

the Protection and Improvement of the Environment in the Border Area (the La Paz Agreement). Border 2012 succeeds Border XXI, a five-year program that ended in 2000.

The National Coordinators Meeting is an important aspect of the Border 2012 Program. Federal-level National Coordinators from the United States and Mexico manage overall Border 2012 Program implementation and ensure cooperation and communication among all coordinating bodies. This meeting will provide an opportunity for program partners to report on their activities to each other and to the public. The 3 Policy Forums focus on Air, Water and Hazardous Waste and Solid Waste, respectively. The 3 Border-wide Workgroups focus on Environmental Health, Emergency Preparedness and Response (Joint Response Team), and Cooperative Enforcement and Compliance.

For further information on Border 2012 or the National Coordinators Meeting, please contact: EPA El Paso Border Office at 915-533-7273 or 800-334-0741 or EPA San Diego Border Office at 619-235-4765 or 800-334-0741.

Joan Fidler,

Director, Office of Western Hemisphere and Bilateral Affairs, Office of International Affairs.

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-2003-0339: FRL- 7331-3]

Cancellation of Pesticides for Non-payment Of Year 2003 Registration Maintenance Fees

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Since the amendments of October, 1988, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) has required payment of an annual maintenance fee to keep pesticide registrations in effect. The fee due last January 15 has gone unpaid for 864 registrations. Section 4(i)(5)(G) of FIFRA provides that the Administrator may cancel these registrations by order and without a hearing; orders to cancel all 864 of these registrations have been issued within the past few days.

FOR FURTHER INFORMATION CONTACT: For further information on the maintenance fee program in general, contact by mail: John Jamula, Office of Pesticide

Programs (7504C), Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: (703) 305-6426; e-mail address: jamula.john@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Important Information

A. Does this Apply to Me?

You may be potentially affected by this notice if you are an EPA registrant with any approved product registration(s). Although this action may be of particular interest to persons who produce or use pesticides, 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 information in this notice, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

B. How Can I Get Additional Information or Copies of Support Documents?

1. *Electronically.* You may obtain electronic copies of this document and various other related documents that might be available from the EPA Internet Home Page at <http://www.epa.gov/fedrgstr/>.

The Agency has established an official record record for this Action under docket control number OPP-2003-0339. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as Confidential Business Information (CBI). The official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information that is claimed as CBI. The public version of the official record, which includes printed paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Room 119, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

II. Introduction

Section 4(i)(5) of FIFRA as amended in October, 1988 (Public Law 100-532), December, 1991 (Public Law 102-237), and again in August, 1996 (Public Law 104-170), requires that all pesticide registrants pay an annual registration

maintenance fee, due by January 15 of each year, to keep their registrations in effect. This requirement applies to all registrations granted under section 3 as well as those granted under section 24(c) to meet special local needs. Registrations for which the fee is not paid are subject to cancellation by order and without a hearing.

The Food, Agriculture, Conservation, and Trade Act Amendments of 1991, Public Law 102-237, amended FIFRA to allow the Administrator to reduce or waive maintenance fees for minor agricultural use pesticides when she determines that the fee would be likely to cause significant impact on the availability of the pesticide for use. The Agency has waived the fee for 141 minor agricultural use registrations at the request of the registrants.

In fiscal year 2003, maintenance fees were collected in two billing cycles. During the first cycle, the Agency was operating under a continuing resolution which authorized the Agency to collect \$17 million. In late December 2002, all holders of either section 3 registrations or section 24(c) registrations were sent lists of their active registrations, along with forms and instructions for responding. They were asked to identify which of their registrations they wished to maintain in effect, and to calculate and remit the appropriate maintenance fees. Recipients of these initial bills were also notified that a second final bill would also be issued if the Agency's Appropriations Bill authorized collection of more than \$17 million. Most responses were received by the statutory deadline of January 15. A notice of intent to cancel was sent in mid-February to companies who did not respond and to companies who responded, but paid for less than all of their registrations.

The Agency's Appropriations Bill was passed by Congress in March, 2003. This Appropriations Bill authorized the Agency to collect \$21.5 million in maintenance fees. To collect the additional \$4.5 million, the Agency initiated a second billing in early May. Final payments were due on June 15, 2003.

Since mailing the notices, EPA has maintained a toll-free inquiry number through which the questions of affected registrants have been answered.

Maintenance fees have been paid for about 15,120 section 3 registrations, or about 93 percent of the registrations on file in December. Fees have been paid for about 2,258 section 24(c) registrations, or about 86 percent of the total on file in December. Cancellations for non-payment of the maintenance fee affect about 599 section 3 registrations