



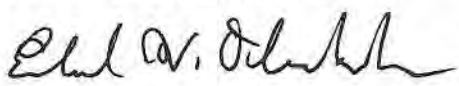
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C., 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

June 27, 2013

MEMORANDUM

SUBJECT: Effects Determinations for Oxydemeton Methyl (PC Code 058702) Relative to the Bay Checkerspot Butterfly (BCB), Valley Elderberry Longhorn Beetle (VELB), California Tiger Salamander (CTS) [Santa Barbara County, Sonoma County, and Central California Distinct Population Segments (DPSs)], California Clapper Rail, (CCR), California Freshwater Shrimp (CFWS), San Francisco Garter Snake (SFGS), Delta Smelt (DS), and Tidewater Goby (TG) and Designated Critical Habitat for the BCB, VELB, CTS-CC, CTS-SB, DS, and TG.

FROM: Edward Odenkirchen, Ph.D.  6/27/13
Environmental Risk Branch I
Environmental Fate and Effects Division

TO: Anita Pease, Associate Director
Environmental Fate and Effects Division

Attached is the Oxydemeton Methyl Product (ODM) Cancellation Order from 78 FR 25438-25440. All ODM product registrations will be cancelled effective December 31, 2014. Sale by the registrant of stock remaining at the cancellation date is prohibited after December 31, 2014. After December 31, 2016, persons other than registrants are prohibited from selling or distributing existing stocks of products containing ODM. After December 31, 2016, existing stocks of products containing ODM already in the possession of end 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.

Given the terms of the cancellation order and the May Affect, Likely to Adversely Affect determination for the federally threatened California Red-legged Frog (*Rana aurora draytonii*) (EPA, 2007), a May Affect determination has been made with respect to the potential direct and indirect effects to the federally threatened bay checkerspot butterfly (*Euphydryas editha bayensis*) (BCB), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) (VELB), California tiger salamander Central California Distinct Population Segment (*Ambystoma californiense*) (CTS-CC), and delta smelt (*Hypomesus transpacificus*) (DS), and the federally endangered California tiger salamander, the Sonoma County Distinct Population Segment (CTS-SC) and Santa Barbara County Distinct Population Segment (CTS-SB), California clapper rail (*Rallus longirostris obsoletus*) (CCR), California freshwater shrimp (*Syncaris pacifica*) (CFWS),

San Francisco garter snake (*Thamnophis sirtalis tetrataenia*) (SFGS), and tidewater goby (*Eucyclogobius newberryi*) (TG). Similarly, a May Affect determination has been made for critical habitat modification for the BCB, VELB, CTS-CC, CTS-SB, DS, and TG. These effects determinations address potential risk to the San Francisco Bay species for which ODM was alleged to be of concern in a complaint made by the Center for Biological Diversity against United States Environmental Protection Agency on May 30, 2007 (Case No: 07-2794-JCS).

Although EPA concludes a May Affect finding based on the currently registered uses of ODM, EPA has already taken action to limit further distribution and sale of this pesticide by approving its cancellation effective December 31, 2014. This cancellation order will have the effect of ultimately eliminating any risk posed by ODM to the listed species addressed in this consultation. Given that use of this product is being eliminated, EPA does not believe it is a necessary or a productive use of resources for EPA to attempt to conduct a quantitative risk assessment to evaluate the extent of the very limited future risk to listed species that may exist from exposures to ODM. Further, given the cancellation of ODM on December 31, 2014, it would be difficult to precisely estimate the declining amounts of ODM that will exist in the channels of trade. As with most cancellations, EPA expects that following the effective date of cancellation there will be steep declines in usage over the coming years and that any possible effects to listed species from these chemicals will exist only in the short term, making the potential for jeopardy highly unlikely.

The Office of Pesticide Programs of EPA respectfully requests the initiation of Endangered Species Act (ESA) section 7(a)(2) formal consultation under 50 CFR Part 402.46, Optional Formal Consultation Procedures for FIFRA Actions.

Please let me know if you have any questions regarding this assessment and effects determination for ODM relative to the BCB, VELB, CTS-CC, DS, CTS-SC, CTS-SB, CCR, CFWS, SFGS, and TG and potential modification to designated critical habitat(s) or as it relates to all other federally listed threatened or endangered species and designated critical habitat.

Attachment

Reference

EPA. 2007. Risks of Oxydemeton Methyl Use to Federally Listed California Red Legged Frog (*Rana aurora draytonii*). Pesticide Effects Determination. Environmental Fate and Effects Division, Office of Pesticide Programs. October 18, 2007.
<http://www.epa.gov/oppfead1/endanger/litstatus/effects/redleg-frog/index.html#oxydemeton>

proposes release of 30,000 male *Aedes albopictus* mosquitoes infected with the *Wolbachia pipiensis* microbial pesticide per week for 6 months in neighborhoods of Lexington, KY. The released male mosquitoes are expected to mate with indigenous female *Aedes albopictus*, causing conditional sterility and resulting in mosquito population decline and potential elimination. Adult and egg collection data from treated areas will be compared to those in an untreated control site to examine for the effect of the released product in the indigenous population. Contact: Shanaz Bacchus, BPPD, (703) 308-8097, email address: bacchus.shanaz@epa.gov.

List of Subjects

Environmental protection,
Experimental use permits.

Dated: April 24, 2013.

Lois Rossi,

Director, Registration Division, Office of
Pesticide Programs.

[FR Doc. 2013-10297 Filed 4-30-13; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-1017; FRL-9384-7]

Product 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 registrants and accepted by the Agency, of the products listed in Table 1 and Table 2 of Unit II.,

pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a February 20, 2013 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 3 of Unit II. to voluntarily cancel these product registrations. In the February 20, 2013 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 these requests, or unless the registrants withdrew their requests. The Agency did not receive any comments on the notice. Further, the registrants did not withdraw their requests. 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 as noted in Unit IV of this cancellation order.

FOR FURTHER INFORMATION CONTACT: John W. Pates, Jr., Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 308-8195; email address: pates.john@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.

B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2009-1017, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

II. What action is the agency taking?

This notice announces the cancellation, as requested by registrants, of 39 products registered under FIFRA section 3. These registrations are listed in sequence by registration number in Table 1 and Table 2 of this unit.

TABLE 1—PRODUCT CANCELLATIONS

EPA Registration No.	Product name	Chemical name
000279-03153	Firstline Termite Bait Station	Sulfuramid.
000279-03170	Firstline Termite Bait Tube Station	Sulfuramid.
000279-03171	Firstline Termite Bait Container Station	Sulfuramid.
000279-03196	Firstline GT Plus Termite Bait Station	Sulfuramid.
000432-01334	Tempo Liquid Concentrate	Cyfluthrin.
000432-01358	Tempo 20% Dry Concentrate	Cyfluthrin.
000499-00518	Prescription Treatment Brand 2% Propoxur Bait	Propoxur.
000499-00532	TC 277	Piperonyl butoxide, Pyrethrins (No Inert Use).
007173-00283	Difethialone Bait Station	Difethialone.
007173-00285	Difethialone 6G Paste Place Packs	Difethialone.
009404-00087	Permethrin 0.25% Insecticide Granules	Permethrin.
009404-00088	Sunniland Chinch Bug & Mole Cricket Spray	Permethrin.
039959-00001	A-106	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride.
039959-00002	7618	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride.
039959-00003	7619	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride.
045385-00001	Chem-Tox Roach and Ant Spray with Baygon	Propoxur, Piperonyl butoxide, Pyrethrins (No Inert Use).
045385-00025	Chem-Tox Pyronox Dual 0.1	MGK 264, Piperonyl butoxide, Pyrethrins (No Inert Use).

TABLE 1—PRODUCT CANCELLATIONS—Continued

EPA Registration No.	Product name	Chemical name
045385-00082	Cenol Small Animal and Kennel Spray	Piperonyl butoxide, Pyrethrins (No Inert Use).
046043-00031	Suncoast's Pool Algaecide 20	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride.
047000-00168	R&M Permethrin Flea & Tick Dip #1	Permethrin.
060061-00017	Woodtreat C8 Concentrate	Copper, bis(8-quinolinolato-N1,O8)-.
060061-00018	Woodtreat C8 Ready To Use	Copper, bis(8-quinolinolato-N1,O8)-.
060061-00022	Woodtreat C81 Ready To Use Water Repellent Fungicide.	Copper, bis(8-quinolinolato-N1,O8)-.
074601-00001	Chlorothalonil Technical Fungicide	Chlorothalonil.
085905-00005	CFL 3% Diflubenzuron Feedthrough	Diflubenzuron.
086869-00002	Propiconazole Select	Propiconazole.
ME070001	Devrinol 50-DF	Napropamide.
MI070004	Kerb 50-W	Propyzamide.

TABLE 2—OXYDEMETON-METHYL (ODM) PRODUCT CANCELLATIONS

EPA Registration No.	Product name	Chemical name
007946-00010	Inject-A-Cide	Oxydemeton-methyl.
010163-00219	MSR 50% Concentrate Insecticide	Oxydemeton-methyl.
010163-00220	MSR Spray Concentrate	Oxydemeton-methyl.
064014-00009	Harpoon	Oxydemeton-methyl.
CA010003	MSR Spray Concentrate	Oxydemeton-methyl.
FL960006	Metasystox-R-Spray Concentrate	Oxydemeton-methyl.
ID010011	Metasystox-R-Spray Concentrate	Oxydemeton-methyl.
NY030002	Metasystox-R-Spray Concentrate	Oxydemeton-methyl.
WA030001	Metasystox-R-Spray Concentrate	Oxydemeton-methyl.
WA030002	Metasystox-R-Spray Concentrate	Oxydemeton-methyl.
WA060005	MSR Spray Concentrate	Oxydemeton-methyl.

Table 3 of this unit includes the names and addresses of record for all registrants of the products in Table 1

and Table 2 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 in Table 1 and Table 2 of this unit.

TABLE 3—REGISTRANTS OF CANCELLED PRODUCTS

EPA Company number	Company name and address
279	FMC Corp, Agricultural Products Group, 1735 Market St., Room 1978, Philadelphia, PA 19103.
432	Bayer Environmental Science, 2 T.W. Alexander Dr., P.O. Box 12014, Research Triangle Park, NC 27709.
499	Whitmore Micro-Gen Research Laboratories, Inc., Agent: BASF Corporation 3568 Tree Court Industrial Blvd., St. Louis, MO 63122-6682.
7173	Liphatech, Inc., 3600 W. Elm St., Milwaukee, WI 53209.
7946	J.J. Mauget Co., Agent: Scireg, Inc., 12733 Director's Loop, Woodbridge, VA 22192.
9404	Sunniland Corporation, P.O. Box 8001, Sanford, FL 32772-8001.
10163	Gowan Company, P.O. Box 5569, Yuma, AZ 85366-8844.
39959	Chemicals Inc., 13560 Colombar Ct., Fontana, CA 92337.
45385	CTX-Cenol, Inc., Agent: H.R. McLane, Inc., 7210 Red Rd., Suite 206A, Miami, FL 33143.
46043	Suncoast Chemicals Co., 14480 62nd St. North, Clearwater, FL 33760.
47000	Chem-Tech, Ltd., 4515 Fleur Dr. #303, Des Moines, IA.
60061	Kop-Coat, Inc., 3020 William Pitt Way, Pittsburgh, PA 15238.
64014	Florida Silvics Inc., D/B/A Tree Tech Microinjection Systems, 950 SE., 215th Ave., Morriston, FL 32668.
74601	Oxon Italia S.P.A., Agent: Lewis & Harrison, LLC, 122 C St. NW., Suite 740, Washington, D C 20001.
81880	Canyon Group LLC, C/O Gowan Company, 370 S. Main St., Yuma, AZ 85364.
85905	Champion Farmaquimico LTDA, Agent: J&T Associates LLC, 4061 North 156th Dr., Goodyear, AZ 85395.
86869	Select Source, LLC., Agent: Wagner Regulatory Associates, Inc., P.O. Box 640, Hockessin, DE 19707.
88058	Orion Ato, LLC, Agent: source Dynamics LLC, S122230 E. Del Norte, Yuma, AZ 85377-7355.
CA010003, FL960006, ID010011, NY030002, WA030001, WA030002, WA060005.	Gowan Company, P.O. Box 5569, Yuma, AZ 85366-8844.
ME070001	United Phosphorus, Inc, 630 Freedom Business Center, Suite 402, King of Prussia, PA 19406.
MI070004	Dow AgroSciences LLC, 9330 Zionsville Rd., 308/2E, Indianapolis, IN 46268-1054.

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 February 20, 2013 **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellations of products listed in Table 1 and Table 2 of Unit II.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the registrations identified in Table 1 and Table 2 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 and Table 2 of Unit II. are canceled. The effective date of the cancellation of the products listed in Table 1 of this notice is May 1, 2013. The effective date of cancellation of the products listed in Table 2 is December 31, 2014. Any distribution, sale, or use of existing stocks of the products identified in Table 1 and Table 2 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 in the **Federal Register** issue of February 20, 2013 (78 FR 11881) (FRL-9378-9). The comment period closed on March 22, 2013.

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. The existing stocks provisions for the products subject to this order are as follows.

1. *For Products 007173-00283 and 007173-00285 identified in Table 1:* Because the Agency has identified significant potential risk concerns associated with these pesticide products, EPA prohibits the sale or

distribution of existing stocks by the registrant, except for export consistent with FIFRA section 17 or for proper disposal. Persons other than the registrant will be allowed to sell or distribute existing stocks of products, until such stocks are exhausted. Users will be allowed to use existing stocks regardless of the date of purchase 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.

2. *For all other products identified in Table 1:* The registrants may continue to sell and distribute existing stocks of products listed in Table 1 of Unit II. until May 1, 2014, which is 1 year after the publication of the Cancellation Order in the **Federal Register**. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1, except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1 of Unit II. until existing stocks 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.

3. *For all products listed in Table 2:* After December 31, 2014, registrants are prohibited from selling or distributing existing stocks of products containing ODM. After December 31, 2016, persons other than registrants are prohibited from selling or distributing existing stocks of products containing ODM. After December 31, 2016, existing stocks of products containing ODM already in the possession of end 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: April 23, 2013.

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

[FR Doc. 2013-10188 Filed 4-30-13; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-ORD-2013-0292; FRL-9807-5]

Request for Information and Citations on Methods for Cumulative Risk Assessment

AGENCY: Office of the Science Advisor, Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The United States Environmental Protection Agency (EPA) is requesting information and citations on approaches and methods for the planning, analysis, assessment, and characterization of cumulative risks to human populations and the environment. The EPA is developing guidelines for the assessment of cumulative risk as defined and characterized in the EPA 2003 publication *Framework for Cumulative Risk Assessment*, "An analysis, characterization, and possible quantification of the combined risks to health or the environment from multiple agents or stressors" using scientifically defensible approaches and methods. The Guidelines will assist agency programs and regions in the assessment of risk and in decision making, including the planning and development of regulations and permits. This notice solicits information and citations pertaining to approaches and methods that can be used to plan and conduct cumulative risk assessments (CRA). Published background information regarding cumulative risk can be found at http://www.epa.gov/raf/publications/pdfs/frmwkr_cum_risk_assmnt.pdf or from the person listed under **FOR FURTHER INFORMATION CONTACT**.

DATES: Information and citations may be submitted on or before Friday, June 28, 2013.

ADDRESSES: Submit your information, identified by Docket ID No. EPA-HQ-ORD-2013-0292, by one of the following methods:

Internet: <http://www.regulations.gov>. Follow the Web site instructions for submitting information.

Email: ORD.Docket@epa.gov.

Mail: Environmental Protection Agency, EPA Docket Center EPA/DC, ORD Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW., Washington, DC 20460.

Hand Delivery: The EPA/DC Public Reading Room is located in the EPA Headquarters Library, Room Number 3334 in the EPA West Building, located at 1301 Constitution Avenue NW.,