



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

SEP 14 2012

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Lynn L. Bergeson
Bergeson & Campbell PC
2200 Pennsylvania Avenue NW, Suite 100W
Washington, DC 20037-1701

Dear Ms. Bergeson:

We received your letter dated August 16, 2012, seeking clarification of the terms of the Agreement in Principle to Implement the Organic Arsenicals Reregistration Eligibility Decision (RED) dated January 16, 2009.


As noted in your letter, the parties have agreed to modify Paragraph 3 of the Agreement to include the NRC/National Academy of Sciences (NAS) as a potential peer review body. The Agreement as modified would provide three potential peer review bodies: NAS, the Science Advisory Board (SAB) and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel (SAP). It is currently EPA's intention to undertake the peer review contemplated in Paragraph 3 by relying upon the NRC/NAS review (as opposed to the SAB/SAP review noted in the Agreement) as the scientific peer review of the mode of action. Should this intention change in the future, EPA will notify the registrants.

The registration of Group II uses (as identified in Attachment A to the Agreement) will be extended until EPA responds to any peer review body's report on the mode of action, as explained in Paragraph 6 of the Agreement.

Once the timeframe for the NAS review is publicly available, EPA will send a follow-up letter to you regarding that timeframe.

If you have any questions, please do not hesitate to contact me via telephone (703-305-7618) or via e-mail (keigwin.richard@epa.gov).

Sincerely yours,


Richard P. Keigwin, Jr.
Director, Pesticide Re-evaluation Division
Office of Pesticide Programs