

filled, leading to increased levels of lead in ground water; vapors from home smelting of used wheel balancing weights obtained from gas stations and small tire retailers; wheel balancing weights left on cars that may be collected and burned in electric arc furnaces, releasing lead vapor and particulate matter to the air; releases associated with auto shredder activities (e.g., residues released to air or water); and releases from roadways to streams resulting in potential exposures to aquatic and terrestrial species.

- Quantitative or anecdotal information on the current availability and suitability of lead-free wheel balancing weights as alternatives, in both original equipment and aftermarket settings, particularly any comparisons between lead-free and lead wheel balancing weights in terms of price, ease of installation, durability, and other attributes of performance and suitability.

In assessing the usability of any data or information that may be submitted, EPA plans to follow the guidelines in EPA's "A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information" (EPA 100B-03/001), referred to as the "Assessment Factors Document." The "Assessment Factors Document" was published in the **Federal Register** issue of July 1, 2003 (68 FR 39086) (FRL-7520-2) and is available on-line at <http://www.epa.gov/osa/spc/assess.htm>.

#### List of Subjects

Environmental protection, lead, wheel balancing weights, zinc.

Dated: July 6, 2009.

**James Jones,**

*Acting Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances.*

[FR Doc. E9-16815 Filed 7-14-09; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2007-0837; FRL-8425-3]

### Malathion; Product Cancellation Order and Amendments to Terminate Uses

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order for the cancellations and amendments to terminate uses, voluntarily requested by the registrants and accepted by the Agency, of products containing the pesticide malathion, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a May 20, 2009 **Federal Register** Notice of Receipt of Requests from the malathion registrants to voluntarily cancel or to amend to terminate uses of certain malathion product registrations. These are not the last malathion products registered for use in the United States. In the May 20, 2009 Notice, EPA indicated that it would issue an order implementing the cancellations and amendments to terminate uses, 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 within this period. 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 and amendments to terminate uses. Any distribution, sale, or use of the malathion 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 July 15, 2009.

**FOR FURTHER INFORMATION CONTACT:** Eric Miederhoff, Special Review and Reregistration 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. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2007-0837. 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.

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 Action is the Agency Taking?

This notice announces the cancellations and amendments to terminate uses, as requested by registrants, of certain end-use malathion products registered under section 3 of FIFRA. These registrations are listed in sequence by registration number in Tables 1 and 2 of this unit.

TABLE 1.—MALATHION PRODUCT CANCELLATIONS

Registration Number	Product Name	Company
228-68	Riverdale Malathion 5	Nufarm Americas, Inc.
228-93	Riverdale Bin Spray	Nufarm Americas, Inc.

TABLE 1.—MALATHION PRODUCT CANCELLATIONS—Continued

Registration Number	Product Name	Company
228-244	Riverdale 50% Malathion E.C.	Nufarm Americas, Inc.
228-252	Riverdale 4% Malathion Dust	Nufarm Americas, Inc.
228-274	Riverdale ULV Malathion	Nufarm Americas, Inc.
655-794	Prentox Malathion 57% EC	Prentiss, Inc.
5905-7	Fyfanon 5 LB Emulsion	Helena Chemical Company
5905-443	Helena Malathion 8 Insecticide	Helena Chemical Company
34704-3	Malathion 55 Insecticide Premium Grade	Loveland Products Inc.
34704-18	Malathion ULV Concentrate Insecticide	Loveland Products Inc.
34704-119	Clean Crop Malathion 8EC Insecticide	Loveland Products Inc.
34704-721	Niagara Malathion 5 Dust	Loveland Products Inc.

TABLE 2.—MALATHION PRODUCT REGISTRATION AMENDMENTS TO TERMINATE USES

Registration Number	Product Name	Company	Terminate Use
192-96	Dexol Malathion Insect Control	Value Garden Supply	Residential lawns (broadcast)
239-739	Ortho Malathion 50 Insect Spray	The Scotts Company LLC	Residential lawns (broadcast)
655-310	Malathion 95% Technical Premium	Prentiss, Inc.	Greenhouse food crops, Commercial/Institutional/Industrial premises/equipment (outdoor), sewer systems
655-598	Prentox Malathion 50% Emulsifiable Insecticide	Prentiss, Inc.	Commercial/Institutional/Industrial premises/equipment (outdoor)
655-777	Prentox 5 LB Malathion Spray	Prentiss, Inc.	Greenhouse food crops, Commercial/Institutional/Industrial premises/equipment (outdoor), lentils, manure piles, residential lawns (broadcast)
769-736	SMCP Malathion Mole Cricket Bait Insecticide	Value Garden Supply	Residential lawns (broadcast), golf course turf
769-620	AllPro Malathion 57% Premium Grade	Value Garden Supply	Lentils, greenhouse uses, sewage systems, fly control for outdoor building surfaces
769-621	SMCP Malathion EM-5	Value Garden Supply	Residential lawns (broadcast)
769-644	SMCP MV Fog Solution	Value Garden Supply	Animal premise uses for dairy and livestock barns, stables and pens, food processing plants, outdoor use as a crack and crevice treatment around dairies and stables
769-844	Pratt Malathion Spray	Value Garden Supply	Residential lawns (broadcast)
769-961	Pratt Malathion 80	Value Garden Supply	Dairy cattle (lactating and nonlactating), poultry houses, cowpea forage and hay, cranberry, plum
5905-250	Fyfanon 8 LB Emulsion	Helena Chemical Company	Lentils, cowpea
9779-5	Malathion 5	WinField Solutions	Lentils
10088-56	Malathion 57%	Athea Laboratories, Inc.	Ornamental lawns and turf
10163-21	Prokil Malathion 8	Gowan	Lentils, greenhouse uses
10163-152	Malathion Technical	Gowan	Greenhouse food use
19713-217	Drexel Malathion 5EC	Drexel Chemical Company	Lentils

TABLE 2.—MALATHION PRODUCT REGISTRATION AMENDMENTS TO TERMINATE USES—Continued

Registration Number	Product Name	Company	Terminate Use
19713-402	Drexel Malathion Technical	Drexel Chemical Company	Greenhouse food crops, uses around commercial and industrial buildings, sewage systems
34704-108	Clean Crop Malathion 57 EC	Loveland Products, Inc.	Lentils
34704-474	Cythion 8 Aquamul	Loveland Products, Inc.	Lentils
47000-107	Prozap Malathion	Chem-Tech Ltd.	Lentils, residential lawns (broadcast)
48273-26	Marman Malathion ULV	Nufarm	Lentils, greenhouse food uses
59144-1	Malathion 50% Insect Spray	Gro Tec, Inc.	Greenhouse uses
66330-220	Malathion 5 EC	Arysta LifeScience	Lentils, Greenhouse uses
66330-228	Malathion Technical	Arysta LifeScience	Greenhouse uses
66330-248	Malathion 8 EC	Arysta LifeScience	Greenhouse uses, lentils, Around the outside of buildings

Table 3 of this unit includes the names and addresses of record for all registrants of the products in Tables 1 and 2 of this unit, in sequence by EPA company number.

TABLE 3.— REGISTRANTS OF CANCELLED OR AMENDED MALATHION PRODUCTS

EPA Company Number	Company Name and Address
239	The Scotts Company LLC 14111 Scottslawn Road Marysville, OH 43041
655	Prentiss Incorporated 509 Tower Valley Drive Hillsboro, MO 63050
769, 192	Value Garden Supply 9100 W. Bloomington Freeway Suite 113 Bloomington, MN 55431
5905	Helena Chemical Company 7664 Moore Road Memphis, TN 38120
9779	WinField Solutions PO Box 64589 MS 5705 St. Paul, MN 55164-0589
10088	Athea Laboratories, Inc. PO Box 240014 Milwaukee, WI 53224

TABLE 3.— REGISTRANTS OF CANCELLED OR AMENDED MALATHION PRODUCTS—Continued

EPA Company Number	Company Name and Address
10163	Gowan PO Box 5569 Yuma, AZ 85366-5569
19713	Drexel Chemical Company 1700 Channel Avenue PO Box 13327 Memphis, TN 38113-0327
34704	Loveland Products, Inc. 7251 W 4th Street PO Box 1286 Greeley, CO 80632-1286
47000	Chem-Tech, Ltd. 4515 Fleur Dr. #303 Des Moines, IA 50321
48273, 228	Nufarm Americas, Inc. 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527
59144	RegWest on behalf of Gro Tec, Inc. 30856 Rocky Road Greeley, CO 80631-9375
66330	Arysta Life Science North America 15401 Weston Parkway, Suite 150 Cary, NC 27513

### 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 May 20, 2009 **Federal Register** notice (74 FR 23708; FRL–8414–2) announcing the Agency's receipt of the requests for voluntary cancellations and amendments to terminate uses of malathion.

### IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations and amendments to terminate uses of malathion registrations identified in Tables 1 and 2 of Unit II. Accordingly, the Agency orders that the malathion product registrations identified in Tables 1 and 2 of Unit II. are hereby canceled or amended to terminate the affected uses. Any distribution, sale, or use of existing stocks of the products identified in Tables 1 and 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 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.

Registrants may sell or distribute existing stocks for 1 year from the effective date of cancellation. This policy is in accordance with the Agency's statement of policy as prescribed by the **Federal Register** of June 26, 1991 (56 FR 29362) (FRL-3846-4). Existing stocks already in the hands of dealers or users can be distributed, sold, or used legally until they are exhausted, provided that such further sale and use comply with the EPA-approved label and labeling of the affected product. Exception to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in a special review action, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

### List of Subjects

Environmental protection, Pesticides and pests, Malathion.

Dated: July 2, 2009.

**Peter Caulkins,**

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

[FR Doc. E9-16641 Filed 7-14-09; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8931-4]

### EPA Science Advisory Board Staff Office; Notification of Two Public Teleconferences of the Chartered Science Advisory Board

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

**ACTION:** Notice.

**SUMMARY:** The EPA Science Advisory Board (SAB) Staff Office announces two public teleconferences of the chartered SAB to conduct quality reviews of two draft SAB reports.

**DATES:** The teleconference dates will be Thursday, August 6, 2009 from 2 to 3:30 p.m. (Eastern Standard Time), and

Friday, August 28, 2009, from 2 p.m. to 3:30 p.m. (Eastern Standard Time).

**ADDRESSES:** The meetings will be conducted by telephone only.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing to obtain general information concerning these public teleconferences should contact Mr. Thomas Miller, Designated Federal Officer (DFO), EPA Science Advisory Board (1400F), 1200 Pennsylvania Avenue, NW., Washington, DC 20460; via telephone/voice mail (202) 343-9982; fax (202) 233-0643; or e-mail at [miller.tom@epa.gov](mailto:miller.tom@epa.gov). General information concerning the EPA Science Advisory Board can be found on the SAB Web site at <http://www.epa.gov/sab>.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C., App. 2 (FACA), notice is hereby given that the EPA Science Advisory Board (SAB) will hold public teleconferences to conduct two quality reviews of draft SAB committee reports. The SAB was established pursuant to 42 U.S.C. 4365 to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee under FACA. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

### Background

(a) *SAB Quality Review of the Draft SAB Report on EPA's Economic Analysis Guidelines Update.* The Chartered SAB will conduct a quality review of the SAB Environmental Economics Advisory Committee (EEAC) draft report on EPA's Economic Analysis Guidelines Update from 2 p.m. to 3:30 p.m. on Thursday, August 6, 2009. EPA's National Center for Environmental Economics (NCEE) has requested SAB review of EPA's revised Guidelines for Preparing Economic Analyses. EPA last issued Guidelines for Preparing Economic Analyses in September 2000 to represent Agency policy on the preparation of economic analysis required by legislation and administrative orders. EPA received advice from the SAB in developing those Guidelines. Since 2000, there has been considerable new economic research and EPA has received new guidance from the Office of Management and Budget pertaining to the Agency's conduct of regulatory analysis. In response, NCEE has revised and updated the Guidelines and has requested SAB review. More information on this topic can be found

on the SAB Web site at [http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr\\_activites/Guidelines%20Review?OpenDocument](http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr_activites/Guidelines%20Review?OpenDocument).

(b) *SAB Quality Review of the Draft SAB Panel Report on the EPA Expert Elicitation White Paper.* The Chartered SAB will conduct a quality review of the draft report from its Expert Elicitation Advisory Panel from 2 p.m. to 3:30 p.m. on Friday, August 28, 2009. EPA's Office of the Science Advisor (OSA) has requested SAB review of an "Expert Elicitation (EE) Task Force White Paper." The White Paper discusses the potential utility of using expert elicitation to support EPA regulatory and non-regulatory analyses and decision-making, provides recommendations for expert elicitation "good practices," and describes steps for a broader application across EPA. OSA has asked the SAB to provide advice regarding the potential usefulness of expert elicitation, how to strengthen the scientific basis for its use, and the implications for possible implementation at EPA. More information on this topic can be found on the SAB Web site at [http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr\\_activites/Expert%20Elicitation%20White%20Paper?OpenDocument](http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr_activites/Expert%20Elicitation%20White%20Paper?OpenDocument).

*Availability of Meeting Materials:* The agenda and other materials in support of these teleconferences will be placed on the SAB Web site at <http://www.epa.gov/sab> in advance of each meeting.

*Procedures for Providing Public Input:* Interested members of the public may submit relevant written or oral information for the SAB to consider during these teleconferences. *Oral Statements:* In general, individuals or groups requesting time to make an oral presentation at a public SAB teleconference will be limited to three minutes, with no more than one-half hour for all speakers. To be placed on the public speakers list for the August 6, 2009 teleconference interested individuals should contact Mr. Thomas Miller, DFO, in writing (preferably by e-mail), by July 31 at the contact information provided above. Those interested in being placed on the public speakers list for the August 28, 2009 teleconference should contact Mr. Miller in the manner noted above by August 22, 2009. *Written Statements:* Written statements relevant to the August 6, 2009 teleconference should be received in the SAB Staff Office by July 31, 2009 so that the information may be made available to the SAB for their consideration prior to the teleconferences. Written statements