

EPA Region 5 Pre-SFIREG Meeting Report

Meeting Dates: May 9 – 10, 2018

Meeting Location: Chicago, Illinois - EPA Region 5 Office

Report Prepared By: Brian Verhougstraete (MI) – Region 5 SFIREG Representative

In Attendance:

- Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin, and EPA Region 5

Full SFIREG Report Topics

1. State Updates:

Most states in Region 5 are experiencing significant personnel changes due to retirements, restructuring, promotions, and the hiring of new field staff. Several states are also working through information technology upgrades and changes that are impacting staffing resources and pesticide programs.

Wisconsin is finding that some insurance companies are not covering commercial application firms that apply the new formulations of dicamba and there is concern that this may have wide-ranging impacts on the agriculture industry (i.e. insurance companies could dictate what chemicals may be used by simply choosing to not insure certain products they believe carry a higher risk).

2. Dicamba:

Region 5 states continue to deal with the aftermath of the 2017 dicamba season as well as impacts from changes to the product labels. States that received a high number of complaints are still working to fully close many of their cases and dealing with the negative impacts the incidents had on their programs. States that received relatively few complaints in 2017 are looking to other Region 5 states for guidance as they prepare for the 2018 use season

As of May 9th (date of Pre-SFIREG meeting), no Region 5 state had received an agricultural complaint involving dicamba. Expectations/predictions for the 2018 use season varied widely with some states expecting more complaints compared to 2017 and others expecting fewer complaints. Variables regarding anticipated complaint number for 2018 included: usage of the new formulations, market share of dicamba tolerant seed, weather patterns, training effectiveness, and crop-related complaints vs landscape-related complaints.

3. Regional SharePoint Site:

Region 5 continues to explore the use of a SharePoint site to help streamline communication and information sharing between the states and EPA Region 5. For the May Pre-SFIREG meeting, all the meeting-related documents (presentations, handouts, agenda, etc.) were placed on the site. Although some states did have issues accessing the site due to their IT security protocols, using the SharePoint as an information-sharing platform appears to have great potential.

4. C&T Update:

Don Baumgartner (EPA Region 5) shared that EPA has created an internal Certification Plan Revisions Workgroup. The workgroup includes all EPA regions, OPP and OECA, and is chaired by EPA

Region 3. The purpose of the workgroup is to ensure there is a consistent approach to reviewing and certifying the new certification plans. The workgroup is currently in the process of developing several guidance documents including: Q&A's, checklists, FAQ's, databases, contact lists and model language. EPA intends to provide states with additional information detailing expectations and timelines for revised certification plans.

5. CPARD Update:

Don Baumgartner (EPA Region 5) provided a CPARD update. States are still not able to enter data into CPARD. Until CPARD is updated, SLA funding formulas will be based on 2014 data (the last time data was entered in CPARD). When CPARD is operational, states will be expected to enter their 2015, 2016, and 2017 data within 6-9 months. States may get assistance in entering their backlogged CPARD data from the region or headquarters. 2017 will be the last year data will be entered into the "old" CPARD system. 2018, 2019, and 2020 data will be entered into a new version of CPARD. After 2020, another new system (CPARD 3.0) will be completed and this system will house the new EPA-approved C&T plans

6. E-Reporting and Pesticide Label Matching (PLM):

SLA's and EPA Region 5 continued to discuss the idea of an e-reporting system that would eliminate duplication in data entry and improve efficiencies in submitting reports (grant and inspection) to EPA. Integrating state systems into a yet-to-be developed EPA system was discussed, but as most states are currently going through system developments and upgrades themselves, such an endeavor seems improbable at this time. It was mentioned that EPA's Pesticide Program is one of the only programs in EPA that does not have its own integrated data management system. While the idea of building an entirely new system is highly complicated and extremely costly, there is support for exploring the idea of a system that would accommodate MPI and PEI report submission and tracking.

The PLM application is moving to a web-based application as some of the IOS requirements were difficult to maintain. Users will be able to access the application through an icon on their mobile device, it just won't be accessed through the app stores. When the web-based version of PLM is finalized an official announcement will go out and training will be provided.

7. Pesticide Misuse Incidents:

Region 5 discussed the need to establish a standard operating procedure that would allow SLA's to quickly get information from EPA when they are dealing with cases involving potential impacts to human health. The discussion was spurred by a couple of recent misuse incidents in the region that generated questions and concerns relevant to human health and exposure. The SLA's did not have the expertise or resources to address the human exposure concerns, so they sought assistance from EPA. Although EPA was able to provide the information necessary to address the human exposure concerns, it took nearly three weeks to get the information which was difficult on the homeowners involved.

It is not uncommon for SLA's to be faced with human exposure questions/concerns related to pesticide misuse (particularly indoors) and often, SLA's do not have the resources or expertise required to confidently address the concerns. Developing a standard operating procedure to facilitate rapid response would be beneficial to SLA's, EPA and those individuals impacted by the misapplication. The region plans to further discuss this topic within EPA.

8. Respirator Label Issues

Natalie Hoidal (University of Minnesota Extension) discussed how the respirator descriptions on some pesticide labels are inconsistent with current NIOSH language; a problem that is causing confusion and leading to misinformation among applicators, pesticide sales reps, and regulators.

EPA is working to update Chapter 10 of the Label Review Manual to address the respirator inconsistency issue, but the Agency does not plan to require registrants to amend their labels by a specific date. Instead, EPA will request that registrants update the respirator descriptions as they submit routine label amendments. EPA also plans to implement a “fast-track” label approval process for registrants wishing to update the respirator language on their existing labels.

States and PSEP’s are concerned that inconsistent respirator descriptions are a significant issue that should be addressed as soon as possible. It was suggested that if states were provided a list of pesticide labels with problematic respirator descriptions, they could facilitate quicker label amendments through their state registration authority.