

List of Subjects

Environmental protection, Pesticides and pests.

Dated: September 23, 2004.

Debra Edwards,

Director, Special Review and Reregistration Division, Office of Pesticide Programs.

[FR Doc. 04-23395 Filed 10-19-04; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2003-0291; FRL-7681-7]

Tributyltin Methacrylate and Bis(tributyltin) Oxide; Product Cancellation Order; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; correction.

SUMMARY: EPA issued a notice in the **Federal Register** of March 17, 2004 (OPP-2004-0012; FRL-7346-8), announcing the cancellation of registrations for all manufacturing-use tributyltin methacrylate products used to formulate antifouling paints and one end-use tributyltin methacrylate antifouling paint registration. The notice also announced EPA's approval of amendments to terminate the use of manufacturing-use product registrations containing bis(tributyltin) oxide for formulating antifouling paints. These actions comprise the cancellation or termination of all uses of tributyltin manufacturing-use products for the formulation of antifouling paints. This notice announces amendments to the March 17, 2004 cancellation order to correct the effective date of the amendments to registrations announced in that notice.

FOR FURTHER INFORMATION CONTACT: Jill Bloom, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-8019; e-mail address: bloom.jill@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information****A. Does this Action Apply to Me?**

This action is directed to the public in general. Although this action may be of particular interest to persons who produce or use pesticides, 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 information in this notice,

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 an official public docket for this action under docket identification (ID) number OPP-2003-0291. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket 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/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> 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, select "search," then key in the appropriate docket ID number.

II. What Does this Correction Do?

The original cancellation orders for manufacturing-use products containing tributyltin methacrylate and labeled for use in formulating antifouling paints, and for the one end-use antifouling paint product containing tributyltin methacrylate, and for approval of the amendments to terminate the use of certain manufacturing-use products containing bis(tributyltin) oxide for formulating antifouling paints were published in the **Federal Register** on March 17, 2004; OPP-2004-0012; (FRL-7346-8). Today's notice corrects statements in Units II. and IV. of that cancellation order (on pages 12657 and 12658) to amend the effective date of cancellation consistent with the registrants' requests for use termination. The effective date of the use

terminations cited in the March 17, 2004 notice was the date of publication of that notice (or March 17, 2004); the corrected effective date is April 15, 2004. The effective date of the registration cancellations where no use termination was requested remains as stated in the previous notice. The registrations affected by this correction and the effective date of the use terminations are listed in the table below.

Registrations subject to amendments to terminate the use of manufacturing-use products containing bis(tributyltin) oxide for formulating antifouling paints.

EPA Registration No.	Product Name	Effective Date of Use Terminations
5204-1	Biomet TBTO	April 15, 2004
8898-17	Eurotin TBTO	April 15, 2004

FR Doc. E4-557 published in the **Federal Register** of March 17, 2004, (69 FR 12655) (FRL-7346-8) is corrected as follows:

1. On page 12657, in the first column, the second sentence immediately following Table 2, which now reads: "The cancellations and amendments to terminate a use are effective upon the date of publication of this document," is corrected to read, "The cancellations are effective upon the date of publication of this document, and amendments to terminate a use are effective April 15, 2004."

2. On page 12658, in Unit IV.2. *Registrations amended to delete terminated uses (Table 2 in Unit II.)*, the first two sentences following the paragraph heading which now read: "The effective date of the cancellation effectuating the use terminations is the date of publication of this document. As of the date of publication of this document, Atofina and Crompton may not sell, distribute, or use the products listed in Table 2 bearing labels allowing the use which is the subject of the use termination request," are corrected to read: "The effective date of the use terminations is April 15, 2004. As of April 15, 2004, Atofina and Crompton may not sell, distribute, or use any product listed in Table 2 which bears a label allowing the use of the product for formulating antifouling paints."

List of Subjects

Environmental protection, Pesticides and pests.

Dated: September 30, 2004.

Debra Edwards,

*Director, Special Review and Reregistration
Division, Office of Pesticide Programs.*

[FR Doc. 04-23038 Filed 10-19-04; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2004-0115; FRL-7678-1]

Termination of Pesticide Producing Establishments

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice.

SUMMARY: This document announces the Agency's intention to terminate a number of pesticide producing establishment registrations for failure to file annual pesticide producing reports as required by section 7 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and supporting regulations found at 40 CFR part 167; and which the Agency could not contact through the U.S. mailing address on file pursuant to FIFRA section 7.

DATES: The pesticide producing establishments listed in this document will have their establishment registration terminated December 6, 2004.

FOR FURTHER INFORMATION CONTACT: Pesticide producing establishments should contact the EPA Regional Office having jurisdiction for the state where their parent company is located. A listing of the EPA Regional Offices is included under Unit III. of the **SUPPLEMENTARY INFORMATION.**

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

This action is directed to pesticide producing establishments, but may be of interest to environmental, human health, and agricultural advocates; the agrochemical industry; pesticide users;

and members of the public interested in pesticide use. This list is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. If you have any questions regarding the applicability of this action to you or a particular entity, consult the appropriate regional contact.

II. Background

Section 7 of FIFRA requires that all establishments that produce any pesticide or active ingredient used in producing a pesticide, or device subject to this Act be registered with the Agency, and that all such establishments submit annual production reports to the Agency. The EPA regulations at 40 CFR part 167 establish requirements concerning these annual reports and the information that must be in annual reports (40 CFR 167.85). The regulations state that establishment registrations will be subject to termination if an annual report is not submitted (40 CFR 167.20(f)).

Notwithstanding the requirements identified above, no annual production reports were received from the establishments identified in this document in 2000, 2001, 2002, and/or 2003. The mailings sent to the last reported address of the companies identified in this document were returned unopened to the Agency, with indications of "undeliverable" or "address unknown" as the reason for the return. Subsequent attempts to locate the identified companies and establishments were unsuccessful. Additionally, some of the companies and/or establishments are out of business. Therefore, the Agency is terminating, without further notice, the registrations of the identified establishments pursuant to 40 CFR 167.20(f) for failure to submit the annual reports in 2003.

Following termination of each pesticide producing establishment's

registration, sale or distribution in the United States of any pesticide product produced in an establishment subsequent to the termination of that establishment's registration will be considered unlawful and a violation of section 12 of FIFRA, subject to possible civil and/or criminal penalties. This document will not preclude the Agency from seeking other appropriate remedies necessary for compliance with FIFRA.

III. List of EPA Regional Offices and Regional Contacts

The following is a listing of the EPA Regional Offices and Regional Contacts:

U.S. EPA, Region 3 (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia), Pesticides Programs (3WC32), 1650 Arch St., Philadelphia, PA 19103-2029, ATTN: Kyla Townsend-McIntyre, Telephone: 215-814-2045.

U.S. EPA, Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee), AFC Pesticides Section (APTMD), 61 Forsyth St., SW., Atlanta, GA 30303-8960, ATTN: Jacquelyn Wilkerson, Telephone: 404-562-9011.

U.S. EPA, Region 7 (WWPD/PEST), (Iowa, Kansas, Missouri, Nebraska), 901 N. 5th St., Kansas City, KS 66101, ATTN: Lou Banks, Telephone: 913-551-7125.

U.S. EPA, Region 9 (Arizona, California, Hawaii, Nevada, American Samoa, Guam) Pesticides Office (CMD-5), 75 Hawthorne St., San Francisco, CA 94105, ATTN: Glenda Dugan, Telephone: 415-947-4204.

U.S. EPA, Region 10 (Alaska, Idaho, Oregon, Washington), Pesticides Unit (ECO-084), 1200 Sixth Ave., Seattle, WA 98101, ATTN: Teresa Pimental, Telephone: 206-553-2057.

IV. Pesticide-Producing Establishments to be Terminated

The following table lists those companies with specific pesticide-producing establishments to be terminated.

Domestic Company Name and Mailing Address	Domestic Pesticide Producing Establishment Number, Name and Site Address
EPA REGION 3	
Gran-Tenescos Resources, Inc., 2314 North American St., Philadelphia, PA 19133	046271-PA-001*
Marlo Industries, Inc., P.O. Box 878, Jessup, MD 20794	066034-MD-001; Marlo Industries, Inc., 7785 Waterloo Rd., Unit 106, Jessup, MD 20794.
Metachem Products, LLC, 745 Governor Lea Rd., New Castle, DE 19720	001759-DE-001*