

During these meetings, EPA will also solicit input from Regional stakeholders regarding the following:

1. Additional sources of pesticide data and relevant reports.
2. The white paper topics.
3. The availability of data, tools, approaches, and data sets on aquatic toxicity that may be useful for this effort.
4. The types of values that are used by states and/or regions for protecting aquatic life in the absence of ambient water quality criteria.

5. Examples of situations in which differences between OW and OPP assessment approaches were an issue.

Following these meetings, the Agency plans to develop a set of white papers, describing potential new tools and analytical approaches that may be used by the Agency, state pesticide and water quality agencies, and other stakeholders.

For more information about water quality criteria and Water Quality Standards, refer to the following:

- Water Quality Standards Handbook (EPA 823-B94-005a);
- Advanced Notice of Proposed Rule Making (ANPRM), (63 FR 36742);
- Water Quality Criteria and Standards Plan – Priorities for the Future (EPA 822-R-98-003);
- Guidelines and Methodologies Used in the Preparation of Health Effects Assessment Chapters of the Consent Decree Water Criteria Documents (45 FR 79347);
- Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health (2000), EPA-822-B-00-004);
- Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and Their Uses (EPA 822/R-85-100);
- National Strategy for the Development of Regional Nutrient Criteria (EPA 822-R-98-002); and
- EPA Review and Approval of State and Tribal Water Quality Standards (65 FR 24641).

You can find these publications through EPA's National Service Center for Environmental Publications (NSCEP, previously NCEPI) or on the Office of Science and Technology's home page (<http://www.epa.gov/waterscience>).

For more information about the OPP Ecological Exposure Assessment Process under FIFRA, refer to the following: "Overview of the Ecological Risk Assessment Process in the Office of Pesticide Programs," which describes how pesticide data are used in ecological risk assessments (<http://www.epa.gov/oppfead1/endanger/consultation/ecorisk-overview.pdf>). The data requirements for aquatic non-target plants and animals for pesticides are described in title 40 of the Code of Federal Regulations, revised July 1, 2008 (§ 158.660 Non-target Plant

Protection Data Requirements). The required procedures for conducting the studies are described in OPPTS Harmonized Test Guidelines Series 850 "Ecological Effects Test Guidelines – Public Drafts" ([http://www.epa.gov/opptsfrs/publications/OPPTS\\_Harmonized/850\\_Ecological\\_Effects\\_Test\\_Guidelines/Drafts/](http://www.epa.gov/opptsfrs/publications/OPPTS_Harmonized/850_Ecological_Effects_Test_Guidelines/Drafts/)). Information on procedures used to evaluate these studies are described in: Standard Evaluation Protocols, the guidance document entitled "the Rejection Rate Analysis: Ecological Effects" (EPA 738-R-94-035), and in the OPP Overview Document. Public literature is accessed by OPP through EPA's ECOTOX database (<http://cfpub.epa.gov/ecotox/>). The "OPP Aquatic Benchmarks," a web site developed by OPP, contains the aquatic toxicity endpoints used in pesticide assessments ([http://www.epa.gov/oppfead1/ecorisk\\_ders/aquatic\\_life\\_benchmarks.htm](http://www.epa.gov/oppfead1/ecorisk_ders/aquatic_life_benchmarks.htm)).

### III. How Can I Request to Participate in this Meeting?

This meeting is open to the public; registration is not required for attending or for participating in this meeting. Seats will be available on a first come, first served basis.

#### List of Subjects

Environmental protection, Ambient water quality criteria, Aquatic benchmarks, Aquatic community, Aquatic life, Ecological risk assessment, Pesticides and pest.

Dated: November 13, 2009.

**Debra Edwards,**

*Director, Office of Pesticide Programs.*

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**BILLING CODE 6560-50-S**

### ENVIRONMENTAL PROTECTION AGENCY

**[EPA-HQ-OPP-2009-0787; FRL-8798-6]**

#### Difenzquat; Notice of Receipt of Request to Voluntarily Cancel Pesticide Registrations

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

**ACTION:** Notice.

**SUMMARY:** In accordance with section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, EPA is issuing a notice of receipt of a request by the registrant to voluntarily cancel their registrations of products containing the pesticide difenzquat. The request would terminate difenzquat use on

barley and wheat. The request would terminate the last difenzquat products registered for use in the United States. EPA intends to grant this request at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the request, or unless the registrant withdraws their request within this period. Upon acceptance of this request, any sale, distribution, or use of products listed in this notice will be permitted only if such sale, distribution, or use is consistent with the terms as described in the final order.

**DATES:** Comments must be received on or before December 28, 2009.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2009-0787, by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- **Mail:** Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- **Delivery:** OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPP-2009-0787. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is

placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. 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 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.

**FOR FURTHER INFORMATION CONTACT:** Eric Miederhoff, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 347-8028; fax number: (703) 308-7070; e-mail address: [miederhoff.eric@epa.gov](mailto:miederhoff.eric@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. What Should I Consider as I Prepare My Comments for EPA?

1. **Submitting CBI.** Do not submit this information to EPA through [regulations.gov](http://www.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 on the Receipt of Requests to Cancel and/or Amend Registrations to Delete Uses

This notice announces receipt by EPA of a request from registrant AMVAC Chemical Corporation to cancel all 3 product registrations for the herbicide difenzoquat. Difenzoquat is registered for use on only two crops, wheat and barley. In a letter dated November 2, 2009, AMVAC Chemical Corporation requested EPA to cancel the affected product registrations identified in Table 1 of this notice. If the registrant's

request is granted, the last difenzoquat products registered in the United States will be canceled effective December 31, 2009.

##### III. What Action is the Agency Taking?

This notice announces receipt by EPA of a request from a registrant to cancel difenzoquat product registrations. The affected products and the registrants making the requests are identified in Table 1 of this unit.

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that their pesticide registrations be canceled or amended to terminate one or more pesticide uses. Section 6(f)(1)(B) of FIFRA requires that before acting on a request for voluntary cancellation, EPA must provide a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, section 6(f)(1)(C) of FIFRA requires that EPA provide a 180-day comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless: The registrants request a waiver of the comment period, or; the Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The difenzoquat registrants have requested that EPA waive the 180-day comment period. EPA will provide a 30-day comment period on the proposed requests.

Unless a request is withdrawn by the registrant within 30 days of publication of this notice, or if the Agency determines that there are substantive comments that warrant further review of this request, an order will be issued canceling the affected registrations.

TABLE 1. — DIFENZOQUAT PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION

| Registration Number | Product Name                 | Company                    |
|---------------------|------------------------------|----------------------------|
| 5481-536            | Avenge Technical Herbicide   | AMVAC Chemical Corporation |
| 5481-537            | Avenge Wild Oat Herbicide    | AMVAC Chemical Corporation |
| 5481-538            | Avenge SG Wild Oat Herbicide | AMVAC Chemical Corporation |

Table 2, of this unit includes the name and address of record for the

registrant of the products listed in Table 1 of this unit.

**TABLE 2. — REGISTRANT REQUESTING VOLUNTARY CANCELLATION AND/OR AMENDMENTS**

| EPA Company Number | Company Name and Address                                                                               |
|--------------------|--------------------------------------------------------------------------------------------------------|
| 5481               | AMVAC Chemical Corporation,<br>4695 Macarthur Court,<br>Suite 1250,<br>Newport Beach, CA<br>92660-1706 |

#### IV. 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.

#### V. Procedures for Withdrawal of Request and Considerations for Reregistration of Difenzoquat

Registrants who choose to withdraw a request for cancellation must submit such withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**, postmarked before December 28, 2009. This written withdrawal of the request for cancellation will apply only to the applicable FIFRA section 6(f)(1) request listed in this notice. If the products have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

#### 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.

In any order issued in response to these requests for cancellation of difenzoquat product registrations, EPA proposes to include the following provisions for the treatment of any existing stocks of the products

identified or referenced in Table 1 in Unit III.

If the request for voluntary cancellation is granted as discussed in this unit, the Agency proposes to issue a cancellation order that will allow AMVAC to sell and distribute existing stocks of the products identified in Unit III. until December 31, 2010. All sale or distribution of existing stocks by AMVAC is prohibited after December 30, 2010, unless that sale or distribution is solely for the purpose of facilitating disposal or export of the product.

The Agency will allow persons other than the registrant to continue to sell and/or use existing stocks of canceled products until such stocks are exhausted, provided that such use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled product. The order will specifically prohibit any use of existing stocks that is not consistent with such previously approved labeling. The Agency will publish the cancellation order in the **Federal Register**.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: November 12, 2009.

**Peter Caulkins,**

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

[FR Doc. E9-28057 Filed 11-24-09; 8:45 am]

**BILLING CODE 6560-50-S**

#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2006-0955; FRL-8800-2]

#### Rodenticides; Product Cancellation Order; Correction

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

**ACTION:** Notice; correction and clarification.

**SUMMARY:** EPA issued a rodenticides product Cancellation Order in the **Federal Register** of September 30, 2009. This document is being issued to correct clerical errors and to clarify the existing stocks provisions.

**DATES:** The correction is effective date of publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Rusty Wasem, Pesticide Re-evaluation Division (7508P), Office of Pesticide

Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: 703-305-6979; e-mail address: [wasem.russell@epa.gov](mailto:wasem.russell@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. Does this Action Apply to Me?

The Agency included in the notice a list of those who may be potentially affected by this action. If you have 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-2006-0955. 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 Does this Correction Do?

In the **Federal Register** of September 30, 2009 EPA issued a product cancellation order canceling certain rodenticide registrations voluntarily requested by the registrants and accepted by the Agency. Subsequent to the September 30, 2009 publication date, it was determined that some of the products which were listed in Table 1—Rodenticide Product Cancellations, had been cancelled previously. This notice corrects the September 30, 2009 notice and clarifies the provisions for disposition of existing stocks.

FR Doc.E9-23452 published in the **Federal Register** of September 30, 2009 (74 FR 50194) (FRL-8438-6) is corrected as follows:

1. The **DATES** caption on page 50194, is corrected to read:

**DATES:** The products listed in Table 1 are cancelled on June 4, 2011.

2. On page 50195, table 1 is corrected to read as follows: