

November 15, 2005

Public Information and Records Integrity Branch (PIRIB)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Room 119
Crystal Mall #2
1801 S. Bell St.
Arlington, VA

Re: Objections to final rule entitled "Revoking 34 exemptions from requirement of a tolerance", Docket Number OPP-2005-0069

Dear Sir/Madam:

The Surfactants Task Force is writing to express their serious concerns in response to the Environmental Protection Agency's (EPA) proposed Final Rule on the revocation of 34 exemptions from the requirement of a tolerance that is associated with 31 inert ingredients published in the Federal Register on September 21, 2005. As surfactant manufacturers and suppliers to the chemical, farming, and commodity industries, we are alerting you to some of the most significant and broad-based problems with the proposed rule.

We believe that the Final Rule contains insurmountable legal and economic difficulties. We recommend that the Agency modify the Final Rule removing the five (5) surfactants in question. Inert ingredients in question:

Section 180.920:

- Calcium and sodium salts of certain sulfonated petroleum fractions (mahogany soaps); calcium salt molecular weight (in amu) 790-1,020, sodium salt molecular weight (in amu) 400-500
- X-(p-Nonylphenyl)-v-hydroxy-poly(oxyethylene) sulfosuccinate isopropylamine and N-hydroxyethyl isopropylamine salts of: the poly(oxyethylene) content averages r moles
- Tetrasodium N-(1,2-dicarboxyethyl)-N-octadecyl-sulfosuccinamate
- Tri-tert-butylphenol polyglycol ether (molecular weight (in amu) 746

Section 180.930:

- Polyethylene esters of fatty acids, conforming to 21 CFR 172.854

SURFACTANTS TASK FORCE SUPPORT

On October 11, 2004 the Surfactants Task Force (STF) sent the draft list (STFSurfactants1.xls) of inert ingredients that they proposed to support for FQPA reassessment to Kathryn Boyle. That draft list contained all five (5) surfactants listed above. Then on October 28, 2004 the STF sent Kathryn Boyle the initial official list (STFSurfactants2.xls) of the supported surfactants, which also contained all five (5) surfactants listed above. On December 1, 2004 Kathryn Boyle was sent a revised list of supported surfactants (STFSurfactants3.xls), which still contained all five (5) surfactants listed above. On February 6, 2005 Pauline Wagner was sent a revised list of supported surfactants (STFSurfactants4.xls), which still contained all five (5) surfactants listed above. On February 15, 2005 Pauline Wagner was sent a revised list of supported surfactants (STFSurfactants5.xls), which still contained all five (5) surfactants listed above. All of these revisions were either surfactant additions or deletions as Surfactant Task Force members joined and participated in the review process but none effected the five (5) surfactants listed above.

On March 22, 2005 Pauline Wagner was sent a revised list of supported surfactants (STFSurfactants7.xls), but this time “X-(p-Nonylphenyl)-v-hydroxy-poly(oxyethylene) sulfosuccinate isopropylamine and N-hydroxyethyl isopropylamine salts of: the poly(oxyethylene) content averages r moles” was removed. The other four (4) surfactants listed above remained. The removal was at EPA’s insistence that they would handle the FQPA inert reassessment of all nonylphenol ethoxylates (NPEs) that their derivatives.

On March 22, 2005 Pauline Wagner was sent the initial “Ranking of Surfactants Sponsored for Inert Reassessment – STF” (STFSurfactantClusterPriorities1). This list also contained the four (4) surfactants listed above less the NPE sulfosuccinate. This priority list was agreed upon and set to timelines requested by EPA. Landis International, STF consultant, has followed that timeline and most of the surfactants listed above have been incorporated in the surfactant clusters and are part of the science assessments.

With discussions with EPA on the NPE issue, NPE derivatives were returned to the STF support list. On August 29, 2005 Pauline Wagner was sent a revised list of supported surfactants (STFSurfactants9.xls), which still contained all five (5) surfactants listed above once again. On September 30, 2005 Pauline Wagner was sent a revised “Ranking of Surfactants Sponsored for Inert Reassessment – STF” (STFSurfactantClusterPriorities3). This list again also contained all five (5) surfactants listed above.

At the June 30, 2005 Quarterly EPA/ISC meeting with Lois Rossi, the 34 inert revocations were discussed and attention was brought to the five (5) inerts that the STF was supporting. ISC/STF members were led to believe that the surfactants would not be included in the Final Rule.

ALKYLBENZENE SULFONATES CLUSTER

On November 11, 2005 Landis International submitted the alkylbenzene sulfonates cluster science assessment to EPA. It includes the “Calcium and sodium salts of certain sulfonated petroleum fractions(mahogany soaps); calcium salt molecular weight (in amu) 790-1,020, sodium salt molecular weight (in amu) 400-500”. The purpose of this Final Rule was to save valuable FQPA inert reassessment time by eliminating inert ingredients that were not in any registered pesticide. However, reassessment of this particular inert will be completed with the alkylbenzene sulfonates cluster, therefore requiring little additional action by the EPA

NONYLPHENOL ETHOXYLATES & DERIVATIVES CLUSTER

IN November, 2005 Landis International will submit the nonylphenol ethoxylates and derivatives cluster science assessment to EPA. It includes the “X-(p-Nonylphenyl)-v-hydroxy-poly (oxyethylene) sulfosuccinate isopropylamine and N-hydroxyethyl isopropylamine salts of: the poly(oxyethylene) content averages r moles”. The purpose of this Final Rule was to save valuable FQPA inert reassessment time by eliminating inert ingredients that were not in any registered pesticide. However reassessment of this particular inert will be completed with the nonylphenol ethoxylates and derivatives cluster, therefore requiring little additional action by the EPA

ALKYLPHENOL ALKOXYLATES CLUSTER

On July 18, 2005 Landis International submitted the alkylphenol alkoxyate cluster science assessment to EPA. It includes the “Tri-tert-butylphenol polyglycol ether (molecular weight (in amu) 746”. The purpose of this Final Rule was to save valuable FQPA inert reassessment time by eliminating inert ingredients that were not in any registered pesticide. However, reassessment of this particular inert will be completed with the alkylphenol alkoxyate cluster, therefore requiring little additional action by the EPA

SULFOSUCCINATE SALTS CLUSTER

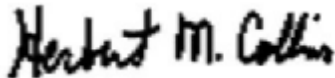
On November 2, 2005 Landis International submitted the sulfosuccinate salts cluster science assessment to EPA. It includes the “X-(p-Nonylphenyl)-v-hydroxy-poly (oxyethylene) sulfosuccinate isopropylamine and N-hydroxyethyl isopropylamine salts of: the poly(oxyethylene) content averages r moles”. The purpose of this Final Rule was to save valuable FQPA inert reassessment time by eliminating inert ingredients that were not in any registered pesticide. However, reassessment of this particular inert will be completed with the sulfosuccinate salts cluster, therefore requiring little additional action by the EPA

GLYCEROL FATTY ACID ESTER CLUSTER

On May 18, 2004 EPA reassessed the glycerol fatty acid ester cluster. It includes the "Polyglycerol esters of fatty acids, conforming to 21 CFR 172.854". This is the 40 CFR 180.910 tolerance exemption for use on crops. The 40 CFR 180.930 listing is incorrectly printed as "Polyethylene esters of fatty acids, conforming to 21 CFR 172.854". This is the tolerance exemption clearance for use on animals. Glycerol fatty acid esters are clearly used in pesticide products formulated for use on animals. The listing in 40 CFR is currently incorrectly printed, but the Final Rule revocation will cause major problems and essentially mandate the removal of glycerol fatty acid esters from 180.930 uses.

Please reconsider the revocation of these five (5) surfactant tolerance exemptions. EPA actions will be minor to preserve these important formulation tools. Thank you for your considerations.

Sincerely,

A handwritten signature in black ink that reads "Herbert M. Collins". The signature is written in a cursive, slightly slanted style.

Herbert M. Collins
Chairman
Surfactants Task Force