

Code: 392201. *Proposed classification:* None. *Use:* For insect control on citrus, grapes, pome fruit, stone fruit, tree nuts, hops, Christmas tree plantations, vegetables, and potato.

List of Subjects

Environmental protection, Pesticides and pest.

Dated: February 18, 2010.

G. Jeffrey Herndon,

Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 2010-3857 Filed 2-25-10; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0977; FRL-8813-6]

Maneb; Product Cancellation Order for Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Order.

SUMMARY: This notice announces EPA's order for the cancellations, voluntarily requested by the registrant and accepted by the Agency, of products containing the pesticide maneb, pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This cancellation order follows a January 6, 2010 **Federal Register** Notice of Receipt of Requests from the registrant, Drexel Chemical Company, to voluntarily cancel these product registrations. These are not the last products containing this pesticide registered for use in the United States. In the January 6, 2010 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 registrant withdrew their requests within this period. The Agency did not receive any comments on the notice. Further, the registrant 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 February 26, 2010.

FOR FURTHER INFORMATION CONTACT: Barbara Briscoe, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection

Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8177; fax number: (703) 308-8090; e-mail address: Briscoe.Barbara@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?

EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2009-0977. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

II. What Action is the Agency Taking?

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

TABLE 1.—MANEB PRODUCT CANCELLATIONS

EPA Registration Number	Product Name
019713-00378	Drexel Manzeb 80W
019713-00379	IDA, Inc. Maneb 80W
019713-00380	Drexel Manzi Flowable
019713-00381	IDA Maneb 4L

Table 2 below includes the name and address of record for the registrant of the products listed in Table 1.

TABLE 2.—REGISTRANT OF CANCELED PRODUCTS

EPA Company Number	Company Name and Address
019713	Drexel Chemical Company 1700 Channel Ave. P. O. Box 13327 Memphis, TN 38113

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 January 6, 2010 **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellation of the products listed in Table 1.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the maneb registrations identified in Table 1. Accordingly, the Agency orders that the product registrations identified in Table 1 are hereby canceled. Any distribution, sale, or use of existing stocks of the products identified in Table 1 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. 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. EPA anticipates allowing sale, distribution and use in the cancellation order as described below.

1. The registrant may continue to sell or distribute existing stocks of maneb

end-use products until such stocks are exhausted.

2. Persons other than the registrant may continue to sell or distribute existing stocks of maneb products identified in Table 1 with previously approved labeling until such stocks are exhausted.

3. Persons other than the registrant may use the maneb end use products identified in Table 1 until exhausted. Any use of existing stocks must be in a manner consistent with the previously approved labeling for that product.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: February 18, 2010.

Richard P. Keigwin, Jr.

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

[FR Doc. 2010-4083 Filed 2-25-10; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-9119-1]

Notice of a Regional Project Waiver of Section 1605 (Buy American) of the American Recovery and Reinvestment Act of 2009 (ARRA) to the Inland Empire Utilities Agency, California. Project # C-06-5332-110 Funded by the California CWSRF ARRA Loan # 08-823-550

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) is hereby granting a waiver of the Buy American requirements of ARRA Section 1605 under the authority of Section 1605(b)(1) [applying the Buy American provision would be inconsistent with the public interest] to the Inland Empire Utilities Agency ("IEUA") for the purchase of foreign data collection transducers. This is a project-specific waiver and only applies to the use of the specified product for the ARRA project being proposed. Any other ARRA recipient that wishes to use the same product must apply for a separate waiver based on project specific circumstances. The IEUA's Rancho Cucamonga groundwater recharge project will include the purchase of three transducers with associated hardware manufactured by Solinst in Canada, for monitoring in two recharge basins. Beginning in about 2005 (prior to the enactment of ARRA), the IEUA

started procuring Solinst transducers, and they developed standard training and maintenance procedures for using the Solinst transducers. They currently use approximately 20 Solinst transducers at eight recharge basins. The IEUA submitted a memorandum dated January 21, 2010, explaining the basis in performance characteristics for the pre-ARRA selection of Solinst transducers, and explaining the IEUA's prior decision to make Solinst transducers their standard transducer for this type of application. This pre-ARRA selection of a product on which to standardize was undertaken to best enable the IEUA to comply with water quality permit requirements for recharged water imposed by State regulatory agencies. The procurement of transducers for the IEUA's ARRA project is subject to ARRA section 1605 requirements, but IEUA has requested a waiver of these requirements as they pertain to the transducers, because the use of non-standard transducers would detrimentally affect performance, operation and maintenance of the recharge project. Based on review of the information provided, EPA has concluded a waiver of the Buy American provision is justified pursuant to Section 1605(b)(1) [applying the Buy American provision would be inconsistent with the public interest]. The Assistant Administrator of the Office of Administration and Resources Management has concurred with this decision to make an exception to Section 1605 of ARRA. This action permits the IEUA to purchase three transducers manufactured by Solinst, a Canadian company, as specified in its November 3, 2009 request, as amended by its January 21, 2010 memorandum.

DATES: *Effective Date:* February 10, 2010.

FOR FURTHER INFORMATION CONTACT: Abimbola Odusoga, Environmental Engineer, Water Division (WTR-4), USEPA Region 9, (415) 972-3437, 75 Hawthorne Street, San Francisco, CA 94105.

SUPPLEMENTARY INFORMATION: In accordance with ARRA Sections 1605(c) and 1605(b)(1), the EPA is hereby granting a project waiver of the requirements of Sections 1605(a) of Public Law 111-5, Buy American requirements, to the IEUA, Chino, California, for the purchase of transducers manufactured by Solinst, a Canadian company. EPA has evaluated the IEUA's basis for standardizing to the Solinst transducers. Based on the information provided by the applicant, EPA has determined it is inconsistent with the public interest for the IEUA to

pursue the purchase of incompatible domestically manufactured transducers.

Section 1605 of the ARRA requires that none of the appropriated funds may be used for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States, or unless a waiver is provided to the recipient by the head of the appropriate agency; here the EPA. A waiver may be provided if EPA determines (1) applying these requirements would be inconsistent with public the interest; (2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or (3) inclusion of iron, steel, and the relevant manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

The IEUA has requested a waiver from the Buy American Provision for the purchase of the foreign made transducers as part of its project to meet the permit and other regulatory requirements of the Santa Ana Regional Water Quality Control Board (RWQCB) and the State Department of Health. According to the IEUA, to recharge recycled water into the Chino Groundwater Basin through the Victoria Basin and San Sevaine Basin No. 5 in Rancho Cucamonga, California, IEUA must comply with discharge requirements issued by the Santa Ana Regional Water Quality Control Board (RWQCB) for recharge. As part of the regulatory requirements set by the RWQCB and the State Department of Public Health, monitoring devices are to be installed to ensure recharged water meets the water quality requirements specified in the permit. In compliance with the permit, the Agency is installing three local monitoring wells and two lysimeter clusters.

Once the monitoring wells are constructed, a device—which is called a transducer—is installed to measure the water level. The IEUA now uses approximately twenty transducers manufactured by Solinst, a Canadian company, to support the data collection for the monitoring wells at eight of the current recharge basins, to meet regulatory requirements and discharge permit conditions.

Beginning in April 2005, the IEUA purchased Solinst transducers a few at a time as ground water recharge monitoring wells were contracted to be built, and were individually installed in the monitoring wells over the past several years as the wells were