



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2012-0425; FRL-9351-9]

Tralomethrin and Fenarimol; Registration Review Proposed Decisions; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's proposed registration review decisions for the pesticides listed in the table in Unit II.A. and opens a public comment period on the proposed decisions. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, that the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

DATES: Comments must be received on or before [*insert date 60 days after date of publication in the Federal Register*].

ADDRESSES: Submit your comments, identified by docket identification (ID) number for the specific pesticide of interest provided in the table in Unit II.A. by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

●*Mail*: OPP Docket, Environmental Protection Agency Docket Center (EPA/DC),
Mail Code: 28221T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

●*Hand Delivery*: To make special arrangements for hand delivery or delivery of
boxed information, please follow the instructions at

<http://www.epa.gov/dockets/contacts.htm>.

Additional instructions on commenting or visiting the docket, along with more
information about dockets generally, is available at <http://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: *For pesticide specific information,*
contact: The Chemical Review Manager for the pesticide of interest identified in the
table in Unit II.A.

For general information on the registration review program, contact: Kevin
Costello, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs,
Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC
20460-0001; telephone number: (703) 305-5026; fax number: (703) 308-8090; email
address: costello.kevin@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, farm worker, 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 chemical review manager 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 or email. 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. Background

A. *What Action is the Agency Taking?*

Pursuant to 40 CFR 155.58, this notice announces the availability of EPA's proposed registration review decisions for the pesticides shown in the following table, and opens a 60-day public comment period on the proposed decisions. Tralomethrin is a broad-spectrum Type II systemic pyrethroid ester insecticide that is registered for use in a variety of residential and commercial settings, and on a small number of agricultural crops including broccoli, cauliflower, cotton, lettuce, peanuts, and sunflowers.

Fenarimol is a member of the pyrimidine class of fungicides used for control of such pests as scab, powdery mildew, rusts, and leaf spot. Fenarimol inhibits fungal growth by adversely affecting the formation of the fungal sterol ergosterol, and is currently registered for use on fruit and nut crops such as apples, cherries, filberts (nonbearing), grapes, hops, pears, and pecans as well as on ornamental plants, trees, and grasses and turf lawns.

Table--Registration Review Proposed Final Decisions

Registration Review Case Name and Number	Pesticide Docket ID Number	Chemical Review Manager, Telephone Number, Email Address
Tralomethrin, Case No. 7400	EPA-HQ-OPP-2010-	Wilhelmena Livingston

	0116	(703) 308-8025 <i>livingston.wilhelmena@epa.gov</i>
Fenarimol, Case No. 7001	EPA-HQ-OPP-2006-0241	Garland Waleko (703) 308-8049 <i>waleko.garland@epa.gov</i>

The registration review docket for a pesticide includes earlier documents related to the registration review of the case. For example, the review opened with the posting of a Summary Document, containing a Preliminary Work Plan, for public comment. A Final Work Plan was posted to the docket following public comment on the initial docket.

The documents in the initial dockets described the Agency's rationales for not conducting additional risk assessments for the registration review of the pesticides included in the table in Unit II.A. These proposed registration review decisions continue to be supported by those rationales included in documents in the initial dockets.

Following public comment, the Agency will issue final registration review decisions for products containing the pesticides listed in the table in Unit II.A. The registration review program is being conducted under congressionally mandated time frames, and EPA recognizes the need both to make timely decisions and to involve the public. Section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, required EPA to establish by regulation procedures for reviewing pesticide registrations, originally with a goal of reviewing each pesticide's registration every 15 years to ensure that a pesticide continues to meet the FIFRA standard for registration. The Agency's final rule to implement this program was issued in August 2006 and became effective in October 2006, and appears at 40 CFR part 155, subpart C. The Pesticide Registration Improvement Act of 2003 (PRIA) was amended and extended in

September 2007. FIFRA, as amended by PRIA in 2007, requires EPA to complete registration review decisions by October 1, 2022, for all pesticides registered as of October 1, 2007.

The registration review final rule at 40 CFR 155.58(a) provides for a minimum 60-day public comment period on all proposed registration review decisions. This comment period is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to the proposed decision. All comments should be submitted using the methods in **ADDRESSES**, and must be received by EPA on or before the closing date. These comments will become part of the docket for the pesticides included in the table in Unit II.A. Comments received after the close of the comment period will be marked “late.” EPA is not required to consider these late comments.

The Agency will carefully consider all comments received by the closing date and will provide a “Response to Comments Memorandum” in the docket. The final registration review decision will explain the effect that any comments had on the decision and provide the Agency’s response to significant comments.

Background information on the registration review program is provided at:

http://www.epa.gov/oppsrrd1/registration_review. Links to earlier documents related to the registration review of these pesticides are provided at:

http://www.epa.gov/oppsrrd1/registration_review/reg_review_status.htm.

B. What is the Agency's Authority for Taking this Action?

Section 3(g) of FIFRA and 40 CFR part 155, subpart C, provide authority for this action.

List of Subjects

Environmental protection, Administrative practice and procedure, Pesticides and pests, Tralomethrin, and Fenarimol.

Dated: June 5, 2012.

Richard P. Keigwin, Jr.,

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

[FR Doc. 2012-15722 Filed 06/26/2012 at 8:45 am; Publication Date: 06/27/2012]