

### III. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received one comment in response to the July 13, 2011, **Federal Register** notice announcing the Agency's proposal to amend the fenamiphos use deletion and product cancellation order, (76 FR 41248) (FRL-8879-5). The comment, from the Arizona Department of Agriculture, supported the Agency's proposal to allow sale and distribution for an additional year. However, the comment also stated that it would be preferable to continue to allow use of fenamiphos products already in the hands of users until exhaustion. The comment describes the disposal of unusable pesticide products as expensive and time consuming. The Agency acknowledges the difficulties inherent in the safe disposal of pesticide products. However, as stated in Unit III, the Agency has concerns that, if the previous existing stocks provision allowing use until exhaustion were not amended, the use of fenamiphos would continue for an extended period of time beyond the most recent comprehensive scientific risk assessments of its domestic use. After consideration, the Agency has concluded that, with the additional 3 years provided by this order, an adequate period of time has been provided for existing stocks of fenamiphos products to have been used.

### IV. Amended Order

Pursuant to FIFRA section 6(a), EPA is amending the December 10, 2008 order to allow persons other than the registrant to sell and distribute the fenamiphos product, Nemacur 3 Emulsifiable Systemic Insecticide-Nematicide (EPA Registration Number 264-731), for 1 year, until October 5, 2012. Accordingly, the Agency orders that the sale and distribution of products containing fenamiphos is prohibited, except for proper disposal or export pursuant to section 17 of FIFRA, provided, however, that persons other than the registrant are permitted to sell and distribute existing stocks of Nemacur 3 Emulsifiable Systemic Insecticide-Nematicide (EPA Registration Number 264-731) for 1 year from the publication of the amended order. The Agency further orders that end users with existing stocks of any products containing fenamiphos may continue to use these products for 3 years, until October 6, 2014, provided that the use complies with EPA-approved product label requirements for the respective products. After October 6,

2014, all use of products containing fenamiphos is prohibited.

### V. What is the agency's authority for taking this action?

Section 6(a)(1) of FIFRA provides that the Administrator may permit the continued sale and use of existing stocks of a pesticide whose registration is suspended or canceled under this section, or section 3 or 4 of FIFRA, to such extent, under such conditions, and for such uses as the Administrator determines that such sale or use is not inconsistent with the purposes of this Act.

### List of Subjects

Environmental protection, Pesticides and pests.

Dated: September 27, 2011.

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

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

[FR Doc. 2011-25694 Filed 10-4-11; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2011-0784; FRL-8890-6]

### 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 Chemical Substances Inventory (TSCA Inventory)) to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under TSCA sections 5(d)(2) and 5(d)(3), EPA is required to publish in the **Federal Register** a notice of receipt of a premanufacture notice (PMN) or an application for a test marketing exemption (TME), and to publish in the **Federal Register** periodic status reports on the new chemicals under review and the receipt of notices of commencement (NOC) to manufacture those chemicals. This document, which covers the period from August 29, 2011 to September 9, 2011, and provides the required notice and status report, consists of the PMNs and TMEs, both pending or expired, and the NOC to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

**DATES:** Comments identified by the specific PMN number or TME number,

must be received on or before November 4, 2011.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPPT-2011-0784, and the specific PMN number or TME number for the chemical related to your comment, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Hand Delivery:* OPPT Document Control Office (DCO), EPA East Bldg., Rm. 6428, 1201 Constitution Ave., NW., Washington, DC. The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 564-8930. Such deliveries are only accepted during the DCO's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the docket index available

at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., 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 legal 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.

**FOR FURTHER INFORMATION CONTACT:** For technical information contact: Bernice Mudd, Information Management Division (7407M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-8951; fax number: (202) 564-8955; e-mail address: [mudd.bernice@epa.gov](mailto:mudd.bernice@epa.gov).

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

#### SUPPLEMENTARY INFORMATION:

### I. General Information

#### A. Does this action apply to me?

This action is directed to the public in general. As such, the Agency has not attempted to describe the specific entities that this action may apply to. Although others may be affected, this action applies directly to the submitter of the PMNs addressed in 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. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](http://www.regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes 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 docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns and suggest alternatives.
- vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- viii. Make sure to submit your comments by the comment period deadline identified.

### II. Why is EPA taking this action?

EPA classifies a chemical substance as either an "existing" chemical or a

"new" chemical. Any chemical substance that is not on EPA's TSCA Inventory is classified as a "new chemical," while those that are on the TSCA Inventory are classified as an "existing chemical." For more information about the TSCA Inventory go to: <http://www.epa.gov/opptintr/newchems/pubs/inventory.htm>. Anyone who plans to manufacture or import a new chemical substance for a non-exempt commercial purpose is required by TSCA section 5 to provide EPA with a PMN, before initiating the activity. Section 5(h)(1) of TSCA authorizes EPA to allow persons, upon application, to manufacture (includes import) or process a new chemical substance, or a chemical substance subject to a significant new use rule (SNUR) issued under TSCA section 5(a), for "test marketing" purposes, which is referred to as a test marketing exemption, or TME. For more information about the requirements applicable to a new chemical go to: <http://www.epa.gov/opt/newchems>.

Under TSCA sections 5(d)(2) and 5(d)(3), EPA is required to publish in the **Federal Register** a notice of receipt of a PMN or an application for a TME and to publish in the **Federal Register** periodic status reports on the new chemicals under review and the receipt of NOCs to manufacture those chemicals. This status report, which covers the period from August 29, 2011 to September 9, 2011, consists of the PMNs and TMEs, both pending or expired, and the NOCs to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

### III. Receipt and Status Reports

In Table I. of this unit, EPA provides the following information (to the extent that such information is not claimed as CBI) on the PMNs received by EPA during this period: The EPA case number assigned to the PMN, the date the PMN was received by EPA, the projected end date for EPA's review of the PMN, the submitting manufacturer/importer, the potential uses identified by the manufacturer/importer in the PMN, and the chemical identity.

TABLE I—16 PMNS RECEIVED FROM AUGUST 29, 2011 TO SEPTEMBER 9, 2011

Case No.	Received date	Projected notice end date	Manufacturer/importer	Use	Chemical
P-11-0609 .....	8/30/2011	11/27/2011	Crison LLC .....	(S) Monomer to be polymerized, copolymerized for use in coatings; medical research.	(S) Propenoic acid, 3-[ (2-hydroxy-1,1-dimethylethyl)amino]-2-methyl-
P-11-0610 .....	8/30/2011	11/27/2011	Crison LLC .....	(S) Monomer to be polymerized, copolymerized for use in coatings; medical research.	(S) Propenoic acid, 3-[ [ 1,1-bis(hydroxymethyl) propyl] amino]-2-methyl-
P-11-0611 .....	8/30/2011	11/27/2011	Crison LLC .....	(S) Monomer to be polymerized, copolymerized for use in coatings; medical research.	(S) Propenoic acid, 3-[ [ 2-hydroxy-1-bis(hydroxymethyl) ethyl] amino]-2-methyl-
P-11-0612 .....	8/29/2011	11/26/2011	Nanotech Industries, Inc.	(S) Flooring; paints; top coating .....	(S) Carbamic acid, N,N'-(trimethyl-1,6-hexanediy)bis-, ester with 1,2-propanediol (1:2) .
P-11-0613 .....	8/30/2011	11/27/2011	CBI .....	(G) Biodiesel and crude fuel additive.	(G) Vinyl polymer grafted alkyl methacrylate.
P-11-0614 .....	8/30/2011	11/27/2011	CBI .....	(G) Biodiesel and crude fuel additive.	(G) Vinyl polymer grafted poly methacrylate.
P-11-0615 .....	8/31/2011	11/28/2011	Corsitech .....	(S) Rheology additive to drilling fluids.	(G) C <sub>18</sub> dimer reaction product.
P-11-0616 .....	9/1/2011	11/29/2011	CBI .....	(S) Component for industrial & commercial coatings.	(G) Alkyl silsesquioxanes.
P-11-0617 .....	9/6/2011	12/4/2011	CBI .....	(G) Dyestuff .....	(G) Substituted xanthene derivative.
P-11-0618 .....	9/6/2011	12/4/2011	CBI .....	(G) Dyestuff .....	(G) Substituted anthraquinone derivative.
P-11-0619 .....	9/6/2011	12/4/2011	CBI .....	(G) Industrial cleaning solution component.	(G) Amino acid, carboxyalkyl, alkylsulfonate, alkali salt.
P-11-0620 .....	9/6/2011	12/4/2011	CBI .....	(G) Industrial cleaning solution component.	(G) Amino acid, carboxyalkyl, alkylsulfonate, alkali salt.
P-11-0621 .....	9/6/2011	12/4/2011	IGM Resins Inc	(G) Polymeric photoinitiator .....	(G) Piperazino based aminoalkylphenone.
P-11-0622 .....	9/7/2011	12/5/2011	Henkel Corporation.	(S) Component in cyanoacrylate adhesive formulations.	(S) 4,5,6,7-tetrahydroisobenzofuran-1,3-dione.
P-11-0623 .....	9/7/2011	12/5/2011	Cytec Industries Inc.	(G) Coating resin for increased impact resistance..	(G) Heteromonocycle, homopolymer, disubstituted carbomonocycle, substituted alkyl ester.
P-11-0624 .....	9/9/2011	12/7/2011	Oleon Americas Inc.	(G) Industrial base oil .....	(G) Fatty acids, polymers with bicarboxylic acid, polyol and substituted alkanolic acid.

In Table II. of this unit, EPA provides the following information (to the extent that such information is not claimed as CBI) on the TMEs received by EPA

during this period: The EPA case number assigned to the TME, the date the TME was received by EPA, the projected end date for EPA's review of

the TME, the submitting manufacturer/importer, the potential uses identified by the manufacturer/importer in the TME, and the chemical identity.

TABLE II—1 TMEs RECEIVED FROM AUGUST 29, 2011 TO SEPTEMBER 9, 2011

Case No.	Received date	Projected notice end date	Manufacturer/importer	Use	Chemical
T-11-0015 .....	9/7/2011	10/21/2011	Cytec industries inc .....	(G) Coating resin for increased impact resistance.	(G) Heteromonocycle, homopolymer, disubstituted carbomonocycle, substituted alkyl ester.

In Table III. of this unit, EPA provides the following information (to the extent that such information is not claimed as

CBI) on the NOCs received by EPA during this period: The EPA case number assigned to the NOC, the date

the NOC was received by EPA, the projected end date for EPA's review of the NOC, and chemical identity.

TABLE III—17 NOCS RECEIVED FROM AUGUST 29, 2011 TO SEPTEMBER 9, 2011

Case No.	Received date	Commencement notice end date	Chemical
P-00-0533 .....	9/8/2011	9/7/2011	(S) Propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl-, polymer with 2,2'-[1,4-butanediylbis(oxyethylene)]bis[oxirane], dihydro-3-(tetrapropenyl)-2,5-furandione and $\alpha$ -hydro- $\omega$ -hydroxypoly(oxy-1,2-ethanediyl)- compd. with 2-(dimethylamino)ethanol.
P-08-0063 .....	8/31/2011	8/26/2011	(G) Polyamide based on alkanedioic acid, alkyl lactam and polyoxyalkylene.
P-08-0347 .....	9/8/2011	8/16/2011	(G) Alkyl lactyl lactate.
P-11-0058 .....	8/26/2011	8/23/2011	(G) Aromatic diol, diaryl carboxylate.
P-11-0123 .....	9/7/2011	8/2/2011	(G) Hydroxyalkyl methacrylate, reaction product with cyclic ether and cyclic carbonic acid anhydride.
P-11-0146 .....	9/8/2011	7/26/2011	(G) Styrene-acrylic copolymer.
P-11-0219 .....	8/30/2011	8/19/2011	(G) Alkyl acrylate, polymer with alkyl acrylate, alkyl methacrylates, and styrene, peroxide-initiated.
P-11-0278 .....	9/6/2011	8/10/2011	(G) Heteromonocycle, polymer with disubstituted carbomonocycle and alkylene glycol, alkyl acrylate blocked.
P-11-0300 .....	9/8/2011	9/1/2011	(G) Aromatic polyester polyol.
P-11-0309 .....	8/29/2011	8/16/2011	(G) Hexanedioic acid, polymer with polyether polyol, 1,1'-methylenebis[4-isocyanatobenzene] and dihydroxydialkyl ether.
P-11-0339 .....	9/6/2011	8/26/2011	(S) Multi-wall carbon nanotube also known as—mwnt.
P-11-0356 .....	8/31/2011	8/4/2011	(G) Alkoxysilyl polyether prepolymer.
P-11-0357 .....	9/8/2011	8/18/2011	(G) Polycarbonate type urethane resin.
P-11-0366 .....	9/6/2011	8/21/2011	(G) 1-propanone, 2-hydroxy-2-methyl-, 1-(4-alkylaryl) derivs.
P-11-0375 .....	9/1/2011	8/18/2011	(G) Solvent free aromatic adhesive.
P-11-0376 .....	9/8/2011	9/3/2011	(G) Aliphatic alcohol type polyester.
P-11-0394 .....	9/2/2011	8/30/2011	(S) Amines, C <sub>36</sub> -alkylenedi-, polymers with 5,5'-oxybis[1,3-isobenzofurandione], reaction products with maleic anhydride.

If you are interested in information that is not included in these tables, you may contact EPA as described in Unit II. to access additional non-CBI information that may be available.

#### List of Subjects

Environmental protection, Chemicals, Hazardous substances, Imports, Notice of commencement, Premanufacturer, Reporting and recordkeeping requirements, Test marketing exemptions.

Dated: September 27, 2011.

#### Chandler Sirmons,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

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### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OA-2011-0798; FRL-9475-6]

#### Gulf of Mexico Regional Ecosystem Restoration Strategy (Preliminary)

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

**ACTION:** Notice of Availability.

**SUMMARY:** This notice announces the availability of the Gulf of Mexico Regional Ecosystem Restoration Strategy (Preliminary) for public review and feedback. The document is available at <http://www.regulations.gov> in the

docket identified by Docket ID No. EPA-HQ-OA-2011-0798. President Barack Obama established the Gulf Coast Ecosystem Restoration Task Force (Task Force) on October 5, 2010 through Executive Order 13554 for the purpose of coordinating the long-term conservation and restoration of America's Gulf Coast. The Task Force is an intergovernmental advisory body comprised of senior officials from 11 federal cabinet level agencies and the Executive Office of the President, and one representative from each of the five Gulf Coast states, Alabama, Florida, Louisiana, Mississippi, and Texas. The President charged the Task Force to work with state and federal agencies, tribes, communities, stakeholders and the public throughout the Gulf Coast to develop a Gulf of Mexico Ecosystem Restoration Strategy. Additionally, the Task Force was instructed to build upon existing research and ecosystem restoration plans, and to learn from those who are actively involved in ecosystem restoration.

Over the past year the Task Force has engaged with various stakeholders and the public as well as coordinated with other entities that share the Task Force's important goals. The Task Force held at least one public meeting in each of the five Gulf states, which included a public listening session to gather individual input from those most connected to the Gulf ecosystem. In addition to the listening sessions that took place during public meetings, the Task Force held

multiple listening sessions throughout the Gulf in partnership with local government leadership, academics, and non-governmental organizations. The culmination of these efforts has led to the development of the Gulf of Mexico Regional Ecosystem Restoration Strategy (Preliminary), which is being released for public review and feedback.

**DATES:** Comments must be received on or before October 26, 2011.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OA-2011-0798, by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

- *E-mail:* [oei.docket@epa.gov](mailto:oei.docket@epa.gov).

- *Fax:* (202) 566-9744.

- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Office of Environmental Information Docket, Mail Code 28221T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

- *Hand Delivery:* U.S. Environmental Protection Agency, EPA Docket Center, EPA West Building, Room 3334, 1301 Constitution Ave., NW., Washington, DC 20004. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-OA-2011-0798. EPA's policy is that all comments received will be included in the public