

TABLE 2.—REGISTRANTS OF  
CANCELLED PRODUCTS—Continued

EPA Company Number	Company Name and Address
072155	Bayer Advanced A Business Unit of Bayer Cropscience, LP. 2 T.W.Alexander Dr. P.O. Box 12014 Research Triangle Park, NC 27709
075395	SK E&P Co. 1300 Post Oak Blvd, Suite 450 Houston, TX 77056
075402	Boss Pet Products, Inc. 1645 Rockside Rd., Suite 200 Maple Heights, OH 44147
083399	Summit Vetpharm, LLC 301 Route 17 North Rutherford, NJ 07070
CA 990026	California Pecan Growers Association P. O. Box 1142 Visalia, CA 93279
CO-990012	State of Colorado 700 Kipling St., Suite 4000 Lakewood, CO 80215
CO-990013	State of Colorado 700 Kipling St., Suite 4000 Lakewood, CO 80215
CO-990014	State of Colorado 700 Kipling St., Suite 4000 Lakewood, CO 80215

### 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 December 18, 2009 **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellations of products listed in Table 1.

### IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of 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

EPA's existing stocks policy published in the **Federal Register** of June 26, 1991 (56 FR 29362) (FRL-3846-4) provides that: "If a registrant requests to voluntarily cancel a registration where the Agency has identified no particular risk concerns, the registrant has complied with all applicable conditions of reregistration, conditional registration, and data call ins, and the registration is not subject to a Registration Standard, Label Improvement Program, or reregistration decision, the Agency will generally permit a registrant to sell or distribute existing stocks for 1 year after the cancellation request was received. Persons other than registrants will generally be allowed to sell, distribute, or use existing stocks until such stocks are exhausted."

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 effective date of this cancellation is February 24, 2010. The cancellation order that is the subject of this notice includes the following existing stock provisions:

The registrant may sell and distribute existing stocks of product(s) listed in Table 1 until February 24, 2010. Persons other than the registrant may sell and distribute existing stocks of product(s) listed in Table 1 until exhausted. Use of the products listed in Table 1 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 product(s).

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: February 8, 2010.

**Richard P. Keigwin, Jr.,**  
*Director, Pesticide Re-evaluation Division,*  
*Office of Pesticide Programs.*

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### ENVIRONMENTAL PROTECTION AGENCY

[ FRL-9117-1]

### Proposed CERCLA Administrative Settlement; Anderson-Calhoun Mine and Mill Site, Leadpoint, WA

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

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement for costs associated with a removal action at the Anderson-Calhoun Mine and Mill Site in Leadpoint, Washington, with settling party Blue Tee Corporation. The settlement requires the settling party to pay \$1,362,800 to cover the estimated cost of the selected removal action, and to conduct all future post-removal site control including maintenance and repair of the removal action. The settlement includes a covenant not to sue or take administrative action against the settling party pursuant to Sections 106 or 107(a) of CERCLA, 42 U.S.C. 9606 or 9607(a), for recovery of past costs and for the performance of the selected removal action. For thirty (30) days following the date of publication of this notice the Agency will receive written comments relating to the settlement. The Agency will consider all comments received during the thirty day period, and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the U.S. EPA Region 10 offices, located at 1200 Sixth Avenue, Seattle, Washington 98101.

**DATES:** Comments must be submitted on or before March 26, 2010.

**ADDRESSES:** The proposed settlement is available for public inspection at the

U.S. EPA Region 10 offices, located at 1200 Sixth Avenue, Seattle, Washington 98101. A copy of the proposed settlement may be obtained from Carol Kennedy, Regional Hearing Clerk, U.S. EPA Region 10, Mail Stop ORC-158, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101; (206) 553-0242. Comments should reference the Anderson-Calhoun Mine and Mill Site in Leadpoint, Washington, EPA Docket No. CERCLA-10-2010-0105 and should be addressed to Alexander Fidis, Assistant Regional Counsel, U.S. EPA Region 10, Mail Stop ORC-158, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101.

**FOR FURTHER INFORMATION CONTACT:** Alexander Fidis, Assistant Regional Counsel, U.S. EPA Region 10, Mail Stop ORC-158, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101; (206) 553-4710.

**SUPPLEMENTARY INFORMATION:** The Anderson-Calhoun Mine and Mill Site (Site) is located in Leadpoint, Stevens County, Washington. Site operations conducted between 1910 and the early 1980s included the mining and milling of lead-zinc ore, and the milling of barite ore. Waste-rock and mill tailings produced by these operations were disposed of at the Site in a raised tailings impoundment and at areas around the mill building. Waste-rock and tailings at the Site contain hazardous substances including barium, cadmium, copper, lead, selenium and zinc at concentrations that exceed applicable cleanup levels. The Agency has selected a removal action to address potential or actual threats that these substances may present to public health, welfare, or the environment.

The settling party is one of three parties that together spent approximately \$660,000 to investigate and study the Site, assess cleanup alternatives, and to develop an Engineering Evaluation and Cost Analysis that formed the basis for the selection of the removal action. The Agency entered into a settlement agreement with the other two parties, Docket Number CERCLA-10-2009-0195, for \$357,000, which was deposited in a site-specific account. Under the proposed agreement, the settling party will pay \$1,362,800 to the site-specific account to cover the remaining estimated costs of the removal action. The settling party will also conduct all future post-removal site control as described in a finalized maintenance and repair plan. The proposed settlement will provide the settling party with a covenant not to sue or take administrative action, subject to

a reservation of certain rights, for recovery past response costs and for the performance of the selected removal action.

Dated: February 16, 2010.

**Linda Anderson-Carnahan,**  
*Acting Director, Office of Environmental Cleanup.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[FRL -9117-3]**

### **Notice of a Regional Project Waiver of Section 1605 (Buy American) of the American Recovery and Reinvestment Act of 2009 (ARRA) to Mecklenburg County, NC, Land Use and Environmental Services Agency**

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

**ACTION:** Notice.

**SUMMARY:** The EPA is hereby granting a project waiver of the Buy American requirements of ARRA Section 1605 under the authority of Section 1605(b)(2) [manufactured goods are not produced in the United States of a satisfactory quality] to the Mecklenburg County Land Use and Environmental Services Agency, for the purchase of coconut fiber (coir) woven mats. This is a project-specific waiver and only applies to the use of the specified product for the ARRA funded project being proposed. Any other ARRA project that may wish to use the same product must apply for a separate waiver based on project-specific circumstances. These coconut fiber woven mats, which are supplied by HD Supply in Charlotte, NC, are manufactured in India and Sri Lanka, and meet Mecklenburg County's performance specifications and requirements. The Acting Regional Administrator is making this determination based on the review and recommendations of EPA Region 4. The County has provided sufficient documentation to support its request. The Assistant Administrator of the Office of Administration and Resources Management has concurred on this decision to make an exception to Section 1605 of ARRA. This action permits the purchase of coconut fiber woven mats for the Torrence Creek Stream Restoration Project being implemented by the Mecklenburg County Land Use and Environmental Services Agency that may otherwise be prohibited under Section 1605(a) of the ARRA.

**DATES:** *Effective Date:* January 28, 2010.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Y. Edwards, Project Officer, Grants and SRF Section, Water Protection Division (WPD), (404) 562-9340, USEPA Region 4, 61 Forsyth St., SW., Atlanta, GA 30303.

**SUPPLEMENTARY INFORMATION:** In accordance with ARRA Section 1605(c), the EPA hereby provides notice that it is granting a project waiver of the requirements of Sections 1605(b)(2) of Public Law 111-5, Buy American requirements, to Mecklenburg County Land Use and Environmental Services Agency, Mecklenburg County, North Carolina, for the purchase of coconut fiber woven mats manufactured in India and Sri Lanka.

Section 1605 of the ARRA requires that none of the appropriated funds may be used for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project is produced in the United States, or unless a waiver is provided to the recipient by the head of the appropriate agency, herein EPA. A waiver may be provided if EPA determines that (1) applying these requirements would be inconsistent with the public interest; (2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or (3) inclusion of iron, steel, and the relevant manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

This manufactured good will be used as part of the "Torrence Creek Stream Restoration Project," a stream stabilization project in North Carolina. The County states that only coconut fiber woven mats meet the specific needs of this project, which are durability, mat size and biodegradability. They indicate that the key characteristics that set coconut fiber woven mats apart from other alternatives are a 3+ year in-stream life expectancy followed by 100% biodegradation, and visually unobtrusive properties. The County states that coconut fibers are more durable than straw and other materials used in alternative mat products, and they do not require the incorporation of polypropylene and/or other synthetic products that are not 100% biodegradable.

The April 28, 2009, EPA HQ Memorandum, "Implementation of Buy American provisions of Public Law 111-5, the 'American Recovery and