

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 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

*What action is the agency taking?*

EPA requests public comment during the next 30 days on a second petition supplement received from NRDC, dated January 18, 2011, requesting that the Agency cancel all pet collar uses for the

pesticide propoxur. To date, NRDC has submitted:

1. A petition dated November 26, 2007 as a public comment to the Revised N-methyl Carbamate Cumulative Risk Assessment docket EPA-HQ-OPP-2007-0935;
2. A petition supplement, dated April 23, 2009, which included an NRDC study report;
3. A mass comment campaign from April 8, 2009 to June 8, 2009 which includes approximately 8,600 letters to EPA requesting the cancellation of tetrachlorvinphos and propoxur in pet products;
4. Comments on the Propoxur Preliminary Work Plan for registration review, dated February 16, 2010;
5. A second petition supplement dated January 18, 2011; and,
6. A mass comment campaign, which includes approximately 7,577 letters supporting its January 18, 2011 petition supplement, submitted under cover letter dated February 2, 2011.
7. All documents are available under EPA docket ID number EPA-HQ-OPP-2009-0207. Again, however, by today's notice, EPA seeks comment only on NRDC's second petition supplement dated January 18, 2011.

In its second petition supplement dated January 18, 2011, on which EPA now seeks comment, NRDC states that the April 7, 2010 ORE assessment indicates risks above EPA's level of concern for children's incidental oral exposure, and that EPA should, therefore, take action to cancel propoxur pet collar uses. NRDC claims that exposure levels from pet collars for household children may be significantly higher than EPA estimates based on common daily activities and contact between children and pets. Furthermore, NRDC claims that the April 7, 2010 ORE risk assessment includes inadequate assumptions in exposure scenarios for children and lacks adequate consideration for dermal exposure and cancer risks.

In 2009, EPA initiated the registration review process of propoxur. The final work plan and related documents are available on the electronic docket at: EPA-HQ-OPP-2009-0806. The 2007 Revised N-methyl Carbamate Cumulative Risk Assessment (NMCCRA), related documents, and comments are available in the electronic docket at: EPA-HQ-OPP-2007-0935. EPA's 1997 Reregistration Eligibility Decision (RED) for Propoxur is available on EPA's pesticide Web page at: <http://www.epa.gov/pesticides/reregistration/status.htm>.

## List of Subjects

Environmental protection, Natural Resources Defense Council, Pesticides and pests, Propoxur.

Dated: June 7, 2011.

**Richard P. Keigwin, Jr.,**

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

[FR Doc. 2011-14763 Filed 6-14-11; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0014; FRL-8876-1]

### 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 1 of Unit II, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a November 10, 2010 **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 10, 2010 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 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 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 15, 2011.

**FOR FURTHER INFORMATION CONTACT:** Maia Tatinclaux, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 347-0123; fax number: (703) 308-8090; e-mail address: [tatinclaux.maia@epa.gov](mailto:tatinclaux.maia@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-2010-0014. 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 48 products registered under FIFRA section 3. These registrations are listed in sequence by registration number in Table 1 of this unit.

TABLE 1—PRODUCT CANCELLATIONS

EPA registration number	Product name	Active ingredients
000264-00499	Rootone F Brand Rooting Hormone	1-Naphthaleneacetamide
000432-01454	Merit 240 SC Insecticide	Thiram
000707-00302	Cunilate 2002	Imidacloprid
001475-00159	Willert Mosquito Coils	Copper, bis(8-quinolinolato-N1, O8)-
001529-00054	Nuosept 91T	Bioallethrin
002517-00006	Double Duty Cat Flea & Tick Spray	Grotan
		Pyrethrins
		Piperonyl butoxide
		MGK 264
002517-00034	Sergeant's Foam 'N Comb Dry Shampoo for Dogs and Cats	Pyrethrins
		Piperonyl butoxide
002517-00099	Pyrethroid W.B. Concentrate	Permethrin
002517-00104	Preventic L.A. Flea and Tick Spray for Dogs	Permethrin
002517-00105	Natura Flea & Tick Collar for Dogs and Cats	Permethrin
002517-00108	Permethrin- IGR #1 Flea and Tick Spray for Dogs	Permethrin
		Pyriproxyfen
002517-00113	Permethrin-Pyriproxyfen Residual Shampoo for Dogs #2	Permethrin
		Pyriproxyfen
002829-00042	Socci 3500 WP	Copper, bis(8-quinolinolato-N1, O8)-
002829-00044	Cunilate 2174-NO	Copper, bis(8-quinolinolato-N1, O8)-
002829-00049	Socci 3500	Copper, bis(8-quinolinolato-N1, O8)-
002829-00082	Vinyzene BP-5	10, 10'-Oxybisphenoxarsine
002829-00112	Cunilate 2419-75	Copper, bis(8-quinolinolato-N1, O8)-
002829-00135	Nytek 10WP	Copper, bis(8-quinolinolato-N1, O8)-
002829-00136	Nytek 10	Copper, bis(8-quinolinolato-N1, O8)-
002829-00137	Nytek WD	Copper, bis(8-quinolinolato-N1, O8)-
005905-00066	MSMA Plus	MSMA (and salts)
005905-00162	Helena Brand MSMA High Concentrate	MSMA (and salts)
005905-00164	MSMA Plus* H.C.	MSMA (and salts)
006218-00041	Summit Sumithrin Greenhouse Spray	Phenothrin
006218-00046	Summit Sumithrin Greenhouse Aerosol	MGK 264
		Phenothrin
009630-00004	6% Copper Nap-All	Copper naphthenate
009630-00005	M-Gard S120	Copper naphthenate
009630-00006	8% Zinc Nap-All	Zinc naphthenate
009630-00007	Zinc Hydro-Nap	Zinc naphthenate
009630-00010	M-Gard W550	Zinc naphthenate
009630-00012	M-Gard S520	Copper naphthenate
009630-00021	M-Gard S550	Zinc naphthenate
040849-00069	Scorcher Total Vegetation Killer	Prometon
043437-00003	8% Zinc Naphthenate	Zinc naphthenate
043437-00004	8% Copper Naphthenate	Copper naphthenate
044446-00072	Areo Blast	Piperonyl butoxide
		Tetramethrin
		Permethrin
053853-00002	Black Flag Fogging Insecticide Formula 2	Permethrin
		Piperonyl butoxide
		Tetramethrin
066330-00313	Bifenthrin 98% Technical	Bifenthrin
066330-00322	Sulfometuron Methyl Technical	Sulfometuron
066330-00326	Sulfometuron 75EG Herbicide	Sulfometuron
074530-00024	Helm Diquat AG	Diquat dibromide
083071-00001	Activ-Ox 20	Sodium chlorite
		Sodium hypochlorite

TABLE 1—PRODUCT CANCELLATIONS—Continued

EPA registration number	Product name	Active ingredients
084456-00001 .....	Abamectin Technical .....	Abamectin
084456-00003 .....	Abamectin 2% Ornamental Miticide/Insecticide .....	Abamectin
084456-00004 .....	Abamectin 2% Miticide/Insecticide .....	Abamectin
AR980003 .....	Dylox 80 Turf and Ornamental Insecticide .....	Trichlorfon
OR050018 .....	Prometryne 4L Herbicide .....	Prometryn
WA040010 .....	Warrior Insecticide with Zenon Technology .....	lambda-Cyhalothrin

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

TABLE 2—REGISTRANTS OF CANCELLED PRODUCTS

EPA company number	Company name and address
264 .....	Bayer CropScience LP, 2 T.W. Alexander Drive, P.O. Box 12014, Research Triangle Park, NC 27709.
432 .....	Bayer Environmental Science, 2 T.W. Alexander Drive, P.O. Box 12014, Research Triangle Park, NC 27709.
707 .....	Rohm & Hass Co., 100 Independence Mall West, Philadelphia, PA 19106-2399.
1475 .....	Willert Home Products, 4044 Park Ave., St Louis, MO 63110.
1529 .....	International Specialty Products, 1361 Alps Rd., Wayne, NJ 07470.
2517 .....	Sergeant's Pet Care Products, Inc., 2625 South 158th Plaza, Omaha, NE 68130-1703.
2829 .....	Rohm & Hass Co., 100 Independence Mall West, Ste. 1A, Philadelphia, PA 19106-2399.
5905 .....	Helena Chemical Company, 7664 Moore Road, Memphis, TN 38120.
6218 .....	Summit Chemical Co., 235 S Kresson St., Baltimore, MD 21224.
9630 .....	OMG Americas Inc., 811 Sharon Drive, Westlake, OH 44145.
40849 .....	ZEP Commercial Sales & Service, 1310 Seaboard Industrial Blvd., NW., Atlanta, GA 30318.
43437 .....	OMG Belleville Limited, 811 Sharon Drive, Cleveland, OH 44145-1522.
44446 .....	QuestVapco Corporation, P.O. Box 624, Brenham, TX 77834.
53853 .....	The Fountainhead Group, Inc., 23 Garden Street, New York Mills, NY 13417.
66330 .....	Arysta Lifescience North America, LLC, 15401 Weston Parkway, Suite 150, Cary, NC 27513.
74530 .....	Helm Agro US, Inc., Agent: Ceres International LLC, 1087 Heartsease Drive, West Chester, PA 19382.
83071 .....	Feedwater Limited, 1415 Crystal Court, Naperville, IL 60563-0142.
84456 .....	Hebei Veyong Bio-Chemical Company, Ltd., Agent Name: Wagner Regulatory Associates, Inc., 7460 Lancaster Pike, Suite 9, P.O. Box 640, Hockessin, DE 19707-0640.
AR980003 .....	Arkansas Bait and Ornamental Fish Growers Assn, P.O. Box 509, Lonoke, AR 72086.
OR050018 .....	Loveland Products, Inc., P.O. Box 1286, Greeley, CO 80632-1286.
WA040010 .....	Syngenta Crop Protection, Inc., P.O. Box 18300, Greensboro, NC 27419-8300.

### 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 November 10, 2010 **Federal Register** notice (75 FR 69070) (FRL-8851-9) announcing the Agency's receipt of the requests for voluntary cancellations of products listed in Table 1 of Unit II.

### IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the registrations identified in Table 1 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 of Unit II are cancelled. The effective date of the cancellations that are the subject of this notice is June 15, 2011. 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 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 cancelled 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** issue of November 10, 2010. The comment period closed on May 9, 2011.

### 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.

The registrants may continue to sell and distribute existing stocks of products listed in Table 1 of Unit II. until June 15, 2012, 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 1, 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 1 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 cancelled products.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: June 7, 2011.

**Richard P. Keigwin, Jr.,**

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

[FR Doc. 2011-14765 Filed 6-14-11; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9319-7]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or the "Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree to address a lawsuit filed by WildEarth Guardians and Elizabeth Crowe in the United States District Court for the Northern District of California: *WildEarth Guardians and Elizabeth Crowe v. Jackson*, No. 4:11-cv-02205-SI (N.D. Cal.). On May 5, 2011, Plaintiffs filed a complaint alleging that EPA failed to perform a mandatory duty under the CAA to act on a State Implementation Plan submitted by the State of Arizona. In accordance with section 113(g) of the Clean Air Act, as amended ("CAA"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree, between Petitioners: WildEarth Guardians and Elizabeth Crowe, and Respondent, the U.S. Environmental Protection Agency (EPA) (collectively "the Parties"). On or about June 13, 2007, the Petitioners submitted to EPA, Arizona's State Implementation Plan for the 1997 8-hour ozone nonattainment area of Phoenix-Mesa, Arizona (Phoenix-Mesa SIP). The Petitioners allege that EPA failed to take timely final action to approve, disapprove, or partially approve/disapprove the Phoenix-Mesa SIP. Under the terms of the proposed consent decree deadlines have been established for EPA to take action.

**DATES:** Written comments on the proposed consent decree must be received by *July 15, 2011*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-

HQ-OGC-2011-0350, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Jan Tierney, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-5598; fax number: (202) 564-5603; e-mail address: [tierney.jan@epa.gov](mailto:tierney.jan@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Additional Information About the Proposed Consent Decree

The proposed consent decree establishes deadlines for EPA to take final action under section 110(k) of the CAA to approve, disapprove, or partially approve/disapprove the Phoenix-Mesa SIP. The proposed consent decree requires that no later than May 31, 2012, EPA shall sign for publication in the **Federal Register** a notice taking final action pursuant to section 110(k) of the CAA, 42 U.S.C. 7410(k), on the portions of the Phoenix-Mesa SIP that do not pertain to New Source Review (NSR). The proposed consent decree also requires that no later than October 31, 2012, EPA shall sign for the publication in the **Federal Register** a notice of the Agency's final action on the portions of the Phoenix-Mesa SIP that pertain to NSR. In addition, the proposed consent decree states that within fifteen (15) business days following signature of such action(s), EPA shall deliver notice of such action to the Office of the Federal Register for publication. The proposed consent decree further states that if EPA takes final action on its proposed rule to classify the Phoenix-Mesa, Arizona nonattainment area under Title I, part D, subpart 2 of the CAA before May 31, 2012 or if EPA takes final action redesignating the Phoenix-Mesa, Arizona nonattainment area to attainment or unclassifiable before May 31, 2012 then the deadline for action on the non-NSR portions of the plan is

voided and that if EPA takes final action on either of those two rules by October 31, 2012, then the deadline for action on the NSR portion of the SIP is voided. The proposed consent decree also states that after EPA fulfills its obligations under the decree, the parties will file a joint request to the Court to dismiss this matter with prejudice.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines, based on any comment submitted, that consent to this consent decree should be withdrawn, the terms of the decree will be affirmed.

#### II. Additional Information About Commenting on the Proposed Consent Decree

##### A. How can I get a copy of the consent decree?

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2011-0350) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center 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 OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through <http://www.regulations.gov>. You may use the <http://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search."

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at <http://www.regulations.gov>.