(October 22, 2019)

Petition Requesting Cancellation of All Pet Uses of Tetrachlorvinphos (TCVP)

Background:

- **Petitioner:** Natural Resources Defense Council, Gina Solomon and Mae Wu
- **Received:** April 23, 2009
- **Request:** Request for the agency to cancel all pet uses for TCVP
- **Acknowledgement letter sent:** May 28, 2009
- **OGC contact:** Ben Wakefield
- **Timeline:**
  - April 23, 2009: NRDC filed a petition to cancel all pet uses for TCVP.
  - June 5, 2009: 60-day comment period opened on the petition.
  - February 2014: NRDC filed a lawsuit requesting a mandate for EPA respond to the petition.
  - November 6, 2014: EPA denied the petition after conducting a revised risk assessment to evaluate residential exposure for all TCVP pet products.
  - Ex. 5 Deliberative Process (DP) NRDC filed a petition for review of EPA's denial.
  - June 9, 2016: The Court granted EPA's motion for remand.
  - December 21, 2016: The EPA issued a revised human health risk assessment for TCVP, finding health risks for young children that exceeded acceptable levels.
  - March 21, 2017: The EPA issued a letter in response to NRDC's cancellation petition stating that the agency intends to address any risk mitigation issues in the course of registration review.
  - From 2017 to 2018, EPA attempted to negotiate with the registrant, Hartz Mountain Corporation, for the development of new pet collar data to address the composition and ratio (% liquid vs. dust) of material coming off pet collars.
  - June 3, 2019: The EPA issued a data call-in (DCI) requiring Hartz to submit a composition "torsion" study to address the composition of pet collars. The 90-day response from Hartz was due September 3, 2019.
  - June 25, 2019: NRDC filed a petition contending that the EPA has unreasonably delayed responding to the 2009 petition.
  - August 28, 2019: Hartz provided a response to the DCI committing to conducting the torsion study.
  - September 9, 2019: The agency filed a declaration in response to the petition for unreasonable delay requesting that the Court allow until September 2021 to complete its response.

Ex. 5 Deliberative Process (DP)

- **FRN for Comment:**
  - Date Posted: June 5, 2009
  - Comment Period End Date: August 4, 2009
  - Docket ID: EPA-HQ-OPP-2009-0356:
    - Comments (Number of total comments and a summary of them): 0
  - Docket ID: EPA-HQ-OPP-2009-0308:
    - EPA received approximately 8,600 form letters as part of a mass campaign supporting NRDC's petition to ban TCVP and propoxur pet products. In addition, the agency also received a comment from The Humane Society of the United

States (HSUS) that supported the petition and a comment from one TCVP registrant that opposed the petition.

Petitioner requests the following actions:
Request: The agency to cancel all pet uses for TCVP
Action: The agency denied the petition on November 6, 2014. In late December 2016, the agency revised the human health risk assessment and is preparing to respond to the petition by September 2021, pending a response from the Court to the declaration submitted on September 9, 2019.

Next Steps:

Ex. 5 Deliberative Process (DP)

Closed out/Withdrawn:
- This petition is still active.