8 Emulsifiable Systemic Insecticide | Disulfoton |
| 264-741 | Monitor Technical | Methamidophos |
| 264-744 | Monitor 60% Concentrate | Methamidophos |
| 264-1020 | Monitor 4 Spray | Methamidophos |
| 264-1021 | Valent Monitor Technical | Methamidophos |
| 432-1286 | Systemic 2 in 1 Rose Care 10-10-10 Rose Food with Insecticide | Disulfoton |
| 5481-8989 | Terraclor Super-X Soil Fungicide With Di-Syston | Disulfoton |
| 72155-49 | Flower Rose and Shrub Care | Disulfoton |
| AR970004 | Monitor 4 | Methamidophos |
| CA050010 | Di- Syston 8 Emulsifiable Systemic Insecticide | Disulfoton |
| CA780163 | Monitor 4 | Methamidophos |
| CA810044 | Di- Syston 8 Emulsifiable Systemic Insecticide | Disulfoton |

TABLE 1.—DISULFOTON AND METHAMIDOPHOS PRODUCTS SUBJECT TO THIS CANCELLATION ORDER—Continued

| Registration Number | Product Name | Active Ingredient |
|---------------------|---|-------------------|
| CA840192 | Di- Syston 8 Emulsifiable Systemic Insecticide | Disulfoton |
| CA980013 | Monitor 4 | Methamidophos |
| DE910002 | Monitor 4 | Methamidophos |
| FL800046 | Monitor 4 | Methamidophos |
| FL900003 | Monitor 4 | Methamidophos |
| GA900001 | Monitor 4 | Methamidophos |
| IN790001 | Monitor 4 | Methamidophos |
| LA040011 | Monitor 4 Liquid Insecticide | Methamidophos |
| MD910009 | Monitor 4 | Methamidophos |
| MI060002 | Di- Syston 8 Emulsifiable Systemic Insecticide | Disulfoton |
| NC860005 | Di- Syston 8 Emulsifiable Systemic Insecticide | Disulfoton |
| NC880001 | Di- Syston 15% Granular | Disulfoton |
| NC890007 | Monitor 4 | Methamidophos |
| NC920011 | Di- Syston 15% Granular | Disulfoton |
| NJ960010 | Monitor 4 | Methamidophos |
| OH790008 | Monitor 4 | Methamidophos |
| OR040030 | Di- Syston 8 Emulsifiable Systemic Disulfoton Insecticide | Disulfoton |
| OR050024 | Di- Syston Disulfoton 8 Emulsifiable Systemic Insecticide | Disulfoton |
| SC780007 | Monitor 4 Liquid Insecticide | Methamidophos |
| TN060002 | Monitor 4 Liquid Insecticide | Methamidophos |
| TX860007 | Di- Syston 8 Emulsifiable Systemic Insecticide | Disulfoton |
| TX910016 | Monitor 4 | Methamidophos |
| VA910005 | Monitor 4 | Methamidophos |
| WA040015 | Di- Syston 8 Emulsifiable Systemic Insecticide | Disulfoton |
| WA040028 | Di-Syston 15% Granular | Disulfoton |
| WA920026 | Di- Syston 8 Emulsifiable Systemic Insecticide | Disulfoton |

Table 2 of this unit includes the names and addresses of record, in sequence by EPA company number, for all registrants of the products in Table 1.

TABLE 2.—REGISTRANTS OF CANCELLED PRODUCTS

| EPA Company Number | Company Name and Address |
|--------------------|---|
| 264 | Bayer CropScience 2 T.W. Alexander Drive Research Triangle Park, North Carolina 27709 |
| 432 | Bayer Environmental Science 2 T.W. Alexander Drive PO Box 12014 Research Triangle Park, North Carolina 27709 |
| 5481 | Amvac Corporation 4695 Macarthur Court, Suite 1250 Newport Beach, Cali- fornia 92660–1706 |
| 72155 | Bayer Advanced 2 T.W. Alexander Drive PO Box 12014 Research Triangle Park, North Carolina 27709 |

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

The Agency did not receive any comments on the Notice, published on July 22, 2009, that announced receipt of the requests for voluntary cancellation and opened a 30-day public comment period that ended on August 21, 2009.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of registrations identified in Table 1 of Unit II. Accordingly, the Agency orders that the disulfoton and methamidophos product registrations identified in Table 1 of Unit II are to be canceled on their designated effective dates. For disulfoton FIFRA Section 3 products, the cancellations for EPA Reg. Nos. 264–723, 264–734, 5481–8989, and 432–1286 are effective December 31, 2009. Cancellations for EPA Reg. Nos. 264–725 and 72155–49 are effective December 31, 2010. For all methamidophos products, cancellations are effective December 31, 2009. For both disulfoton and methamidophos, the effective cancellation dates for all FIFRA 24(c) Special Local Need registrations is December 31, 2009.

Any distribution, sale or use of existing stock of the products identified in Table I 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 action. The cancellation order issued in this notice includes the following existing stock provisions. Bayer (Bayer CropScience, Bayer Environmental Science, and Bayer Advanced) may sell and distribute existing stocks of EPA Reg. Nos. 264–725, 264–729, 264–734, 264–741, 264–744, 264–1020, 264–1021, and 432–1286 until December 31, 2010. Bayer may sell and distribute existing stocks of EPA Reg. Nos. 264–723 and 72155–49 until June 30, 2011. Amvac Chemical Corp. may sell and distribute existing stocks of EPA Reg. No. 5481–8989 until December 31, 2010. For both methamidophos and disulfoton, Bayer and Amvac may sell and distribute existing stocks of State-registered products until December 31, 2010. For all affected methamidophos and disulfoton products, persons other than Bayer and AMVAC may sell and distribute existing stocks until exhausted. Use of the products canceled by this Notice may continue until existing stocks are exhausted, provided that such use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products. The foregoing applies to all products in Table 1, both State-registered and federally-registered products.

List of Subject

Environmental protection, Pesticides and pests.

Dated: September 16, 2009.

Richard P. Keigwin, Jr.,

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

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ENVIRONMENTAL PROTECTION AGENCY

[FRL–8960–7]

Proposed Administrative Agreement and Order on Consent Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act for Certain Remedial Activities at the South Minneapolis Residential Soil Contamination Site

AGENCY: U.S. Environmental Protection Agency (“EPA”).

ACTION: Notice; Request for public comment on proposed CERCLA administrative agreement and order on consent with Open Arms of Minnesota for the South Minneapolis Residential Soil Contamination Superfund Site.

SUMMARY: Notification is hereby given of a proposed administrative agreement concerning certain remedial activities at the South Minneapolis Residential Soil Contamination hazardous waste site in Minneapolis, Minnesota (the “Site”). EPA proposes to enter into this agreement under the authority of sections 122, 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act of 1984, as amended (“CERCLA”), with the approval and participation of the U.S. Department of Justice. The proposed agreement has been executed by Open Arms of Minnesota (the “Settling Party”).

Under the proposed agreement, the Settling Party, which represents that it is a Bona Fide Prospective Purchaser under CERCLA, would perform the remedial actions required under EPA’s September 5, 2008 Record of Decision for the Settling Party’s properties at 2514 and 2518 Bloomington Avenue South, Minneapolis, Minnesota. The Settling Party would also pay EPA’s costs of overseeing these actions.

For thirty days following the date of publication of this notice, EPA will receive written comments relating to this proposed agreement. EPA will consider all comments received and may decide not to enter this proposed agreement if comments disclose facts or considerations which indicate that the proposed agreement is inappropriate, improper or inadequate.