

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

<b>In re FIFRA Section 6(b) Notice of Intent to Cancel Pesticide Registrations for Chlorpyrifos Products</b>	)	
	)	
	)	
<b>Gharda Chemicals International, Inc. and Red River Valley Sugarbeet Growers Association, et al.,</b>	)	<b>Docket No. FIFRA-HQ-2023-0001</b>
	)	
<b>Petitioners</b>	)	
	)	

**RESPONDENT’S MOTION TO SUPPLEMENT**

The U.S. Environmental Protection Agency (“EPA,” “Agency,” or “Respondent”), pursuant to 40 C.F.R. § 164.50(b) and the Presiding Officer’s June 5, 2023 Order Scheduling Hearing and Prehearing Procedures (the “Scheduling Order”), respectfully requests permission to supplement its Rebuttal Prehearing Exchange filed with this tribunal on August 4, 2023.<sup>1</sup> Specifically, Respondent has learned that one statement made in the Verified Written Statement of Witness Dr. Mary Elissa Reaves (“Reaves Statement”) requires correction. *See generally* 40 C.F.R. § 22.19(f) (requiring supplementation of prehearing exchanges in non-FIFRA related matters where a “party learns that the information exchanged or response provided is incomplete, inaccurate or outdated, and the additional or corrective information has not otherwise been disclosed”).

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<sup>1</sup> Pursuant to the Scheduling Order, Respondent on October 4 contacted counsel for the other parties to this matter to inquire whether the relief sought in this motion would be opposed. Respondent has not yet received replies from counsel, but seeks to provide this correction as soon as possible in order to update the Presiding Officer and other parties.

The Reaves Statement indicated that all label rates listed on Petitioner Gharda Chemicals International, Inc.'s ("Gharda") proposed label amendments were consistent with those assumed in the Drinking Water Analysis ("DWA") prepared in support of the Proposed Interim Decision for the Registration Review of Chlorpyrifos ("2020 PID"). However, following EPA's further review of the proposed label amendments submitted by Gharda in January 2023 (JX 10 and 11), EPA discovered that application rates listed in Pilot 15G (EPA Reg. No. 93182-8) are higher than the rates that were assessed by EPA in the 2020 DWA.

Accordingly, Respondent offers the attached Supplement to the Verified Written Statement of Witness Dr. Mary Elissa Reaves.

Respectfully submitted,

Dated: October 4, 2023

/s/ Forrest Pittman  
Forrest Pittman  
Pesticides and Toxic Substances Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
  
Counsel for Respondent

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing RESPONDENT’S MOTION TO SUPPLEMENT, dated October 4, 2023 was filed electronically with the U.S. Environmental Protection Agency, Office of Administrative Law Judges E-filing system, with a copy via electronic mail to the following:

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Dated: October 4, 2023

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