ENVIRONMENTAL PROTECTION AGENCY

[OPP-30000/56; FRL-4954-7]

Dichlorvos; Notice of Preliminary Determination to Cancel Certain Registrations and Draft Notice of Intent to Cancel

AGENCY: Environmental Protection

Agency (EPA).

ACTION: Notice of preliminary

determination.

SUMMARY: This Notice sets forth EPA's preliminary determination regarding the continued registration of pesticide products containing dichlorvos and sets forth the Agency's assessment of the risks and benefits associated with dichlorvos products. This Notice announces the Agency's preliminary determination to propose cancellation of certain registrations of dichlorvos products and to propose modification to other registrations which would not be canceled. In addition, this Notice serves as a Draft Notice of Intent to Cancel. **DATES:** Written comments must be received on or before December 27, 1995.

ADDRESSES: Submit three copies of written comments bearing the docket control number "OPP-30000-56" by mail to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to: Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: oppdocket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number ''OPP–30000/56.'' No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this document may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in Unit VII. of this document.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as confidential business information (CBI).

Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Dennis Utterback, Special Review and Reregistration Division (7508W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Special Review Branch, 3rd floor, Crystal Station #1, 2800 Crystal Drive, Arlington, VA, Telephone: 703–308–8026: e-mail:

utterback.dennis@epamail.epa.gov. **SUPPLEMENTARY INFORMATION: This** Notice is organized into the following units: Unit I. is the introduction which includes background information related to dichlorvos, a description of the Agency's Special Review process, and the regulatory history of dichlorvos (2,2-dichlorovinyl dimethyl phosphate), also known as DDVP, including the initiation of Special Review. Unit II. summarizes the risk assessment. Unit III. summarizes the benefits of dichlorvos uses. Unit IV. explains the Agency's risk/benefit analysis and proposed regulatory decisions. Unit V. describes the Agency's existing stocks policy. Unit VI. describes the procedures related to the referral of this document to the U.S. Department of Agriculture and FIFRA Scientific Advisory Panel. Unit VII. describes the opportunity for public comment, and Unit VIII. describes the availability of information in the Public Docket. Finally, Unit IX. lists references to this document.

I. Introduction

A. Summary

EPA has concluded that the risks outweigh the benefits for most uses of dichlorvos, and therefore, recommends a variety of measures to reduce those risks. Dichlorvos poses carcinogenic risks of concern to the general population from dietary exposure and risks of cholinesterase inhibition (including cholinergic signs) to individuals mixing, loading, and applying this pesticide, as well as to those reentering treated areas. The Agency believes that the economic

benefits associated with the continued use of dichlorvos are not significant for most uses. After careful consideration of the risks and benefits, EPA is proposing the following actions: Cancellation of all uses in or on residences, tobacco warehouses, ornamental lawns, turf and plants, commercial, institutional and industrial areas, airplanes, trucks, shipholds, and rail cars, warehouses, and use on bulk, packaged or bagged nonperishable processed and raw food (except for impregnated resin strips in silos). In addition, EPA is proposing to cancel other registrations unless certain modifications are made to the label, including: prohibit hand-held application in mushroom houses, greenhouses, on food and nonfood animals (other than poultry), and in passenger buses; allow other application methods in mushroom houses, greenhouses or passenger buses, as long as the applicator and others are prohibited from remaining in these facilties during treatment; restrict all remaining registered products to use by certified applicators only, except for impregnated resin strips used in museums (closed spaces) and in insect traps, and require personal protective equipment (PPE) during handling; and require reentry intervals for mushroom houses, greenhouses and passenger buses. EPA is proposing to retain the following uses: mushroom houses and greenhouses (only automatic foggers or fogging through a port, and restricted reentry), kennels, feedlots, insect traps, garbage dumps, direct application to poultry, automated application to livestock, animal premises, manure, and buses (fogger use).

In addition to the Special Review, there are three activities which may affect dichlorvos registrations. First, EPA published the Final Revocation Notice for the food additive regulation (FAR) of dichlorvos residues on packaged or bagged nonperishable processed food in the Federal Register of November 10, 1993 (58 FR 59667). The effective date of this Notice was stayed indefinitely. Second, if that revocation becomes effective, under current policy, EPA would issue a notice of its intent to cancel the related uses under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Third, EPA received a request from Amvac Chemical Corporation, the sole technical registrant of dichlorvos, to voluntarily delete several uses from its technical label. EPA intends to accept Amvac's request unless the Company withdraws or modifies its request.