

direction of Vice President Richard Cheney, has directed EPA, in consultation with the Secretary of Energy and other relevant agencies, to review the Environmental Protection Agency's New Source Review (NSR) program, including administrative interpretation and implementation, and report to the President within 90 days on the impact of the regulations on investment in new utility and refinery generation capacity, energy efficiency, and environmental protection. A background paper relating to this review was made available on June 22, 2001. The EPA's Office of Air and Radiation will hold four public meetings to provide interested persons an opportunity to provide comments and suggestions regarding the information in the background paper and other information relevant to this review.

DATES: The public meeting dates are:

1. July 10, 2001, 9:30 a.m. to 4:00 p.m., Cincinnati, OH.
2. July 12, 2001, 9:30 a.m. to 4:00 p.m., Sacramento, CA.
3. July 17, 2001, 9:30 a.m. to 4:00 p.m., Boston, MA.
4. July 20, 2001, 9:30 a.m. to 4:00 p.m., Baton Rouge, LA.

ADDRESSES: The public meeting locations are:

1. Cincinnati—Hyatt Regency (Regency Ballroom, Sections E and F), 151 West Fifth Street, Cincinnati, OH 45202.
2. Sacramento—Red Lion Hotel Sacramento (Martinique Ballroom), 1401 Arden Way, Sacramento, CA 95815.
3. Boston—DoubleTree Guest Suites Boston (Charles River Ballroom), 400 Soldiers Field Road, Boston, MA 02134.
4. Baton Rouge—Holiday Inn South (The Grand Ballroom), 9940 Airline Highway, Baton Rouge, LA 70816.

FOR FURTHER INFORMATION CONTACT:

Persons who have questions about the NSR 90-Day review background paper or the review itself should contact Mr. Michael Ling, Office of the Director, Information Transfer and Program Integration Division (MD-12), U.S. Environmental Protection Agency, Research Triangle Park, N.C. 27711; Telephone Number: (919) 541-4729.

SUPPLEMENTARY INFORMATION:

Documents relevant to this matter are available for inspection at the Air and Radiation Docket and Information Center, Attention: Docket No. A-2001-19, U.S. Environmental Protection Agency, 401 M Street SW., room M-1500, Washington, DC 20460, Telephone (202) 260-7548, between 8:00 a.m. and 5:30 p.m., Monday through Friday, excluding legal

holidays. A reasonable fee may be charged for copying.

Persons planning to attend the hearing or wishing to present oral testimony should notify Mr. Lorence Pope, Office of Air Quality, Planning, and Standards, Division of Policy Analysis and Communications, MD-10, Research Triangle Park, NC 27711, Telephone (919) 541-0682, E-mail: pope.lorence@epa.gov. at least two (2) days in advance of each respective public meeting. Each meeting will be strictly limited to the subject matter covered in the NSR 90-Day Draft Study Report. Oral Testimony will be limited to five (5) minutes each. Any member of the public may file a written statement before or during the public meeting, or up until the close of the comment period for the background paper. Written statements (duplicate copies preferred) should be submitted to Docket No. A-2001-19 at the following address: Attention: Docket No. A-2001-19, U.S. Environmental Protection Agency, 401 M Street S.W., room M-1500, Washington, D.C. 20460, Telephone (202) 260-7548. Any updates to the meeting schedule will be posted on the World Wide Web at <http://www.epa.gov/air/NSR-review>.

Following each public meeting, a verbatim transcript of the hearing and written statements will be made available for copying during normal working hours at the Air and Radiation Docket Information Center, U.S. Environmental Protection Agency, 401 M Street S.W., room M-1500, Washington, DC 20460; Telephone (202) 260-7548, between 8:00 a.m. and 5:30 p.m., Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying.

Dated: June 22, 2001.

Linda Fisher,

Deputy Administrator.

[FR Doc. 01-16268 Filed 6-26-01; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[OPP-34203H; FRL-6780-6]

Chlorpyrifos; Receipt of Requests For End-Use Product Amendments and Cancellations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Companies that hold the pesticide registrations of end-use pesticide products containing chlorpyrifos [O,O-diethyl O-(3,5,6-

trichloro-2-pyridinyl)phosphorothioate] have asked EPA to cancel or amend their registrations. Pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is announcing the Agency's receipt of these requests from the registrants. These requests for voluntary cancellation and amendment are the result of a memorandum of agreement signed by EPA and the basic manufacturers of the active ingredient chlorpyrifos on June 7, 2000. Registrants identified in this notice requesting voluntary cancellation and amendments are in large part the customer of these basic manufacturers. Given the potential risks, both dietary and non-dietary, that chlorpyrifos use poses, especially to children, EPA intends to grant the requested cancellations and amendments to delete uses. EPA also plans to issue a cancellation order for the deleted uses and the canceled registrations at the close of the comment period for this announcement. Upon the issuance of the cancellation order, any distribution, sale, or use of chlorpyrifos products will only be permitted if such distribution, sale, or use is consistent with the terms of that order.

DATES: Comments, identified by docket control number OPP-34203F, must be received on or before July 27, 2001. Comments on the requested amendments to delete uses and the requested registration cancellations must be submitted to the address provided below and identified by docket control number OPP-34203F.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the **SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-34203F in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: Tom Myers, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460, telephone number: 703-308-8589; fax number: 703-308-8041; e-mail address: myers.tom@epa.gov.

SUPPLEMENTARY INFORMATION: This announcement consists of three parts. The first part contains general information. The second part addresses the registrants' requests for registration cancellations and amendments to delete uses. The third part proposes existing stock provisions that will be set forth in the cancellation order that the Agency

intends to issue at the close of the comment period for this announcement.

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. You may be potentially affected by this action if you manufacture, sell, distribute, or use chlorpyrifos products. The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, does not apply because this action is not a rule, for purposes of 5 U.S.C. 804(3). Since other entities may also 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 Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the "**Federal Register**—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>. To access information about the risk assessment for chlorpyrifos, go to the Home Page for the Office of Pesticide Programs or go directly <http://www.epa.gov/pesticides/op/chlorpyrifos.htm>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-34203F. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during

an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-34203F in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP-34203F. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI that I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any

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 version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the notice or collection activity.
7. Make sure to submit your comments by the deadline in this notice.
8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. Receipt of Requests to Cancel and Amend Registrations to Delete Uses

A. Background

In a memorandum of agreement (Agreement) effective June 7, 2000, EPA and the basic manufacturers of the active ingredient chlorpyrifos agreed to several voluntary measures that will reduce the potential exposure to children associated with chlorpyrifos containing products. EPA initiated the negotiations with registrants after finding chlorpyrifos, as currently registered, was an exposure risk especially to children. As a result of the Agreement, registrants that hold the pesticide registrations of end-use products containing chlorpyrifos (who are in large part the customer of these basic manufacturers) have asked EPA to cancel or amend their registrations for these products. Pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA announced the Agency's

receipt of these requests from the registrants on November 17, 2000 (65 FR 69518). With respect to the registration amendments, the registrants have asked EPA to amend end-use product registrations to delete the following uses: All termite control uses (these will be phased out); all residential uses (except for ant and roach baits in child resistant packaging (CRP) and fire ant mound drenches for public health purposes by licensed applicators and mosquito control for public health purposes by public health agencies); all indoor non-residential uses (except ship holds, industrial plants, manufacturing plants, food processing plants, containerized baits in CRP, and processed wood products treated during the manufacturing process at the manufacturing site or at the mill); all outdoor non-residential sites (except golf courses, road medians, industrial plant sites, fence posts, utility poles, railroad ties, landscape timbers, logs, pallets, wooden containers, poles, posts, processed wood products, manhole

covers, and underground utility cable and conduits; and fire ant mound drenches for public health purposes by licensed applicators and mosquito control for public health purposes by public health agencies). In addition, the companies agreed to limit the maximum chlorpyrifos end-use dilution to 0.5% active ingredient (a.i.) for termiticide uses that will be phased out, limit the maximum label application rate for outdoor non-residential use on golf courses, road medians, and industrial plant sites to 1 lb/a.i. per acre, and either classify all new/amended chlorpyrifos products (except baits in CRP) as restricted use or package the products in large containers, depending on the formulation type, to ensure that remaining chlorpyrifos products are not available to homeowners. In return, EPA stated that with this Agreement, it had no current intention to initiate any cancellation or suspension proceedings under section 6(b) or 6(c) of FIFRA with respect to the issues addressed in the Agreement.

In the **Federal Register** of September 20, 2000, (65 FR 56886) (FRL-6743-7), EPA published a notice of the Agency's receipt of amendments and cancellations for manufacturing use products and associated end use products for signatories of the Agreement signed on June 7, 2000 and subsequent ancillary agreements. These requests were submitted as a result of the Agreement that was signed on June 7, 2000 between EPA and the basic manufacturers of chlorpyrifos. A copy of the Agreement that was signed on June 7, 2000 is located in docket control number OPP-34203D.

B. Requests for Voluntary Cancellation of End-Use Products

Pursuant to the Agreement and FIFRA section 6(f)(1)(A), several registrants have submitted requests for voluntary cancellation of registrations for their end-use products. The registrations for which cancellations were requested are identified in the following Table 1.

TABLE 1.—END-USE PRODUCT REGISTRATION CANCELLATION REQUESTS

Company	Reg. No.	Product
P.F. Harris Manufacturing Company Bonide Products, Inc.	3-5	Formula BF-101 (Roach and Ant Killer)
	4-207	Bonide Dursban 5 Lawn Insect Control Granules
	4-308	Bonide Home Pest Control
	4-319	Bonide Home Pest Control Concentrate
	4-320	Bonide Termite and Carpenter Ant Control
	4-364	Pyrenone Dursban Roach and Ant Spray
	4-421	Dursban
Dexol, A Division of Verdant Brands, Inc.	192-207	Dexol Pest Free Insect Killer
Prentiss Incorporated	655-696	Prentox Pyrifos 0.50 RTU
	655-792	Prentox D+2 Insecticide
	655-793	Prentox Super Brand D+2 Insecticide
Lebanon Seaboard Corporation	961-261	Greenskeeper Chinch Bug Control
	961-275	Lebanon Lawn Food 19-4-4 w/Insect & Grub Control
	961-326	Agrico Country Club Insect Control
NCH Corporation	1769-281	Trail-Blazer
	1769-330	Dichloran L.O.
Wellmark International Happy Jack, Inc.	2724-471	Methoprene/Chlorpyrifos Combination Collar for Dogs
	2781-20	Happy Jack Tri-Plex Flea and Mange Collar
	2781-35	Happy Jack 3x Flea, Tick and Mange Collar for Cats
	2781-47	Sardex
PIC Corporation	3095-46	PIC Roach, Ant and Spider Killer 2
	3095-54	PIC Pest Control
	3095-64	PIC Roach Control III
Combe, Incorporated J.C. Ehrlich Chemical Co, Inc. Hub States, LLC Voluntary Purchasing Group	4306-16	Sulfodene Scratchex Flea and Tick Collar for Cats
	4704-41	Roach and Ant Killer 2
	5602-204	Hub States Residual Crack/Crevise
	7401-293	Hi-Yield Special Kill-A-Bug Lawn Granules
	7401-294	Hi-Yield Dursban Spray
	7401-296	Hi-Yield Mole Cricket Bait Containing Dursban
	7401-313	Ferti-Lome Spider Spray
	7401-314	Ferti-Lome Flea & Tick Spray
	7401-347	Hi-Yield Dursban Garden Dust
	7401-350	Hi-Yield Borer Killer Containing Dursban
	7401-364	Ferti-Lome Fire Ant Killer
	7401-371	Improved Ferti-lome Cricket & Grasshopper Bait
	7401-416	Hi-Yield Termite and Soil Insect Killer
	7401-417	Hi-Yield ready to Use Flea and Tick Killer
7401-419	Hi-Yield Mole Cricket Killer	
7401-423	Hi-Yield Kill-A-Bug Lawn Granules	
7401-448	Dursban-1E Insect Control	

TABLE 1.—END-USE PRODUCT REGISTRATION CANCELLATION REQUESTS—Continued

Company	Reg. No.	Product
Spectrum Group, Division of United Industries Corp.	8845–21	Rid-A-Bug Home Insect Killer Brand AZ5
Theochem Laboratories, Inc. Waterbury Companies Inc.	8845–30	Rid-A-Bug Concentrate Brand DD7-2 Home Insect Killer
	8845–31	Rid-A-Bug Flea and Tick Brand TF-5 Killer
	9367–29	Aqua-Sect Water Base Insecticide
	9444–90	CB Aqueous Crack and Crevice Insecticide
	9444–93	Dursban Crack and Crevice Insecticide
Chemisco, Division of United Industries Corp.	9444–103	CB Flea & Tick Spray
	9688–42	Chemisco Ant and Roach Killer A
Lesco, Inc. Hi-Yield Chemical Company	9688–47	Ant and Roach Killer IV
	9688–62	Chemisco Wasp and Hornet Killer IV
	9688–75	Chemisco Microencapsulated Ant and Roach Killer
	9688–88	Chemisco Lawn & Garden Granules
	9688–95	Chemisco Insect Control Concentrate A
	9688–96	Chemisco Insect Control Concentrate B
	10404–30	Lesco Lawn & Ornamental 4.E Plant Insecticide
St Jon Laboratories, Inc.	34911–12	Hi-Yield Kill-A-Bug Lawn Granules
	34911–17	Hi-Yield Kill-A-Bug
	34911–18	Hi-Yield Fire Ant Killer
Celex, Division of United Industries Corp.	45087–40	Zema 11 Month Collar for Dogs
	46515–13	Super K-Gro Home Pest Insect Control
Chem-Tech, Ltd.	46515–51	Dursban Insect Spray
	47000–60	Household Insecticide (with Dursban)
Alljack, Division of United Industries Corp.	49585–16	Super K Gro Dursban 1/2 G Granular Insecticide
	49585–17	Super K Gro Dursban Grub and Insect Control
	49585–18	Super K Gro Mole Cricket Bait
PM Resources, Inc Black Flag	67517–28	Roach and Ant Insecticide
	69421–31	Black Flag Roach Control System
Health and Environmental Horizons, Ltd	69421–54	Black Flag Liquid Roach & Ant Killer
	71076–1	The Sprinklerizer System
OMS Investments, Inc.	71949–1	Ford's Dursban 1/2 G
	71949–4	Ford's Lawn Granules
	71949–5	Ford's Roach Bait
	71949–6	Ford's Dursban 2.5% G Granular Insecticide
	71949–7	Ford's Aquakill Plus Roach Spray
	71949–8	Ford's Marine Control Multi Purpose Insecticide
	71949–9	Ford's Dursban 1% Dust Insecticide

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that EPA cancel any of their pesticide registrations. Section 6(f)(1)(B) of FIFRA requires that EPA provide a 30-day period in which the public may comment before the Agency may act on the request for voluntary cancellation. In addition, section 6(f)(1)(C) of FIFRA requires that EPA provide a 180-day comment period on a request for voluntary termination of any minor agricultural use before granting the request, unless (1) the registrants request a waiver of the comment period, or (2) the Administrator determines that

continued use of the pesticide would pose an unreasonable adverse effect on the environment. The registrants have requested that EPA waive the 180-day comment period. In light of this request, EPA is granting the request to waive the 180-day comment period and is providing a 30-day public comment period before taking action on the requested cancellations. Given the potential risks, both dietary and non-dietary, that chlorpyrifos use poses, especially to children, EPA intends to grant the requested cancellations at the close of the comment period for this announcement.

C. Requests for Voluntary Amendments to Delete Uses from the Registrations of End-Use Products

Pursuant to section 6(f)(1)(A) of FIFRA, several registrants have also submitted requests to amend other end-use registrations of pesticide products containing chlorpyrifos to delete the aforementioned uses from any product bearing such use. The registrations for which amendments to delete uses were requested are identified in the following Table 2.

TABLE 2.—END-USE PRODUCT REGISTRATION AMENDMENT REQUESTS

Company	Reg. No.	Product
Riverdale Chemical Company Hub States, LLC	228–161	Riverdale Grub Out Plus Fertilizer
	5602–97	Di-Tox E
	5602–151	Di-Tox Plus
Clark Mosquito Control	8329–26	Dursban 1/2% G
	8329–29	Dursban 1% G

TABLE 2.—END-USE PRODUCT REGISTRATION AMENDMENT REQUESTS—Continued

Company	Reg. No.	Product
Knox Fertilizer Company, Inc.	8378-42	Dursban 70 with Plant Food
	8378-43	Shaw's Dursban 50 with Plant Food
	8378-44	Shaw's Dursban 60 with Plant Food
	8378-46	Shaw's Dursban 100 Granules
Waterbury Companies, Inc.	9444-184	CB Strikeforce I Residual With Dursban
	9444-202	Strikeforce II Residual with Dursban
Athea Laboratories, Inc.	10088-84	Residual Insecticide
	10088-85	Surface Insecticide
	10088-94	Banish Residual Insect Spray
Howard Fertilizer Company, Inc.	35512-27	Turf Pride Fertilizer with Dursban
	35512-36	Turf Pride with 0.67% Dursban
Harrell's Inc.	52287-5	0.4% Chlorpyrifos Plus Fertilizer
Troy E. Fox and Mariene R. Fox	55773-1	Score Roach Bait

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that their pesticide registrations be amended to delete one or more pesticide uses. The registrants have requested that EPA waive the 180-day comment period. In light of this request, EPA is granting the request to waive the 180-day comment period and is providing a 30-day public comment period before taking action on the requested amendments to delete uses. Given the potential dietary and non-dietary risks that chlorpyrifos use poses, especially to children, EPA intends to grant the requested amendments to delete uses at the close of the comment period for this announcement.

III. Proposed Existing Stocks Provisions

The registrants have requested voluntary cancellation of the chlorpyrifos registrations identified in Table 1 and voluntary amendment to terminate certain uses of the chlorpyrifos registrations identified in Table 2. Pursuant to section 6(f) of FIFRA, EPA intends to grant the requests for voluntary cancellation and amendment. For purposes of the cancellation order that the Agency intends to issue at the close of the comment period for this announcement, the term "existing stocks" will be defined, pursuant to EPA's existing stocks policy at June 26, 1991, (56 FR 29362) as those stocks of a registered pesticide product which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation or amendment. Any distribution, sale, or use of existing stocks after the effective date of the cancellation order that the Agency intends to issue that is not consistent with the terms of that order will be considered a violation of section 12(a)(2)(K) and /or 12(a)(1)(A) of FIFRA.

1. *Distribution or sale by registrants of products bearing other uses.* (i)

Restricted use and package size limitations. Except for the purposes of returns for relabeling consistent with the June 7, 2000 Agreement, shipping for export consistent with the requirements of section 17 of FIFRA, or proper disposal:

(a) The distribution or sale by registrants of existing stocks of any EC formulation product listed in Table 1 or 2 will not be lawful under FIFRA as of the date of publication of the cancellation order in the **Federal Register**, unless the product is labeled as restricted use;

(b) The distribution or sale by registrants of existing stocks of any product listed in Table 1 or 2 labeled for any agricultural use and that is not an EC, will not be lawful under FIFRA as of the date of publication of the cancellation order in the **Federal Register**, unless the product is either labeled for restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation, 50 pounds of a granular formulation, or 25 pounds of any other dry formulation; and

(c) The distribution or sale by registrants of existing stocks of any product listed in Table 1 or 2 labeled solely for non-agricultural uses (other than containerized baits in CRP) and that is not an EC, will not be lawful under FIFRA after of February 1, 2001, unless the product is either labeled for restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation or 25 pounds of a dry formulation.

(ii) *Prohibited uses.* Except for the purposes of returns for relabeling consistent with the June 7, 2000 Agreement, shipping for export consistent with the requirements of section 17 of FIFRA, or proper disposal, the distribution or sale of existing stocks by registrants of any product identified in Table 1 or 2 that bears instructions for any of the following uses will not be lawful under FIFRA as of the date of

publication of the cancellation order in the **Federal Register**:

(a) Termite control, unless the product bears directions for use of a maximum 0.5% active ingredient chlorpyrifos end-use dilution;

(b) Post-construction termite control, except for spot and local termite treatment, provided the label of the product states that the product may not be used for spot and local treatment after December 31, 2002;

(c) Indoor residential except for containerized baits in CRP;

(d) Indoor non-residential except for containerized baits in CRP and products with formulations other than EC that bear labeling solely for one or more of the following uses: Warehouses, ship holds, railroad boxcars, industrial plants, manufacturing plants, food processing plants, or processed wood products treated during the manufacturing process at the manufacturing site or at the mill;

(e) Outdoor residential except for products bearing labeling solely for one or more of the following public health uses: Individual fire ant mound treatment by licensed applicators or mosquito control by public health agencies; and

(f) Outdoor non-residential, non-agricultural except for products that bear labeling solely for one or more of the following uses: golf courses, road medians, and industrial plant sites, provided the maximum label application rate does not exceed 1lb./ai per acre; mosquito control for public health purposes by public health agencies; individual fire ant mound treatment for public health purposes by licensed applicators; and fence posts, utility poles, railroad ties, landscape timbers, logs, pallets, wooden containers, poles, posts, processed wood products, manhole covers, and underground utility cable and conduits.

2. *Retail and other distribution or sale.* The retail sale of existing stocks of

products listed in Table 1 or 2 bearing instructions for the prohibited uses set forth above in Units III.1.(ii)(a)-(f) of this document will not be lawful under FIFRA after December 31, 2001. Except as otherwise provided in this order, any other distribution or sale (for example, return to the manufacturer for relabeling) is permitted until stocks are exhausted.

3. *Final distribution, sale and use date for preconstruction termite control.* The distribution, sale or use of any product listed in Table 1 or 2 bearing instructions for pre-construction termiticide use will not be lawful under FIFRA after December 31, 2005, unless, prior to that date, EPA has issued a written determination that such use may continue consistent with the requirements of FIFRA.

4. *Use of existing stocks.* Except for products bearing those uses identified above in Unit III.3. of this document, EPA intends to permit the use of existing stocks of products listed in Table 1 or 2 until such stocks are exhausted, provided such use is in accordance with the existing labeling of that product.

List of Subjects

Environmental protection, Memorandum of Agreement, Pesticides and pests.

Dated: June 15, 2001.

Jack E. Housenger,

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

[FR Doc. 01-16125 Filed 6-26-01; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-30488A; FRL-6785-4]

Pesticide Product; Registration Approval

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces Agency approval of an application to register the pesticide product Contans WG containing an active ingredient not included in any previously registered product pursuant to the provisions of section 3(c)(5) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

FOR FURTHER INFORMATION CONTACT: Susanne Cerrelli, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs,

Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 703 308-8077; and email address: cerrelli.susanne@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Cat-egories	NAICS	Examples of Potentially Affected Entities
Industry	111 112 311 32532	Crop production Animal production Food manufacturing Pesticide manufacturing

This listing 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 the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. 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 Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the "Federal Register—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

To access a fact sheet which provides more detail on this registration, go to the Home Page for the Office of Pesticide Programs at <http://www.epa.gov/pesticides/>, and select "fact sheet."

2. *In person.* The Agency has established an official record for this action under docket control number OPP-30488A. The official record consists of the documents specifically

referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

In accordance with section 3(c)(2) of FIFRA, a copy of the approved label, the list of data references, the data and other scientific information used to support registration, except for material specifically protected by section 10 of FIFRA, are also available for public inspection. Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), 1200 Pennsylvania Ave., NW., Washington, DC 20460. The request should: Identify the product name and registration number and specify the data or information desired.

A paper copy of the fact sheet, which provides more detail on this registration, may be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161.

II. Did EPA Approve the Application?

The Agency approved the application after considering all required data on risks associated with the proposed use of *Coniothyrium minitans* strain CON/M/91-08, and information on social, economic, and environmental benefits to be derived from use. Specifically, the Agency has considered the nature of the chemical and its pattern of use, application methods and rates, and level and extent of potential exposure. Based on these reviews, the Agency was able to make basic health and safety determinations which show that use of *Coniothyrium minitans* strain CON/M/91-08 when used in accordance with widespread and commonly recognized practice, will not generally cause unreasonable adverse effects to the environment.