**Region 10 Pre-SFIREG Meeting Report**

**Teleconference Held April 30, 2015, 1:00 – 3:00 Pacific Daylight Time**

**Prepared by: Bob Blankenburg, P.E. (AK) – Region 10 SFIREG Representative**

**In Attendance:**

* Alaska: Bob Blankenburg, Rebecca Colvin
* Idaho: George Robinson, Ben Miller, Bob Spencer, Sherman Takatori
* Washington: Ted Maxwell, Erik Johansen, Margaret Tucker, Joel Kangiser, Kirk Cook, Robin Schoen-Nessa
* Oregon: Rose Kachadoorian, Garnet Cooke, Dale Mitchell
* Coeur d’Alene Tribe: Eric Gjevre
* EPA Region 10: Gabriela Carvalho, Kelly McFadden, Linda Liu, Erin Williams, Chad Schulze
* EPA OPP Headquarters: Mike Goodis
* **Issue for Potential SFIREG Attention:**
* **Air Blast Sprayer Drift and Exposure Issues –**

Both Washington and Oregon indicated that they have had a number of incidents related to this issue. For instance, in FY 2014 (7/1/13 – 6/30/14) WSDA investigated 15 incidents involving drift or over-spray from air-blast sprayers during pesticide applications to orchards. These 15 incidents affected over 80 people, mostly farm workers (on neighboring farms?), but there were also other bystander exposures. A portion of those affected sought medical treatment. Fines and license suspensions were imposed in each case where there was a preponderance of evidence (majority of the incidents).

Factors that contribute most to these incidents appear to be (1) lack of operator knowledge on calibration, label requirements, factors affecting drift and adjustment of equipment to keep the spray on target, and (2) approval by managers and supervisors to make necessary adjustments and to shut down the operation when conditions are conducive to drift. Additional label requirements (e.g. – calibrate and adjust equipment to accommodate the tree/orchard configuration) may be helpful, but WSDA believes the biggest impact will come from training and technical assistance efforts.

A recent WSDA/WSU pilot project on training operators how to calibrate and adjust their equipment was very successful, however resources are quite limited. This program will not have a substantial impact until additional funding can be secured. EPA can have an immediate impact by financially supporting the efforts of the program.

* **Meeting Summary**
* **Pollinator Plan Update from Mike Goodis, EPA**

Mr. Goodis presented to the group on the latest work that OPP has done regarding pollinators, including work related to Managed Pollinator Protection Plans. The group asked Mr. Goodis several questions related to this topic.

* **Respirator Language Discussion**

Attendees continued discussion concerning EPA’s plans regarding label changes in response to 2014 updates to EPA’s Label Review Manual. Garnet Cooke, with Oregon OSHA, was active in working with EPA on the 2014 Manual changes. Attendees felt that this topic may be worthy of continued SFIREG attention. (Bob Blankenburg raised this issue during the December 2014 Full SFIREG meeting, where there was discussion of assigning it to POM). Of particular issue is that some labels do not reflect current NIOSH terminology. For example, "Dust-mist TC-21C" is no longer used by NIOSH (used to refer to a two strap filtering face piece); there is currently a particulate TC- 21C which is a Powered Air Purifying Respirator with HE filters. Outdated terminology is present on some labels, but it is difficult to assess which labels are inaccurate.

* **POM/EQI Joint Meeting Report**

Rose Kachadoorian (OR), Kirk Cook (WA), and Robin Schoen-Nessa (WA) attended the joint meeting, and provided updates on some of the discussion items from that meeting.

Some of the items that were discussed include proposed modifications to the POINTS database; concerns regarding the Bulletins Live! Two system, and EPA’s intent not to identify the specific endangered species; discussion on drift reduction technology (DRT), focusing on potential reduction of buffer size, and possible recordkeeping issues to reflect which DRTs were used during the application; PR 87-1 (chemigation) update needed; and discussion of EPA’s Smart Label.

* **Recreational Marijuana**

Voters in Oregon and Alaska approved initiatives that legalized recreational marijuana in the two states in 2014. These actions follow Washington, where legalized recreational marijuana use was approved in 2012. The states discussed activities in their states regarding this issue.

Oregon: State is still determining how to assess the use of pesticides for marijuana. It’s being discussed in their legislature too. OR Liquor Control is the lead on this issue, not Pesticides.

Alaska: Main regulator group will be Alcohol and Beverage Control (ABC) board. Idea is it would be regulated similar to alcohol. Significant activity in 2015 Legislative Session regarding bills associated with topic. Not sure how Pesticides Program fits into it yet.

Washington: They are working with Colorado and have submitted separate, but similar proposals to EPA of how they would treat special local needs registrations.

* **Office of Inspector General (OIG) Activities:**

EPA is being audited on how they monitor states’ enforcement programs. While this is currently a request of the EPA Regions, there was discussion on what may be requested of states in the future.

The group also discussed the recent OIG Quick Reaction Report in Region 8 related to North Dakota.

* **Discussion of Federal Credentials**

The group discussed current activities regarding federal credentials of state inspectors.

* **Methyl Bromide**

The group discussed the methyl bromide poisoning incident in the Virgin Islands.

* **State Hot Issues:**

Washington:

* Issue raised on human exposure and drift during the use of air blast sprayers. Enforcement is not solving the issue. Started outreach and technical assistance. Would like more done on this issue.
* Washington Department of Ecology issued a NPDES permit allowing for application of imidachloprid to control a growing population of burrowing shrimp on oyster and clam beds in portions of Willapa Bay and Grays Harbor. The issuance of this permit has been highly controversial. The growers withdrew their NPDES request the following week due to public outcry, *i.e.*, the NPDES permit was pulled. So, we are not sure what growers will do this year. From the FIFRA standpoint and our Registration Program they still have a legal registered label, but without our State’s Ecology NPDES Permit they can’t make any pesticide application to aquatic lands.

Idaho:

* No hot issues raised.

Oregon:

* Also mentioned air blast sprayers as a major issue. Need to reduce drift. Don’t feel labels are sufficient for herbicides related to drift volatility and risk.
* Aerial applications continue to be high-profile in Oregon. The Oregon legislature has a bill pending for a new aerial applicator’s license with specialized training requirements.
* Treated seed, currently considered a treated article, remains a concern. There is currently a pending enforcement case related to treated seed imported from another country. ODA encourages EPA to reevaluate whether it is appropriate to consider treated seed, a treated article.

Alaska:

* Invasive species response is major issue.
* Reviewing emergency exemption for experimental use of chlorine products for tunicates as no products currently registered for this use.
* Elodea infestations in several lakes and rivers in Alaska – DEC has issued, or is considering, aquatic pesticide application permits for the use of Sonar in a couple of areas in the state. The Department of Natural Resources has banned the importation of elodea, which was previous used in aquariums, including in kits sent to schools.
* Terrestrial invasive weed treatment becoming political in anti-pesticide areas of state.