



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Kentucky Department of Agriculture
Division of Environmental Services
107 Corporate Drive
Frankfort, KY 40601

Date Issued: June 5, 2009
Expiration Date: July 1, 2009
Report Due: January 1, 2010
File Symbol: 09-KY-01

Attn: Connie Lashbrook

The Environmental Protection Agency hereby issues a specific exemption under the provisions of section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, to the Kentucky Department of Agriculture for the use of diquat dibromide, formulated as the product Reglone, as a pre-harvest aid treatment in canola. This specific exemption is subject to the conditions and restrictions set forth in your application as well as the following:

1. The Kentucky Department of Agriculture (KDA) is responsible for ensuring that all provisions of this specific exemption are met. It is also responsible for providing information in accordance with 40 CFR 166.32. Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and the EPA Region 4 office by January 1, 2010 or prior to requesting another specific exemption for this use. In accordance with 40 CFR 166.32(a), these offices shall also be immediately informed of any adverse effects resulting from the use of this pesticide in connection with this exemption.

Refer to file symbol 09-KY-01 in any future correspondence regarding this exemption.

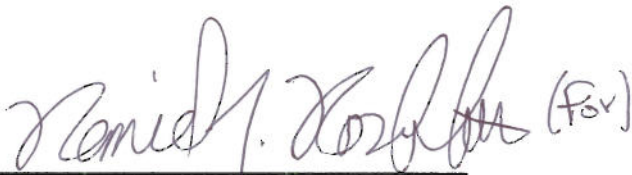
2. The registered product Reglone Desiccant (SC formulation), containing 37.3% diquat dibromide (EPA Reg. No. 100-1061) and manufactured by Syngenta Crop Protection, Inc, may be applied. All applicable directions, restrictions, and precautions on the federal label and section 18 use directions submitted with you application must be followed unless superseded by this letter.
3. Add the following occupational mitigation to the section 18 use directions:
"Occupational handlers must wear chemical resistant gloves and dust mist respirators.

Mixers/loaders for aerial applications must wear an organic vapor respirator unless using closed system engineering controls." On page 2 of the section 18 use directions, within the advisory statement for adverse effects, remove the reference to this authorization as a "crisis exemption."

4. Reglone Desiccant may be applied at a rate of 24-30 fluid ounces of product (0.375 - 0.469 lbs. a.i.) per acre, either aerially or by ground equipment. A maximum of 1 application per season is allowed. A maximum of 352 gallons of product (704 lbs. a.i.) may be applied under this exemption. A 7-day pre-harvest interval (PHI) is required.
5. A maximum of 1,500 acres of canola may be treated in Kentucky under this exemption.
6. Residues of diquat dibromide are not expected to exceed 1.0 ppm in/on canola, seed and 3.0 ppm in/on canola, meal as a result of the authorized use under this exemption. EPA will complete a document to establish time-limited tolerances at these levels in the near future.
7. This exemption expires on July 1, 2009.

The registrant in conjunction with IR-4 is in the process of developing data to support this use, and therefore, progress toward registration can be considered adequate at this time.

This is the first year that the KDA has requested an exemption for this use. In order for the Agency to make an emergency determination regarding future requests for this use, EPA requests that future requests include a more detailed discussion of the alternatives, particularly as it relates to swathing, as well as more information on yield loss and economic costs associated with desiccation of canola crops during baseline (routine) situations.

Handwritten signature of Lois Rossi in cursive, followed by the initials "(For)" in parentheses.

Lois Rossi, Director
Registration Division
Office of Pesticide Programs

Date: 6/5/2009

cc: EPA Region 4
Laura Lee Schroeder