

registration of TEMIK 15G for use on coffee, pecans and tobacco. EPA received no comments pertaining to the other registrations in this notice in response to the October 8, 2008, **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellation and amendments to terminate certain uses.

#### IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested amendments to terminate uses of registrations identified in Table 1 of Unit II. Accordingly, the Agency orders that the product registrations identified in Table 1 of Unit II. are hereby amended to terminate the affected uses except for methamidophos products which will become effective September 30, 2009. Any distribution, sale, or use of existing stocks of the products identified in Table 1 of Unit II. 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

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 cancellation order issued in this notice includes the following existing stocks provisions.

##### A. Methamidophos.

On April 7, 2002, EPA signed the Interim Reregistration Eligibility Decision (IRED) for methamidophos. That IRED specified risk mitigation measures including: "Implement a 5-year phase out of the use on cotton."

In accordance with the IRED, Bayer CropScience has submitted a request to voluntarily terminate all cotton uses of the methamidophos products listed above in Table 2 effective September 30, 2009. Provisions for the sale,

disposition, and use of existing stocks of methamidophos products include the following: All sale or distribution by the registrant of existing stocks labeled for use on cotton is prohibited after September 30, 2009, unless that sale or distribution is solely for the purpose of facilitating disposal or export of the product. Existing stocks labeled for use on cotton may be sold and distributed by persons other than the registrant until July 31, 2010. Existing stocks labeled for use on cotton may be used until September 30, 2010, provided that such use complies with the EPA-approved label and labeling of the product.

##### B. Other Chemicals Addressed in this Order.

The cancellation order 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. This order specifically prohibits any use of existing stocks that is not consistent with such previously approved labeling.

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: May 7, 2009.

**Richard P. Keigwin, Jr.,**

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

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**BILLING CODE 6560-50-S**

#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2009-0270; FRL-8417-1]

#### Approval of Test Marketing Exemptions for Certain New Chemicals

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's approval of applications for test marketing exemptions (TMEs) under section 5(h)(1) of the Toxic Substances Control Act (TSCA) and 40 CFR 720.38. EPA has designated these applications as TME-08-01; TME-08-02; TME-08-03; TME-08-04; TME-08-05; TME-08-06; TME-08-07; TME-08-08; TME-08-09; TME-08-10; TME-08-11; TME-08-12; TME-08-13; TME-08-14; TME-08-15; TME-08-16; TME-08-17; TME-08-19; and TME-08-20. The test marketing

conditions are described in each TME application and in this notice.

**DATES:** Approval of these TMEs is effective May 14, 2009.

**FOR FURTHER INFORMATION CONTACT:** *For general information contact:* Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

*For technical information contact:* Adella Underdown, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-9364; e-mail address: [underdown.adella@epa.gov](mailto:underdown.adella@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

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

This action is directed in particular to the chemical manufacturer and/or importer who submitted the TME applications to EPA. This action may, however, be of interest to the public in general. 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 technical 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 a docket for this action under docket ID number EPA-HQ-OPPT-2009-0270. All documents in the docket are listed in the docket index at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically at <http://www.regulations.gov>, or, if only available in hard copy, at the OPPT Docket. The OPPT Docket is located in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30

p.m., Monday through Friday, excluding Federal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Docket visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor bags are processed through an X-ray machine and subject to search. Visitors will be provided an EPA/DC badge that must be visible at all times in the building and returned upon departure.

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>.

## II. What is the Agency's Authority for Taking this Action?

Section 5(h)(1) of TSCA and 40 CFR 720.38 authorize EPA to exempt persons from premanufacture notification (PMN) requirements and permit them to manufacture or import new chemical substances for test marketing purposes, if the Agency finds that the manufacture, processing, distribution in commerce, use, and disposal of the substances for test marketing purposes will not present an unreasonable risk of injury to human health or the environment. EPA may impose restrictions on test marketing activities and may modify or revoke a test marketing exemption upon receipt of new information which casts significant doubt on its finding that the test marketing activity will not present an unreasonable risk of injury.

## III. What Action is the Agency Taking?

EPA has approved the TMEs listed in this notice. EPA has determined that test marketing these new chemical substances, under the conditions set out in each TME application and in this notice, will not present an unreasonable risk of injury to human health or the environment.

## IV. What Restrictions Apply to these TMEs?

The test market time period, production volume, number of customers, and use must not exceed specifications in the applications and this notice. All other conditions and restrictions described in the applications and in this notice must also be met.

### TME-08-0001.

*Date of Receipt:* November 19, 2007.  
*Notice of Receipt:* January 23, 2008 (73 FR 3958) (FRL-8348-9).

*Applicant:* Cytec Industries, Inc.

*Chemical:* Phosphonium, methyltris (2-methylpropyl)-, salt with 4-methylbenzenesulfonic acid (1:1).

*Use:* (G) Process chemical for sulfur removal from diesel fuel chemical.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0002.*

*Date of Receipt:* January 18, 2008.

*Notice of Receipt:* March 4, 2008 (73 FR 11632) (FRL-8353-6).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Modified polyamine.

*Use:* (G) Antiscalant.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0003.*

*Date of Receipt:* January 18, 2008.

*Notice of Receipt:* March 4, 2008 (73 FR 11632) (FRL-8353-6).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Modified polyamine.

*Use:* (G) Antiscalant.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0004.*

*Date of Receipt:* January 18, 2008.

*Notice of Receipt:* March 4, 2008 (73 FR 11632) (FRL-8353-6).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Modified polyamine.

*Use:* (G) Antiscalant.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0005.*

*Date of Receipt:* January 22, 2008.

*Notice of Receipt:* March 4, 2008 (73 FR 11632) (FRL-8353-6).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Fatty acids, dimers, polymers with alkenoic acid, polyoxyalkylene and alkyl substituted triol.

*Use:* (G) Ink additive.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0006.*

*Date of Receipt:* January 22, 2008.

*Notice of Receipt:* March 4, 2008 (73 FR 11632) (FRL-8353-6).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Acrylated aliphatic polyurethane.

*Use:* (G) Coatings resin.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0007.*

*Date of Receipt:* February 22, 2008.

*Notice of Receipt:* April 23, 2008 (73 FR 21932) (FRL-8361-8).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Alkanoic acid ester, polymer with substituted alcohol and epoxy resin.

*Use:* (G) Coatings and inks.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0008.*

*Date of Receipt:* February 22, 2008.

*Notice of Receipt:* April 23, 2008 (73 FR 21932) (FRL-8361-8).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Unsaturated polyester resin.

*Use:* (G) Binder for industrial coatings.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0009.*

*Date of Receipt:* April 29, 2008.

*Notice of Receipt:* May 30, 2008 (73 FR 31108) (FRL-8366-7).

*Applicant:* CBI.

*Chemical:* (G) Reaction product of fatty acids and hydroxyl acids.

*Use:* (G) Colored coatings and related vehicles.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0010.*

*Date of Receipt:* July 2, 2008.

*Notice of Receipt:* August 8, 2008 (73 FR 46263) (FRL-8377-2).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Poly (oxyalkylenediyl), maleate half-ester.

*Use:* (G) Site limited intermediate.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0011.*

*Date of Receipt:* July 2, 2008.

*Notice of Receipt:* August 8, 2008 (73 FR 46263) (FRL-8377-2).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Poly (oxyalkylenediyl), maleate half-ester.

*Use:* (G) Site limited intermediate.

*Production Volume:* CBI.

*Number of Customers:* CBI.  
*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0012.*

*Date of Receipt:* July 2, 2008.

*Notice of Receipt:* August 8, 2008 (73 FR 46263) (FRL-8377-2).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Poly (oxyalkylenediyl), maleate half-ester.

*Use:* (G) Site limited intermediate.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0013.*

*Date of Receipt:* July 2, 2008.

*Notice of Receipt:* August 8, 2008 (73 FR 46263) (FRL-8377-2).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Poly (oxyalkylenediyl), substituted maleate half-ester, metal salts.

*Use:* (G) Emulsifier.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0014.*

*Date of Receipt:* July 2, 2008.

*Notice of Receipt:* August 8, 2008 (73 FR 46263) (FRL-8377-2).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Poly (oxyalkylenediyl), substituted maleate half-ester, metal salts.

*Use:* (G) Emulsifier.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0015.*

*Date of Receipt:* July 2, 2008.

*Notice of Receipt:* August 8, 2008 (73 FR 46263) (FRL-8377-2).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Poly (oxyalkylenediyl), substituted maleate half-ester, metal salts].

*Use:* (G)Emulsifier.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0016.*

*Date of Receipt:* July 7, 2008.

*Notice of Receipt:* August 8, 2008 (73 FR 46263) (FRL-8377-2).

*Applicant:* S.C. Johnson and Son, Inc.

*Chemical:* (G) Hydrolyzed cellulosic ether.

*Use:* Non-dispersive use.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0017.*

*Date of Receipt:* July 25, 2008.

*Notice of Receipt:* August 20, 2008 (73 FR 49189) (FRL-8379-7).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Acrylated aliphatic polyurethane.

*Use:* (G) Coatings resin.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0019.*

*Date of Receipt:* August 11, 2008.

*Notice of Receipt:* September 12, 2008 (73 FR 52996) (FRL-8381-5).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Poly (oxyalkylenediyl), substituted maleate half-ester, metal salts.

*Use:* (G) Emulsifier.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

*TME-08-0020.*

*Date of Receipt:* August 29, 2008.

*Notice of Receipt:* October 6, 2008 (73 FR 58230) (FRL-8353-6).

*Applicant:* Cytec Industries, Inc.

*Chemical:* (G) Substituted carbomonocycles, polymer with substituted glycols and alkyldioic acid.

*Use:* (G) Resin for paints and coatings.

*Production Volume:* CBI.

*Number of Customers:* CBI.

*Test Marketing Period:* CBI days, commencing on first day of commercial manufacture.

The following additional restrictions apply to these TMEs. A bill of lading accompanying each shipment must state that the use of the substance is restricted to that approved in the TME. In addition, the applicant shall maintain the following records until 5 years after the date they are created, and shall make them available for inspection or copying in accordance with section 11 of TSCA:

1. Records of the quantity of the TME substance produced and the date of manufacture.
2. Records of dates of the shipments to each customer and the quantities supplied in each shipment.
3. Copies of the bill of lading that accompanies each shipment of the TME substance.

#### **V. What was EPA's Risk Assessment for these TMEs?**

EPA identified no significant human health or environmental risks for these

test market substances, due to either the low toxicity of each substance or low expected exposure. Therefore, the test market activities will not present an unreasonable risk of injury to human health or the environment. (Many of these TMEs were submitted per the TSCA New Chemicals Sustainable Futures Voluntary Pilot Project which is designed to develop low risk chemicals; see the **Federal Register** of December 11, 2002 (67 FR 76282) (FRL-7198-6).

#### **VI. Can EPA Change Its Decision on these TMEs in the Future?**

Yes. The Agency reserves the right to rescind approval or modify the conditions and restrictions of an exemption should any new information that comes to its attention cast significant doubt on its finding that the test marketing activities will not present any unreasonable risk of injury to human health or the environment.

#### **List of Subjects**

Environmental protection, Test marketing exemptions.

Dated: May 14, 2009.

**Greg Schweer,**

*Chief, New Chemicals Prenotice Branch, Office of Pollution Prevention and Toxics.*

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#### **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPPT-2009-0281; FRL-8413-1]**

#### **Certain New Chemicals; Receipt and Status Information**

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

**ACTION:** Notice.

**SUMMARY:** Section 5 of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory) to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a premanufacture notice (PMN) or an application for a test marketing exemption (TME), and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which covers the period from March 23, 2009 through April 10, 2009, consists of the PMNs and TME, both pending or