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UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY
WASHINGTON D.C., 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Date: June 4, 2009
Chemical: Fipronil
PC Code: 129121
DP Barcodes: D362974, D362975, and D362976

MEMORANDUM

SUBJECT: Review of Registrant Submitted Documents on NAWQA Surface Water Data Summary for Fipronil and a Five Year Soil Accumulation Study for Fipronil

TO: Richard Gebkin
Bonaventure Akinlosotu
Registration Division (7505P)

FROM: Stephen Wente, Biologist
Nancy Andrews, Branch Chief
Environmental Risk Branch I
Environmental Fate and Effects Division (7507P)

The registrant (BASF) has submitted a memo (MRID 47683000) entitled "RE: Submission of Registrant Responses and Request for EPA Response to Unconditional Registration for Crop Uses of Fipronil Products under Regent Name (Regent 1.5G (7969-206); Regent 4SC (7969-207); Regent 80WG (7969-208))." Some of the issues addressed in the memo are not germane to an EFED review and therefore will not be addressed in this memo. Two issues, discussed under the BASF memo Section I Water Issues and Section II Soil Accumulation are reviewed here. These issues are addressed in additional reports submitted with the registrant's memo, entitled "Summary of NAWQA Surface Water Monitoring for Fipronil and degradates solely from Agricultural contributions" (MRID 47683002) and "Fipronil Soil Residue Increase with Time" (MRID 47683001), for EFED's. **These documents should be considered to be supplemental information that will not directly affect EFED modeling assumptions or risk conclusions.**

Justification

The NAWQA monitoring document (MRID 47683002) reports only non-targeted monitoring results from the US Geological Survey, National Water-Quality Assessment

US EPA ARCHIVE DOCUMENT



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Program (NAWQA). The term non-targeted is used to indicate that this monitoring is not designed to occur in either the location where, or at a time when, fipronil or its degradates might be expected to occur (*e.g.*, directly downstream of Fipronil application sites after runoff events). Because these results are not targeted, it is impossible to make credible inferences between fipronil applications and these non-targeted data. The registrant's memo states "BASF would consider additional monitoring to address concerns on the issue". If additional monitoring is to be done, EFED recommends that it be targeted monitoring and suggests that EFED review such the monitoring study protocol before sample collection begins.

The soil accumulation document (MRID 47683001) is very brief and consists mostly of a series of data plots with only a minimal description of the methods employed, results, and discussion. Potentially, the data may be of utility in evaluating fipronil terrestrial residues. However as written, EFED cannot adequately review the document for use in the risk assessment process.

After reviewing the submitted documents, EFED concludes that these documents would *be unlikely to* materially affect EFED's modeling assumptions and would *be unlikely to* affect EFED's conclusions concerning environmental risk. Please contact Steve Wentz at (703) 305-0001 (wente.stephen@epa.gov) with any comments or concerns.