a.m. to 4:30 p.m., Monday through Friday, except legal holidays. FOR FURTHER INFORMATION CONTACT: By mail: Ann Sibold, Review Manager, Environmental Protection Agency (7508W), 401 M St., SW., Washington, DC 20460. Office location and telephone number: 2800 Crystal Drive, 3rd Floor, Arlington, VA 22202, (703) 308-8033. SUPPLEMENTARY INFORMATION: EPA announces its proposed decision not to initiate a Special Review of propoxur. EPA has re-evaluated the concerns raised in its March 22, 1988 preliminary notification letter to registrants (Refs. 1), along with other relevant information and the regulatory actions taken since the preliminary notification. Based on this re-evaluation, EPA has determined that a Special Review of propoxur is not warranted at this time.

I. Introduction

A. Chemical Background

Propoxur is the common name for 2isopropoxy-phenyl-N-methylcarbamate, a carbamate insecticide for the control of insects and other arthropods inside and outside of buildings and on pets. The holders of the two U.S. technical registrations of propoxur, Baygon and Sendran, are Miles Inc., Agriculture Division (formerly Mobay Corp., Agricultural Chemical Division), and Miles Inc., Animal Health Division (formerly Mobay Corp., Animal Health Division) respectively. Miles Inc. is a subsidiary of Bayer, AG, Germany Approximately 100 companies hold active registrations for intermediate and/or end-use products in which propoxur is an active ingredient (a.i.). There are approximately 200 registrations for formulations containing propoxur, including 2 technical products, Baygon (96 percent) and Sendran (94 percent), and 19 formulation intermediates.

End-use propoxur products provide contact kill and residual control of a wide variety of common indoor insects, such as ants and cockroaches. Propoxur formulations are also sold for the control of fleas and ticks on pets. In addition, propoxur-containing products are sold for limited outdoor uses. For example, it is used in wasp and hornet sprays, and application to and around building surfaces and foundations, patios, driveways, and sidewalks. Propoxur products are sold as wettable powders, emulsifiable concentrates, aerosols, total-release aerosol foggers, ready-to-use (RTU) liquids, granular baits, enclosed baits, impregnated or controlled release strips and shelf paper. Wettable powders and emulsifiable concentrates (diluted and mixed with

water) and RTU liquids can be applied using a compressed air sprayer in both household and non-household settings. Pest Control Operators (PCOs) use emulsifiable concentrates, wettable powders, and granular products. Pet-use products are sold as aerosol sprays, collars, and dab-ons. There are a number of propoxur insecticides which contain other active ingredients such as dichlorvos (DDVP), piperonyl butoxide, pyrethrins, allethrin, and N-octyl bicycloheptene dicarboximide. EPA estimates that combined indoor and outdoor household uses (applied by both residents and PCOs) account for 80 to 92 percent of total propoxur usage in the United States. PCOs apply approximately 6 percent to 9 percent of the total propoxur used in homes. Residents of single family homes, condominiums and apartments are the primary users of propoxur products sold as aerosols or RTU liquids. There is limited use (up to about 8 percent) of propoxur in commercial establishments.

B. Legal Background

1. Statute. A pesticide product may be sold or distributed in the United States only if it is registered or exempt from registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended (7 U.S.C. 136 et seg.). Before a product can be registered it must be shown that it can be used without "unreasonable adverse effects on the environment" (FIFRA section 3(c)(5)), that is, without causing "any unreasonable risk to man or the environment, taking into account the economic, social, and environmental costs and benefits of the use of the pesticide" (FIFRA section 2(bb)). The burden of proving that a pesticide meets this standard for registration is at all times on the proponent of initial or continued registration. If, at any time, EPA determines that a pesticide no longer meets this standard for registration or reregistration, the Administrator may cancel the registration under sections 3 or 6 of FIFRA.

2. Special Review process. EPA initiates a Special Review when it determines that a pesticide meets or exceeds one or more of the risk criteria set out in the regulations (40 CFR 154.7). The Special Review process is described in 40 CFR part 154, published in the **Federal Register** of November 27, 1985 (50 FR 49015). During a Special Review, EPA: (1) announces and describes EPA's finding that use of the pesticide meets one or more of the risk criteria set forth in 40 CFR 154.7; (2) establishes a public docket; (3) proposes a regulatory decision; (4) solicits

comments from the public on the issues and proposed regulatory decision of the Special Review, and from the Secretary of Agriculture and the FIFRA Scientific Advisory Panel on the Agency's analysis and proposed decision; (5) reviews and responds to all significant comments submitted within the stated time frame; and (6) makes a final regulatory decision based on the risks and benefits associated with each use of the pesticide.

Prior to formal initiation of a Special Review, a preliminary notification is sent to registrants and applicants for registration pursuant to 40 CFR 154.21 announcing that the Agency is considering commencing a Special Review.

If the Agency determines, after issuance of a notification pursuant to 40 CFR 154.21, that it will not conduct a Special Review, it is required under 40 CFR 154.23 to issue a proposed decision to be published in the **Federal Register**. This Notice is being issued under 40 CFR 154.23. A period of not less than 30 days is to be provided for public comment on the Proposed Decision Not To Initiate a Special Review. Subsequent to receipt and evaluation of comments on the Proposed Decision Not To Initiate a Special Review, the Administrator is required by 40 CFR 154.25 to publish in the **Federal Register** a final decision regarding whether or not a Special Review will be conducted.

C. Regulatory Background

1. Data Call-In (DCI) Notices. EPA issued DCI Notices to various propoxur registrants in 1987, 1988, 1989, and 1992. Following these DCIs, registrants either voluntarily cancelled or deleted from labels certain uses, as follows: all propoxur-containing dusts; all outdoor uses (except for the following limited uses: application to the exterior of buildings and around foundations, patios, driveways, and sidewalks); ready-to-use (RTU) liquids applied with trigger pump sprayers; and certain pet uses including dips and shampoos. Miles Inc., the registrant of technical propoxur, submitted five acceptable studies that EPA used in its exposure assessments (PCO and post-application exposures from crack and crevice treatments using compressed air sprayers, residential applicator (RA) exposure using aerosol sprays, PCO exposure from granular bait uses, and applicator exposure from pet aerosols).

2. Notification of registrants. On March 22, 1988, pursuant to 40 CFR 154.21(a), EPA issued a private ("Grassley-Allen") notification to propoxur registrants that the Agency