

SB10-34

The Colorado Pesticide Network recognizes and respects that Colorado needs SB10-34 to maintain primacy over pesticides. We believe, however, that two changes are needed in this bill. First,

- **Please eliminate the new language "IF REQUESTED BY THE COMMISSIONER" on page 5 line 12.**

Current Colorado law requires manufacturers to reveal all inert ingredients ("inerts") and their concentrations before a product can be registered. SB-10-34 on page 5 line 12 eliminates the reporting requirements for inerts when pesticides are registered, while giving the state the option of requesting this information. Maintaining the current requirement is important because:

- Some inert pesticide ingredients cause cancer and other serious health problems. Attached is a list of "inerts" number deemed toxic chemical in other laws such as the CWA, CAA, OSHA, CERCLA, etc
- Sometimes an active ingredient in one product is an inert ingredient in another product. Those are checked in the FIFRA column on the attached list.
- There are situations where it is critical for public health that relevant professionals and those impacted by pesticides know the inerts. Such situations could include contamination of domestic wells and reservoirs with carbaryl from pine beetle spray and contamination of groundwater, soil and surface waters with sterilants used in oil & gas drilling muds, and similar events..

Second,

- **Please clarify the language regarding what pesticide products will no longer require state registration. One example of a needed clarification is the inclusion of specific criteria for determining what shall be included and what shall be excluded.**

The Colorado Pesticide Network is concerned about minimum risk pesticides. These are products for which the EPA requires no testing nor registration. They can include "generally recognized as safe" food items like onion, garlic, clove or cinnamon oil. Depending on the concentration, doses of these oils can cause either beneficial and harmful health effects. Regulation of these and other chemicals when they are concentrated and used as pesticides is appropriate.

Thank you for your attention.

Angela Medbery, co-founder Colorado Pesticide Network
2205 Meade Street, Denver, CO 80211
303-433-2608 a.medbery@juno.com



Handwritten: 8/2/06
Received 7:40 am
By: [Signature]

Lord Searles
Attorney General

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

(212) 416-8450

First Deputy
Environmental Protection Bureau

BY HLAND AND FACSIMILE (202-501-1450)

August 1, 2006

Stephen L. Johnson, Administrator
United States Environmental Protection Agency
Aral Rio Building - Mail Code 1101A
1200 Pennsylvania Avenue
Washington, DC 20460

Dear Mr. Johnson,

RECEIVED
AUG - 1 2006
OFFICE OF THE
EXECUTIVE SECRETARIAT

We enclose a petition of New York, Alaska, Arizona, California, Connecticut, Illinois, Maine, Maryland, Massachusetts, New Jersey, New Mexico, Oklahoma, Rhode Island, the United States, Virgin Islands and Wisconsin requesting that EPA find that certain chemicals used as "inert" ingredients in pesticides that it has already determined to be hazardous, toxic pollutants, or the like under other statutes "may pose a hazard to man or the environment" under the Federal Insecticide, Fungicide and Rodenticide Act. The Petition further requests that, based on this finding, EPA initiate a rulemaking to amend its regulations governing the labeling of pesticide products to require that those chemicals included in the finding shall be disclosed as "Hazardous Inert Ingredients" on the label of any pesticide product in which they are formulated.

We look forward to your consideration of this petition and the issuance of a finding within the next 60 days.

Very truly yours,
Peter Lehner
PETER LEHNER
Chief, Environmental Pesticide Bureau
Michael H. Surgan
MICHAEL H. SURGAN, Esq.
Chief Scientist

cc: James I. Jones, Director, Office of Pesticide Programs (By Facsimile to 703-308-4776)

220 Broadway, New York, NY 10271 • (212) 416-9446 • fax (212) 416-4007

PETITION OF
NEW YORK, ALASKA, ARIZONA, CALIFORNIA, CONNECTICUT, ILLINOIS,
MAINE, MARYLAND, MASSACHUSETTS, NEW JERSEY, NEW MEXICO,
OKLAHOMA, RHODE ISLAND, THE UNITED STATES VIRGIN ISLANDS AND
WISCONSIN

REQUESTING THAT
THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
AMEND ITS RULES GOVERNING
THE DISCLOSURE OF "INERT" INGREDIENTS
ON PESTICIDE PRODUCT LABELS
TO REQUIRE THE DISCLOSURE OF INGREDIENTS
FOR WHICH FEDERAL DETERMINATIONS OF HAZARD
HAVE ALREADY BEEN MADE

TO:
Stephen L. Johnson, Administrator
United States Environmental Protection Agency
Aral Rio Building - Mail Code 1101A
1200 Pennsylvania Avenue
Washington, D.C. 20460

Date: August 1, 2006

Table 1. Hazardous Inert Chemicals *

Chemical Identity

Source Lists

Chemical Name	CAS number	Pesticide Active Ingredients	EPCRA (SARA) 302A	EPCRA (SARA) TRI 5	TSCA 101(14)	CERCLA 104(112)	(SARA 110)	RCRA F Waste	RCRA P Waste	RCRA U Waste	RCRA Appendix VII	RCRA Appendix VIII	CWA 307	CWA 311	CAA 112b	CAA 112r	CAA 202A Inerts	EPA List 2	OSHA Toxic Hazardous	ACGIH TLVs	Total # of Lists	
1-(3-Chloroallyl)-3,5,7-Triaz-1-azoniabismutamate chloride	4080-31-3	X																				2
1,1,1-Trichloroethane	71-55-6		X		X	X		X	X	X								X	X	X	X	11
1,1,2,2-Tetrachloroethane	79-34-5		X		X	X		X	X	X								X	X	X	X	9
1,2-Butylene oxide	106-88-7		X		X	X												X				4
1,3-Cyclohexadiene, 1-methyl-4-(1-methylethyl)-	99-86-5																					1
1,3-Pentadiene	504-60-9				X			X									X					3
propylsulfonamide	35691-65-7		X																			1
1-Butanol	71-36-3		X		X	X		X	X	X									X	X	X	8
1-Dodecane	112-53-8																					1
1H-Benzotriazole	95-14-7																					1
1H-Benzotriazole, 4(or 5)-methyl-1H-Benzotriazole, 4(or 5)-methyl-, sodium salt	29385-43-1																	X	X			1
1-Hexadecanol	64685-57-2																	X				1
1H-Indole-5-sulfonic acid, 2-(1,3-dihydro-3-oxo-5-sulfo-2H-indol-2-ylidene)-2,3-dihydro-3-oxo-, 1-Octadecanol	860-22-0																	X				1
1-Propanol	112-92-5																					1
2,3-Dichloropropene	71-23-8				X														X	X	X	3
2,6-Di-tert-butyl-p-cresol	76-88-6																					2
2-Butanol	128-37-0																					2
2-Butanone, oxime	78-92-2		X																			3
2-Butoxyethyl acetate	96-29-7																					1
2-Ethoxyethanol	112-07-2																					1
2-ethylhexanoic acid	110-80-5																					8
2-Heptanone	149-57-5				X			X	X	X									X	X	X	1
2-Hexanone, 5-methyl-	110-43-0																					1
2-Mercaptothiazole	110-12-3																					3
2-Methyl-3(2H)-isothiazolone	149-30-4																					2
2-Naphthalenol	2682-20-4																					2
2-Propanol, 1-(2-butoxyethoxy)-methyl-	135-19-3																					1
2-Propanol, 1-(2-methoxyethoxy)-methyl-	124-16-3																					1
2-Propanol, 1-butyl-	20324-23-8																					1
2-Propenoic acid, 2-methyl-, butyl	5131-66-8		X					X														2
3-Iodo-2-propynyl butylcarbamate	107-18-6																					1
4,4'-Methylenedi(phenyl isocyanate)	97-88-1																					9
	55406-53-1	X																				1
	101-68-8		X		X																	3
			X		X																	4

Chemical Name	CAS number	Pesticide Active Ingredients	EPCRA (SARA) 302A	EPCRA (SARA) TRI	TSCA 6	CERCLA 101(14) (SARA 110)	CERCLA 104(1)(2) (SARA 110)	RCRA F Waste	RCRA P Waste	RCRA U Waste	RCRA Appendix VII	RCRA Appendix VIII	CWA 307	CWA 311	CAA 112b	CAA 112c	CAA 202A Inerts	EPA List 2 Inerts	OSHA Toxic & Hazardous	ACGIH TLVs	Total # of Lists
Boric acid, disodium salt,	12179-04-3																				1
Boric oxide	1303-86-2																				2
Bronopol	52-51-7		X																X		2
Butane	106-97-8			X																	1
Butyl acrylate	141-32-2			X											X						2
Butyl benzyl phthalate	85-68-7			X																	2
Butyric acid	107-92-6			X									X								6
C.I. Acid Blue 9, diammonium salt	2650-18-2			X									X								4
C.I. Acid Blue 9, disodium salt	3844-45-9			X									X								1
C.I. Basic Red 1	989-38-8			X																	1
C.I. Pigment Blue 15	147-14-8			X																	1
C.I. Pigment Green 36	14302-13-7			X																	1
C.I. Pigment Green 7	1328-53-6			X																	1
C.I. Solvent Orange 7	3118-97-8			X																	1
C12-30-Aromatic distillates	68602-80-2																				1
Calcium Carbonate	471-34-1																				1
Calcium dodecylbenzenesulfonate	26264-06-2					X							X								2
Calcium hydroxide	1305-62-0					X							X								3
Calcium hypochlorite	7778-54-3					X							X								3
Calcium oxide	1305-78-8												X								3
Calcium sulfate	7778-18-9												X								2
Camphor	76-22-2																				2
Carbon black	1333-86-4																				2
Carbon dioxide	124-38-9																				2
Cellulose	9004-34-6																				2
CFC-11	75-69-4					X															2
CFC-113	76-13-1					X															2
CFC-12	75-71-8					X															2
Chlorine dioxide	10049-04-4					X															9
Chloroacetic acid	79-11-8					X															6
Chloroacrin	76-06-2		X																		4
Chloroformol	1897-45-6		X																		4
Coal tar	8007-45-2																				2
Colchicine	64-86-8																				1
Cresol	1319-77-3		X																		1
Cristobalite (SiO2)	14664-46-1					X															11
Cumene	98-82-8					X															2
Cupric acetate	142-71-2					X															2
Cupric nitrate	3251-23-8					X															2
Cupric sulfate	7758-98-7					X															2
Cyclohexane	110-82-7					X															3
Cyclohexanol	108-93-0		X																		7
Cyclohexanone	108-94-1		X																		3
Cyclohexene, 1-methyl-4-(1-methylethylidene)-	586-62-9					X															8
Dacronel	533-74-4		X																		1
Decanoic acid	334-48-5																				3
D1(2-ethylhexyl) adipate	103-23-1																				1
Diallyl phthalate	131-17-9																				1

Chemical Name	CAS number	Pesticide Active Ingredients	EPCRA (SARA) 302A	EPCRA (SARA) TRI	TSCA 6	CERCLA 101(14) (SARA 110)	CERCLA 104(I)(2) (SARA 110)	RCRA F Waste	RCRA P Waste	RCRA U Waste	RCRA Appendix VIII	RCRA Appendix VIII	CWA 307	CWA 311	CAA 112b	CAA 112c	CAA 202A	EPA Inerts	EPA List 2	OSHA Toxic & Hazardous	ACGIH TLVs	Total # of Lists	
Ethylene glycol	107-21-1																						4
Ethylene glycol monobutyl ether	111-76-2																						4
Ethylendiamine	107-15-3		X			X															X		4
Ethylene diaminetetraacetic acid	60-00-4					X															X		4
Ferric chloride	7705-08-0					X															X		2
Ferric oxide	1309-37-1					X															X		2
Ferrous ammonium sulfate	10045-89-3					X															X		2
Ferrous sulfate	7720-78-7					X															X		2
Ferrous sulfate heptahydrate	7782-63-0					X															X		2
Formaldehyde	50-00-0		X			X																	2
Formic acid	64-18-6		X			X															X		11
Fuel oil no. 2	68476-30-2					X															X		8
Fuel oil no. 4	68476-31-3					X															X		2
Fuel oil no. 6	68553-00-4					X															X		2
Fuel oil, residual	68476-33-5					X															X		1
Fuels, diesel	68334-30-5					X															X		1
Fumaric acid	110-17-8																				X		2
Glutaraldehyde	111-30-8					X															X		2
Glycerine	56-81-5																				X		1
Glyoxal	107-22-2																				X		2
Graphit	7782-42-5																				X		1
Gypsum	13397-24-5																				X		2
HCFC-142b	75-68-3			X																	X		1
HCFC-21	75-43-4			X																	X		2
HCFC-22	75-45-6			X																	X		2
Heavy aromatic solvent naphtha (petroleum)	64742-94-5																				X		4
Helium	7440-59-7																				X		1
Heptane	142-82-5																				X		1
Hexadecanoic acid	57-10-3																				X		3
Hexadecanoic acid, methyl ester	112-39-0																				X		1
Hexanoic acid	142-62-1																				X		1
Hexylene glycol	107-41-5																				X		1
HFC-152a	75-37-6																				X		2
Hi-Sol 10	64427-39-4																				X		2
Hydrochloric acid	7647-01-0		X																		X		1
Hydrogen peroxide	7722-84-1		X																		X		9
Hydrotreated heavy paraffinic petroleum distillates	64742-54-7																				X		3
Hydrotreated light paraffinic petroleum distillates	64742-55-8																				X		1
Indole	120-72-9																				X		1
Isobutanol	123-92-2																				X		4
Isobutyl acetate	78-83-1																				X		6
Isodecanol	110-19-0																				X		4
Isocetyl alcohol	25339-17-7																				X		1
Isopentane [Butane, 2-methyl-]	26952-21-6																				X		1
	78-78-4																				X		2

Chemical Name	CAS number	Pesticide Active Ingredients	EPCRA (SARA) 302A TRI	EPCRA (SARA) 302B	TSCA 6	CERCLA 101(14)	CERCLA 104(1)(2)	RCRA F	RCRA P	RCRA U	RCRA Appendix VII	RCRA Appendix VIII	CWA 307	CWA 311	ECA 112b	CAA 112r	CAA 202a	EPA List 2 Inerts	OSHA Toxic & Hazardous	ACGIH TLVs	Total # of Lists
Nitrogen	7727-37-9																			X	1
Nitromethane	75-52-5																	X	X	X	3
Nitrous Oxide	10024-97-2																	X	X	X	3
N-Methyl-2-pyrrolidone	872-50-4		X																		1
Nonanoic acid	112-05-0												X								2
Normal C5-20 paraffins (petroleum)	64771-72-8												X					X			1
N-vinyl-2-pyrrolidone	88-12-0												X								1
o-Chlorotoluene	95-49-8												X								1
o-Cresol	95-48-7		X										X								3
Octadecanoic acid, methyl ester	112-61-8					X							X								1
Octanoic acid	124-07-2												X								1
Oxalic acid	144-62-7												X								1
Paraffin oils	8012-95-1																		X		2
Paraffin wax fume	8002-74-2																		X		1
Pentaerythritol	115-77-5																		X		1
Pentanoic acid	109-52-4												X						X		2
Perfume	93763-70-3												X								1
Phenol, (1,1-dimethylethyl)-4-	25013-16-5												X								1
Phenol, 2-(1-methylethyl)-	88-69-7												X								1
Phenol, 3-(1-methylethyl)-	618-45-1												X					X			2
Phenol, 4-(1-methylethyl)-	99-89-8												X					X			2
Phenol, 4-methoxy-	150-76-5												X					X			2
Phenol, nonyl-	25154-52-3												X					X			1
Phosphoric acid	7664-38-2		X			X							X						X		6
Phosphoric acid, triethyl ester	78-40-0		X			X							X						X		1
Phthalic anhydride	85-44-9		X			X				X					X				X		2
Picric acid	88-89-1		X			X													X		2
Piperonyl butoxide	51-03-6		X			X													X		2
p-Nitrophenol	100-02-7		X			X													X		2
Polymetric diphenylmethane dithiocyanate	9016-07-9		X			X													X		2
Portland cement	65997-15-1																				1
Potassium bromate	7756-01-2		X																		1
Potassium hydroxide	1310-58-3					X							X						X		3
Potassium permanganate	7722-64-7					X							X						X		2
Propane	74-98-6														X						3
Propanol, (2-ethoxymethyl)ethoxy-	30025-38-6																		X		1
methoxymethyl)ethoxy-																					
Propanol, 1(or 2)-butoxy-	25498-49-1																		X		1
Propargyl alcohol	29387-86-8																		X		1
Propionaldehyde	107-19-7																				5
Propionic acid	123-38-6					X													X		4
Propylene glycol 1-methyl ether	79-08-4					X													X		6
p-Tert-Butylphenol	107-98-2		X			X							X						X		2
Quaternary ammonium compounds, benzyl-C12-16-alkyldimethyl, chlorides	98-54-4												X						X		1
	68424-85-																				1

Chemical Name	CAS number	Pesticide Active Ingredients	EPCRA (SARA) 302A	EPCRA (SARA) TRU 6	TSCA 6 (SARA 110)	CERCLA 101(14)	CERCLA 104(1)(2)	CERCLA (SARA 110)	RCRA F Waste	RCRA P Waste	RCRA U Waste	RCRA Appendix VII	RCRA Appendix VIII	CWA 307	CWA 311	CAA 112b	CAA 112r	CAA 202a	EPA List 2 Inerts	OSHA Toxic & Hazardous	ACGIH TLVs	Total # of Lists
Trisodium phosphate	7601-54-9																					2
Turpentine, oil	8006-64-2																					2
Vanillin	121-33-5																					1
Vinyltoluene	25013-15-4																					1
VM & P Naphthia	8032-32-4																					2
Xylene	1330-20-7		X																			1
Zinc	7440-66-6		X																			10
Zinc chloride	7446-65-7			X																		4
Zinc oxide	1314-13-2																					4
Zinc stearate	557-05-1																					2

* Table 1 is derived primarily from EPA's Substance Registry System (<http://www.epa.gov/srs/>). The list of OSHA Toxic and Hazardous Substances that is not included in the Substance Registry List is available at <http://www.osha.gov/dts/chemicalsampling/toc/chemcas.html>. The list of chemicals identified by EPA as list 2 inert ingredients can be found at http://www.epa.gov/oppr000/inerts/inerts_list2.pdf. The list of ACGIH TLY chemicals is from the 2004 edition of "TLVs and BEIs" published by the American Conference of Governmental Industrial Hygienists.