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U.S. Environmental Protection Agency Office of Pesticide Programs Guidance Document/Endangered and Threatened Species Effects Determinations: Center for Biological Diversity Petition to Withdraw Guidance Documents

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The Center for Biological Diversity ("CBD") filed a November 19th Petition to Withdraw a Guidance Document ("Petition") with the United States Environmental Protection Agency ("EPA") for the following EPA document:

Overview of the Ecological Risk Assessment Process in the Office of Pesticide Programs, U.S. environmental protection Agency – Endangered and Threatened Species Effects Determinations ("2004 Overview Guidance")

An additional document that CBD requested be withdrawn is titled:

Guidelines for Ecological Risk Assessment-Risk Assessment Forum ("1998 Risk Assessment Guidance")

The Petition is being submitted pursuant to an EPA rule that was promulgated in September that establishes procedures and requirements for how the agency manages the development and issuance of guidance documents.

The rule included procedures for the public to petition for the modification or withdrawal of active guidance documents.

The *1998 Risk Assessment Guidance* is described as setting forth the ecological risk assessment process for reviewing the impacts of pesticides on the environment in general. As to the *2004 Overview Guidance*, it is stated to provide an ecological risk assessment process specifically for threatened and endangered species. CBD is seeking withdrawal of both documents in full.

CBD argues that EPA's continued reliance on the guidance is improper because they are under-protective of endangered species. It further argues that the guidance documents have allowed the agency "to skirt its legal obligations for decades." Included in the Petition are arguments that CBD believes supports previously referenced positions.

A copy of the Petition can be downloaded [here](#).