

**DATES:** The cancellations are effective July 14, 2010.

**FOR FURTHER INFORMATION CONTACT:** Tom Myers, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8589; fax number: (703) 308-8005; e-mail address: [myers.tom@epa.gov](mailto:myers.tom@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-2009-0191. 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 cancellations, as requested by registrants, of products registered under section 3 of FIFRA. These registrations are listed in sequence by registration number in Table 1 of this unit.

**TABLE 1.—MSMA PRODUCT CANCELLATIONS**

Registration Number	Product Name	Chemical Name
42750-38	Weed Hoe 120	MSMA

**TABLE 1.—MSMA PRODUCT CANCELLATIONS—Continued**

Registration Number	Product Name	Chemical Name
42750-39	Weed Hoe 108	MSMA
61483-13	Daconate	MSMA
61483-14	Daconate 6	MSMA
61483-15	Bueno-6	MSMA
61483-17	Daconate Super Brand	MSMA
61483-18	Bueno	MSMA

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 above.

**TABLE 2.—REGISTRANTS OF CANCELLED PRODUCTS**

EPA Company Number	Company Name and Address
042750	Albaugh Inc. 1525 NE 36th Street Ankeny, IA 50021
061483	KMG-Bernuth, Inc. 9555 W. Sam Houston Pkwy South Suite 600 Houston, TX 77099

**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 April 7, 2010 **Federal Register** notice (75 FR 17733; FRL-8819-2) 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 MSMA 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 canceled. The effective date of the cancellations that are subject of this notice is July 14, 2010. 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 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 EPA Administrator may approve such a request. The notice of receipt for this action was published for comment on April 7, 2010 (75 FR 17733) (FRL-8819-2). The comment period closed on May 7, 2010.

**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 action. The existing stocks provision for the products subject to this order is as follows.

1. After July 14, 2010, registrants are prohibited from selling or distributing existing stocks of products listed in Table 1.

2. After December 31, 2010, persons other than registrants are prohibited from selling or distributing existing stocks of products listed in Table 1.

3. After December 31, 2010, existing stocks of products listed in Table 1, already in the hands of users can be used legally until they are exhausted, provided that such use complies with the EPA-approved label and labeling of the affected product.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: July 6, 2010.

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

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

[FR Doc. 2010-17155 Filed 7-13-10; 8:45 a.m.]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPP-2009-0760; FRL-8833-4]

**Clofencet; 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 registrant and accepted by the Agency, of products containing clofencet, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows an April 28, 2010 **Federal Register** Notice of Receipt of Request from the registrant Monsanto Company to voluntarily cancel all these product registrations. These are the last products containing this pesticide registered for use in the United States. In the April 28, 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 this request, or unless the registrant withdrew their request. The Agency did not receive any comments on the notice. Further, the registrant did not withdraw their request. 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 July 14, 2010.

**FOR FURTHER INFORMATION CONTACT:** Wilhelmina Livingston, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8025; fax number: (703) 308-8005; e-mail address: [livingston.wilhelmina@epa.gov](mailto:livingston.wilhelmina@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-2009-0760. 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 cancellations, as requested by registrant, of products registered under section 3 of FIFRA. These registrations are listed in sequence by registration number in Table 1 of this unit.

TABLE 1.—CLOFENCET PRODUCT CANCELLATIONS

EPA Registration Number	Product Name
524-479	Genesis Hybridizing Agent
524-481	Mon 21200 Technical Registration
524-482	Mon 21233 Manufacturing Use Product

Table 2 of this unit includes the name and address of record for the registrant of the products in Table 1 of this unit, by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed above.

TABLE 2.—REGISTRANT OF CANCELLED PRODUCTS

EPA Company Number	Company Name and Address
524	Monsanto Company 1300 I Street N.W. Suite 450 Washington, DC 20005

**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 April 28, 2010 **Federal Register** notice announcing the Agency's receipt of the request for

voluntary cancellation of products listed in Table 1 of Unit II.

**IV. Cancellation Order**

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellation of clofencet 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 canceled. The effective date of the cancellations that are subject of this notice is July 14, 2010. 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 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 EPA Administrator may approve such a request. The notice of receipt for this action was published for comment on April 28, 2010 (75 FR 22404) (FRL-8822-1). The comment period closed on May 28, 2010.

**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 action. The existing stocks provision for the products subject to this order is as follows.

For voluntary cancellations, the registrant may continue to sell and distribute existing stocks of product listed in Table 1 until July 14, 2011, which is 1 year after publication of this cancellation order in the **Federal Register**. Thereafter, the registrant is prohibited from selling or distributing products listed in Table 1 of Unit II. except for export in accordance with FIFRA section 17 or for proper disposal.

Persons other than the registrant may sell, distribute, or use existing stocks of canceled products until supplies are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: July 1, 2010.

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

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

[FR Doc. 2010-17020 Filed 7-13-10; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPP-2009-1005; FRL-8836-6]

**Petitions Concerning Whether Ammonia or Urea Sold or Distributed and Used for Certain Purposes Should Be Regulated as Pesticides; Extension of Comment Period**

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

**ACTION:** Notice; extension of comment period.

**SUMMARY:** EPA issued a notice in the **Federal Register** of May 19, 2010, concerning petitions concerning whether ammonia or urea sold or distributed and used for certain purposes should be regulated as pesticides. This document extends the comment period for 45 days, from July 19, 2010 to September 2, 2010.

**DATES:** Comments, identified by docket identification (ID) number EPA-HQ-OPP-2009-1005, must be received on or before September 2, 2010.

**ADDRESSES:** Follow the detailed instructions as provided under **ADDRESSES** in the **Federal Register** document of May 19, 2010.

**FOR FURTHER INFORMATION CONTACT:** Melba S. Morrow, Antimicrobials Division (7510P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-2716; e-mail address: [morrow.melba@epa.gov](mailto:morrow.melba@epa.gov).

**SUPPLEMENTARY INFORMATION:** This document extends the public comment period established in the **Federal Register** of May 19, 2010 (75 FR 28014) (FRL-8824-4). In that document, the Agency announced the availability of and sought public comment on petitions concerning whether ammonia or urea sold or distributed and used for certain purposes should be regulated as pesticides. EPA is hereby extending the comment period, which was set to end on July 19, 2010, to September 2, 2010.

To submit comments, or access the docket, please follow the detailed instructions as provided under

**ADDRESSES** in the May 19, 2010 **Federal Register** document. If you have questions, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: July 7, 2010

**Joan Harrigan-Farrelly,**

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

[FR Doc. 2010-17152 Filed 7-13-10; 8:45 am]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-9175-5]

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

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**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 Sierra Club in the United States District Court for the Northern District of California: *Sierra Club v. Jackson*, No. 09-cv-00152 SBA (N.D. Cal.). On January 13, 2009, Plaintiff filed a complaint alleging that EPA failed to meet its obligations under sections 112(d)(6) and 112(f)(2) of the CAA to take actions relative to the review/revision of the National Emission Standards for Hazardous Air Pollutants with respect to 28 source categories identified in the complaint. The proposed consent decree establishes deadlines for EPA's proposed and final actions for meeting these obligations.

**DATES:** Written comments on the proposed consent decree must be received by August 13, 2010.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2010-0508, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail 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:**

Amy Branning, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; *telephone:* (202) 564-1744; *fax number:* (202) 564-5603; *e-mail address:* [branning.amy@epa.gov](mailto:branning.amy@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. Additional Information About the Proposed Consent Decree**

Under sections 112(d)(6) and 112(f)(2) of the CAA, EPA has a mandatory duty to take actions relative to the review/revision of national emission standards for hazardous air pollutants ("NESHAP") within eight years of the issuance of such standards. The proposed consent decree would resolve a deadline suit filed by Plaintiff for EPA's failure to take the above actions within eight years of issuing the NESHAP for the following 28 source categories:

- (1) Marine Tank Vessel Loading Operations (40 CFR part 63, subpart Y);
- (2) Pharmaceuticals Production (40 CFR part 63, subpart GGG);
- (3) Printing and Publishing (40 CFR part 63, subpart KK);
- (4) Hand and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR part 63, subpart N);
- (5) Steel Pickling-HCL Process Facilities and Hydrochloric Acid Regeneration Plants (40 CFR part 63, subpart CCC);
- (6) Group I Polymers and Resins (40 CFR part 63, subpart U);
- (7) Ship Building and Ship Repair (Surface Coating) Operations (40 CFR part 63, subpart II);
- (8) Wood Furniture Manufacturing Operations (40 CFR part 63, subpart JJ);
- (9) Primary Lead Smelting (40 CFR part 63, subpart TTT);
- (10) Secondary Lead Smelting (40 CFR part 63, subpart X);
- (11) Pulp and Paper Production (40 CFR part 63, subpart S);
- (12) Aerospace Manufacturing and Rework Facilities (40 CFR part 63, subpart GG);
- (13) Mineral Wool Production (40 CFR part 63, subpart DDD);
- (14) Primary Aluminum Reduction Plants (40 CFR part 63, subpart LL);
- (15) Ferrous Alloys Production: Ferromanganese and Silicomanganese (40 CFR part 63, subpart XXX);