

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

Called by: Liza Fleeson Trossbach, VA, SFIREG Chairperson  
Minutes by: Amy Sullivan, AAPCO Executive Secretary

Monday June 4, 2018 9:00 am

**U.S. EPA OFFICE OF PESTICIDE PROGRAMS UPDATE**

Yvette Hopkins, EPA/OPP/FEAD

*Report on status of relevant activities of OPP impacting state pesticide regulatory programs.*

*Notice to Certain Pesticides Data Submitters on Disclosure of Documents in Support of Litigation*

<https://www.epa.gov/pesticides/notice-certain-pesticides-data-submitters-disclosure-documents-support-litigation>

EPA is notifying affected businesses that EPA is disclosing documents regarding the pesticides dicamba, 2,4-D, and glyphosate to the court and the parties as part of the Administrative Record in the matter of National Family Farm Coalition, et al. v. U.S. Environmental Protection Agency and Scott Pruitt, Case No. 17-70196 (9th Cir.) (the “Dicamba Litigation”), and in the consolidated matters of National Family Farm Coalition, et al. v. U.S. Environmental Protection Agency and Scott Pruitt, Case No. 17-70810 (9th Cir.) and Natural Resources Defense Council v. Scott Pruitt and U.S. Environmental Protection Agency, Case No. 17-70817 (9th Cir.) (the “Enlist Duo Litigation”). The documents were submitted to EPA by pesticide registrants or other data-submitters and may contain confidential business information (“CBI”) or may be subject to various release restrictions under federal law.

*EPA Initiates Rulemaking to Revise Certain Aspects of the Agricultural Worker Protection Standard (WPS) and the Certification and Training (C&T) Rule; Implementation Dates for WPS and C&T Remain in Effect*

[www.epa.gov/pesticides/epa-initiates-rulemaking-revise-certain-aspects-agricultural-worker-protection-standard](http://www.epa.gov/pesticides/epa-initiates-rulemaking-revise-certain-aspects-agricultural-worker-protection-standard)

Agricultural Worker Protection Standard (WPS)

EPA has initiated a process to revise certain requirements in the WPS. By the end of FY2018, EPA expects to publish a Notice of Proposed Rulemaking to solicit public input on proposed revisions to the WPS requirements for minimum ages, designated representatives, and application exclusion zones. The compliance dates in the revised WPS published on November 2, 2015, remain in effect; the Agency does not intend to extend them.

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

Certification and Training (C&T, or Certification of Pesticide Applicators) Rule

EPA has initiated a process to revise the minimum age requirements in the C&T rule. EPA expects to publish a Notice of Proposed Rulemaking to solicit public input on proposed revisions to the rule by the end of FY2018. The implementation dates in the January 4, 2017, final rule, (1) for certifying authorities to submit revised certification plans (March 4, 2020) and (2) for EPA to act on those plans remain in effect (March 4, 2022); EPA has no plans to change those implementation dates.

*Final OCSPP Product Performance Test Guidelines for Antimicrobial Pesticides Series 810.2000-2200*

<https://www.epa.gov/pesticides/final-ocspp-product-performance-test-guidelines-antimicrobial-pesticides-series-8102000>

EPA announces the availability of final test guidelines for “Series 810 – Product Performance Test Guidelines: Group B – Antimicrobial Efficacy Test Guidelines,” which provide recommendations for the design and execution of laboratory studies to evaluate the effectiveness of antimicrobial pesticides that work against public health microbial pests.

The three final guidelines are:

- OCSPP 810.2000 - General Considerations for Testing Public Health Antimicrobial Pesticides
- OCSPP 810.2100 - Sterilants, Sporicides, and Decontaminants
- OCSPP 810.2200 - Disinfectants for Use on Environmental Surfaces

*FIFRA SAP Minutes and Final Reports for November 2017 Meetings on Alternative High-Throughput Screens to Determine Endocrine Disruption Now Available*

[www.epa.gov/pesticides/fifra-sap-minutes-and-final-reports-november-2017-meetings-alternative-high-throughput](http://www.epa.gov/pesticides/fifra-sap-minutes-and-final-reports-november-2017-meetings-alternative-high-throughput)

The minutes and final reports for the November 6, 2017, Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel (FIFRA SAP) virtual preparatory meeting and the November 28-29, 2017, face-to-face meeting regarding the "Continuing Development of Alternative High-Throughput Screens to Determine Endocrine Disruption, Focusing on Androgen Receptor, Steroidogenesis, and Thyroid Pathways," are now available.

The minutes and final reports will also be posted at the SAP web page and in the docket EPA-HQ-OPP-2017-0214 at [www.regulations.gov](http://www.regulations.gov).

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

*Public Comment Period Open for Glyphosate Draft Risk Assessments*

[www.epa.gov/pesticides/public-comment-period-open-glyphosate-draft-risk-assessments](http://www.epa.gov/pesticides/public-comment-period-open-glyphosate-draft-risk-assessments)

EPA has opened the 60-day public comment period for the draft glyphosate human health and ecological risk assessments. Comments were due by April 30, 2018.

The draft risk assessments and supporting documents are available in glyphosate's registration review docket EPA-HQ-OPP-2009-0361 on [www.regulations.gov](http://www.regulations.gov).

*Guidance on Placement of First Aid Statements on Pesticide Labels*

[www.epa.gov/pesticides/guidance-placement-first-aid-statements-pesticide-labels](http://www.epa.gov/pesticides/guidance-placement-first-aid-statements-pesticide-labels)

In response to comments from states and pesticide registrants, EPA is releasing final guidance clarifying where first aid statements should appear on the label of pesticide products. EPA's final guidance is consistent with the statute and addresses the concerns we heard from stakeholders.

The agency will continue to require that Toxicity Category I products have first aid statements visible on the front panel except in cases where a variation has been approved. Toxicity Categories II and III products must have these statements on a front, back, side or inside panel (any panel). These statements are optional for Toxicity Category IV products.

The guidance document as well other related and supporting documents are available at Docket# EPA-HQ-OPP-2016-0545. EPA took comment on a draft guidance in 2017 and has incorporated comments into the revised document.

*EPA Opens Comment Period on NMFS's Assessment on Chlorpyrifos, Diazinon, and Malathion*

[www.epa.gov/pesticides/epa-opens-comment-period-nmfss-assessment-chlorpyrifos-diazinon-and-malathion](http://www.epa.gov/pesticides/epa-opens-comment-period-nmfss-assessment-chlorpyrifos-diazinon-and-malathion)

EPA is seeking comment on the National Marine Fisheries Service's (NMFS's) Biological Opinion (BiOp) for the pesticides chlorpyrifos, diazinon, and malathion. EPA is asking for input from stakeholders on NMFS's jeopardy findings, Reasonable and Prudent Measures (RPMs), and Reasonable and Prudent Alternatives (RPAs), and is soliciting additional information, including comment on:

1. The scientific approaches and data sources used to support the BiOp and reach determinations for the listed species and critical habitat.

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)  
FULL COMMITTEE MEETING  
JUNE 4-5, 2018  
U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA  
MEETING MINUTES**

2. The RPAs and RPMs. Can they reasonably be implemented? If not, why not? Are there different measures that may provide equivalent protection to the ones in the BiOp but result in less impact on pesticide users?
3. National- and state-level use and usage data and information, in particular, information for non-agricultural use sites (e.g., nurseries, managed forests, pasture, rights-of-way, golf courses, and wide-area mosquito control). If possible, provide sources for data that should be considered.

The Biological Opinion is included in docket EPA-HQ-OPP-2018-0141 at Regulations.gov. EPA will forward to NMFS for its consideration all public comments we receive on this Biological Opinion. Comments must have been received on or before May 22, 2018.

*EPA Announces Draft Pesticide Label Revisions on Respirators to Ensure Consistency between EPA and NIOSH*

[www.epa.gov/pesticides/epa-announces-draft-pesticide-label-revisions-respirators-ensure-consistency-between-epa](http://www.epa.gov/pesticides/epa-announces-draft-pesticide-label-revisions-respirators-ensure-consistency-between-epa)

EPA is requesting public comment on revised respirator descriptions for pesticide labels. EPA is making these revisions, with the encouragement of state regulatory agencies, as part of our efforts to:

- Bring the respirator descriptions on pesticide labels into conformance with the current National Institute for Occupational Safety and Health (NIOSH) respirator language;
- Ensure that pesticide handlers and their employers have the information they need to identify and buy the respirator required to provide needed protection;
- Delete outdated statements referring to respirators that no longer exist; and
- Clarify and update language to ensure easy compliance with the guidance.

Comments on the revised respirator section were due by May 22, 2018, to [opprespiratortable@epa.gov](mailto:opprespiratortable@epa.gov). We are requesting comment from regulators, registrants, pesticide users, safety educators and other stakeholders on the revised respirator descriptions for the LRM.

Read the proposed revisions: Label Review Manual Chapter 10; Revised Respirator Descriptions for Public Comment ([www.epa.gov/pesticide-registration/label-review-manual-chapter-10-revised-respirator-descriptions-public-comment](http://www.epa.gov/pesticide-registration/label-review-manual-chapter-10-revised-respirator-descriptions-public-comment))

*EPA Updates Method for Establishing Economic Minor Use*

[www.epa.gov/pesticides/epa-updates-method-establishing-economic-minor-use](http://www.epa.gov/pesticides/epa-updates-method-establishing-economic-minor-use)

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)  
 FULL COMMITTEE MEETING  
 JUNE 4-5, 2018  
 U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA  
 MEETING MINUTES**

EPA has updated and clarified the criteria for classifying a particular pesticide use on a crop or other use (for example a public health use) as a “minor use.” The Pesticide Registration Notice (PRN 2018-1) explains that EPA will now also consider the following factors (in addition to considering the costs of generating data) in evaluating “sufficient economic incentive”:

- the time between incurring costs of generating data for registration and obtaining revenue from product sales;
- the multiple years over which revenue is generated; and
- the costs of producing and distributing the product.

The final PRN 2018-1 (which supersedes 97-2) can be viewed in docket EPA-HQ-OPP-2015- 0814 at [www.regulations.gov](http://www.regulations.gov).

**OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE (OECA)  
 UPDATE**

Helene Ambrosino, EPA/OECA

*Report on status of relevant activities of OECA impacting state pesticide regulatory programs.*

Martha Segal is the Acting Division Director for OECA/OC/MAMPD, replacing Ed Messina while he is on detail to OPP.

PIRT

Basic Inspector PIRT	Asheville, North Carolina	September 9-13, 2018
Tribal PIRT	Poplar, Montana	September 17-21, 2018

- Basic Inspector PIRT - The course is structured for new inspectors to learn more about basic pesticide enforcement as well as cover many of the “Ag Use Concerns” facing today’s pesticide regulatory programs.
- Nominations for the Basic Pesticide/Use Concerns PIRT in Asheville are currently being accepted thru June 25.
- Nominations for the Tribal PIRT in Poplar, MT are currently being accepted thru June 22.

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

- The nomination pages can be found by visiting the PIRT webpage, google EPA PIRT: <https://www.epa.gov/compliance/pesticide-inspector-regulatory-training-pirt>
- If any state, tribe, or territory is interested in hosting a PIRT in 2019, please contact Kelly Engle.

FIFRA Inspection Manual – The EPA FIFRA Inspection Manual Revisions Workgroup is making progress. The manual was last revised and issued in 2011 with minor revisions in 2014. The workgroup is comprised of regional and headquarters staffers. The draft revisions were circulated amongst the relevant regional and headquarters offices and the workgroup is now working on the comments received. When an approved draft is finalized, it will be sent to SFIREG for review and comment.

**COOPERATIVE FEDERALISM- IMPLICATIONS FOR STATE PESTICIDE REGULATORY PROGRAMS**

Ed Messina, Deputy Director, OPP

Tony Cofer, AL, AAPCO President

*In response to ECOS June 2017 “Cooperative Federalism 2.0” which outlines the state and US EPA roles and functions and provides an initial list of policy neutral issues where cooperative federalism could be focused, EPA will share implications for state pesticide regulatory programs.*

Please see presentation and ECOS letter.

Cofer began by stating that Cooperative Federalism is a newer term describing what the pesticide programs have always employed. We have an intricately designed framework to support the programs. Pre-SFIREG meetings are an example of a ground-truthing opportunity that then brings accuracy to the federal level. We should not take this unique situation for granted. It is a shared accountability and doing it effectively is of great importance. AAPCO and the board are working to ensure that cooperative federalism is elevated so that the states have the resources needed.

Bahr brought up topics that historically are housed in the Office of Water. How can we keep these programs? Messina agreed that this is an area to pay attention to and pointed out where in the strategic plan that is supported. FIFRA and CWA want to recognize that those goals are being met.

There was also a discussion of the work ‘stakeholder’ when used by EPA to address the states. Since the states are co-regulators, this word should not apply. The tribes agreed.

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

**PESTICIDE OPERATIONS AND MANAGEMENT (POM) WORKING COMMITTEE REPORT**

Tim Drake, SC, POM Chair

*Report on specific activities of POM Working Committee and pertinence to state pesticide regulatory programs.*

The spring Joint Working Committee (JWC) meeting was held in Crystal City on April 9-10, 2018. The POM and EQI committees met together, and had concurrent breakout sessions to discuss issues in detail within each committee. POM Committee members in attendance were: Tim Drake (SC), Derrick Lastinger (GA), Charlie Clark (FL), Megan Patterson (ME), Dwight Seal (NC), Robin Shoen-Nessa (WA), and Matthew Sunseri (MN). Robby Personette (WI) notified in advance that he would not be able to attend the meeting.

As of June 4, 2018, current POM membership is as follows: Tim Drake, Derrick Lastinger, Robin Shoen-Nessa, Megan Patterson, Matthew Sunseri, Robby Personette, and Dwight Seal. Charlie Clark retired from the Florida Department of Agriculture and Consumer Services, so this vacancy will be filled with a new member. There are several open positions on the POM Working Committee at this time, and applications/nominations are being reviewed to fill these. Preference will be given to members whose first term has ended and who desire to remain on the committee for a second term. The POM Chair feels that continuity and committee experience is very important when resolving issues that require accumulated experience and knowledge of past committee activities and decisions.

Topics Discussed and Presentations at the April JWC Meeting:

Please refer to detailed minutes and presentations from the April meeting on the AAPCO website compiled by Ms. Amy Sullivan, AAPCO Executive Secretary. An outline of the various topics/presentations covered in the last POM and JWC joint-sessions are as follows:

- Office of Pesticide Programs (OPP) Update (Yvette Hopkins, US EPA)
- Office of Enforcement and Compliance Assistance (OECA) Update (Anthony Matusik, US EPA)
- Regulator in Residence Program Update (Emily Ryan, US EPA)
- Florida Zika Response Following Hurricane Irma (Kelly Friend, FL)
- Biostimulants Draft Guidance Discussion (Robin Schoen-Nessa, WA)
- Pesticide Impurities in Registered Pesticides (Kachadoorian, Drake, Bahr)
- Cannabis White Paper Discussion (Drake, SC)
- EPA Work on Pesticide BiOps (Bahr, WA and Anderson, EPA EFED)
- Neonicotinoid Review Update (Bahr, WA and Snyderman, EPA PRD)
- Devices Used in Structural Fumigation (Drake, SC and Hopkins, EPA FEAD)
- Registration of *Wolbachia* as a Pesticide (Clark, FL)
- Drone Use for Pesticide Applications (Seal, NC)
- Pass-Through Insecticides Update (Drake, SC)

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

- Report on AAPCO Laboratory Committee Topics (Leach, IN)
- Dicamba Discussion (Kenny, Drake, Bahr)
- Fipronil: California Risk Assessment and Management Strategies (Singhasemanon, CA)
- Overview of EPA Research Projects on Indoor Surface Wipe Sampling and Surface Decontamination (Mysz and Willison, US EPA)

POM tasks completed since the last JWC Meeting:

The POM and EQI Committees reviewed and made minor clarifications/amendments to the Pesticide Impurities in EPA Registered Pesticides issue paper submitted by Rose Kachadoorian (WA). It was felt that this document is very complete, concise, thorough, and clear as originally written, so it needed almost no further development. The document was amended, approved, and forwarded to SFIREG for consideration during the June 4-5 meeting. The Recommendation from POM is that this issue paper be submitted to the US EPA as amended.

No new issues have been sent to POM for consideration since the April meeting.

**ENVIRONMENTAL QUALITY ISSUES (EQI) WORKING COMMITTEE REPORT**

Gary Bahr, WA, EQI Chair

*Report on specific activities of EQI Working Committee and pertinence to state pesticide regulatory programs.*

Activities of the Environmental Quality Issues (EQI) Working Committee. Gary Bahr, Chairperson, Washington State Department of Agriculture  
Submitted 4 June 2018 by EQI Working Committee. Gary Bahr, Chairperson  
The spring Joint Working Committee (JWC) meeting was held in Crystal City on April 9-10, 2018. The POM and EQI committees met together, and had concurrent breakout sessions to discuss issues in detail within each committee. EQI Committee members in attendance were: Gary Bahr, Chairperson (WA), Carrie Leach (IN, Laboratory) (2018), Davis Daiker (FL) (2019), John Allran (NC) (2019), Laura Mensch (DE) (2019), Mary E. Tomlinson (ME) (2020), and Nan Singhasemanon (CA) (2020).

As of June 4, 2018, current EQI membership consists of six members and is as follows: Gary Bahr, Chairperson (WA), Carrie Leach (IN, Laboratory) (2018), John Allran (NC) (2019), Laura Mensch (DE) (2019), Mary E. Tomlinson (ME) (2020), and Nan Singhasemanon (CA) (2020). Davis Daiker (FL) (2019) announced he received a promotion to Division Assistant Director within Division of Agricultural Environmental Services, FL Dept. of Agriculture & Consumer Services. We thank Davis for his leadership and service to EQI after 11 years. Gretchen Paluch (IA) (2018) ended her EQI chair tenure after the September 2018 EQI meeting. We also thank Gretchen for her leadership and service to EQI.

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)  
FULL COMMITTEE MEETING  
JUNE 4-5, 2018  
U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA  
MEETING MINUTES**

Gary Bahr (WA) moved into the chairperson position for the April 9-10, 2018 meeting. The vacancies from both Davis and Gretchen departing will be filled with new members. Carrie Leach's (IN, Laboratory) position ends June 2018. There are open positions for up to five EQI members at this time as June 2018 comes to an end. EQI currently has membership from SLA's in Regions 1, 4, 5, 9, and 10. Numerous applications/nominations to EQI are being reviewed to fill these. The EQI chair worked to invite and encourage applications from SLA members around the country, especially from SLA's within Regions where EQI is missing representation. Those regions include Regions 2, 5, 6, 7, and 8. Preference will be given to members whose first term has ended and who desire to remain on the committee for a second term. Similar to the POM chair, the EQI Chair feels that continuity and committee experience is very important when resolving issues that require accumulated experience and knowledge of past committee activities and decisions.

Topics Discussed and Presentations at the April JWC Meeting:

Please refer to detailed minutes and presentations from the April meeting on the AAPCO website compiled by Ms. Amy Sullivan, AAPCO Executive Secretary. An outline of the various topics/presentations covered in the last EQI and JWC joint-sessions are as follows:

- Office of Pesticide Programs (OPP) Update (Yvette Hopkins, US EPA)
- Office of Enforcement and Compliance Assistance (OECA) Update (Anthony Matusik, US EPA)
- Regulator in Residence Program Update (Emily Ryan, US EPA)
- Florida Zika Response Following Hurricane Irma (Davis Daiker, FL)
- Biostimulants Draft Guidance Discussion (Robin Schoen-Nessa, WA)
- Pesticide Impurities in Registered Pesticides (Kachadoorian, Drake, Bahr)
- Cannabis White Paper Discussion (Drake, SC)
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- Fipronil: California Risk Assessment and Management Strategies (Singhasemanon, CA)
- Overview of EPA Research Projects on Indoor Surface Wipe Sampling and Surface Decontamination (Mysz and Willison, US EPA)

EQI tasks completed since the last JWC Meeting:

The EQI members have had a spring conference call and will also have a conference call and further planning in June 2018 and August 2018. The new EQI members will join the

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

calls when those decisions on new members are made. EQI members have had numerous conference calls with POM members on various JWC activities. The EQI chair has had various coordination calls with various EQI, POM, and SFIREG members to chart out the future direction of EQI.

EQI members have been reviewing the Pesticide Impurities whitepaper, Herbicide Plant Back Restriction whitepaper, EPA Benchmark Establishment Process, and POINTs database survey results and summaries produced in the fall 2018. EQI provided input to a multi-agency team from EPA, USGS, and WA State that is working on the SEAWAVEQX modeling project to provide a predictive tool for ground and surface water pesticide fate and transport modeling. The team, lead by Rochelle Bohaty (EPA OPP EFED), presented their progress at a May 23, 2018 public meeting at EPA called the Environmental Modeling Public Meeting (EMPM). This meeting provided a public forum for pesticide registrants, other stakeholders and EPA to discuss current issues related to modeling pesticide fate, transport, and exposure for pesticide risk assessments in a scientific context. Additionally, this meeting provided a forum for presentations on methods for assessing pesticide monitoring data in surface and ground waters. The results of the SEAWAVEQX modeling will assist EPA and state's to utilize pesticide monitoring, crop, and pesticide use data to conduct more accurate quantitative assessments for surface water and ground water pesticide exposure/risk assessment. The group is working to calibrate water quality models using Washington State Department of Agriculture surface water data and compare and calibrate that pesticide monitoring and modeling data. The modeling will assist states in planning and implementing monitoring systems that meet requirements for utilization by EPA OPP EFED. The project is progressing thanks to leadership from EPA OPP EFED staff Rochelle Bohaty, USGS, and WSDA, with EQI member review and support.

As reported by the POM chair, the POM and EQI Committees reviewed and made minor clarifications/amendments to the Pesticide Impurities in EPA Registered Pesticides issue paper submitted by Rose Kachadoorian (OR). The Recommendation from POM, with EQI concurrence, is that this issue paper be submitted to the US EPA as amended. No new issues have been sent to EQI for consideration since the April meeting.

Fleeson Trossbach commended both chairs and committee members for their leadership and committed work ethics. She asked that the committees look over each other's work and may bring some presentation to full SFIREG.

**POLLINATOR PROTECTION ACTIVITIES**

Meredith Laws, EPA/OPP/RD

Rose Kachadoorian, OR, AAPCO Pollinator Protection Workgroup Co-Chair

Lisa Fleeson Trossbach, VA, AAPCO PPDC Liaison

*Current DRAFT national metrics to measure the success of state managed pollinator protection plans will be presented to SFIREG Members for discussion and distribution to*

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

*states for comments and the renewed activities of the AAPCO Pollinator Work Group will be shared.*

*EPA will provide an update on the implementation of Policy to Mitigate the Acute Risk to Bees from Pesticide Products.*

Please see presentation.

- Fleeson Trossbach will be requesting additional input from the regional reps with questions to help guide the next steps for the survey.
- LaScola requested that there be more direction on the perspective and scope for the person answering the survey.
- 60 days was determined to be an acceptable length of time to keep the survey open.
- Laws thanked Kachadoorian, as well as Fleeson Trossbach and Cofer. She said she is very impressed by the work put into the survey and is thankful to the states.

Acute policy proposal from 2015 update: 100,000 comments, it was finalized in January 2017. EPA still supports the policy but does not have the resources to change the labels per the policy. There simply are not enough staff. They are working through it with new a.i.s and through registration review. This is all they are able to do with limited resources and staff.

AAPCO will ensure consultation through time via the pollinator protection workgroup.

Fleeson Trossbach will send a review request to the reps to provide feedback on the survey.

**DICAMBA- 2018 GROWING SEASON**

Reuben Baris, EPA/OPP/RD

Tony Cofer, AL, AAPCO President

*EPA will provide a summary of the agency's Dicamba related activities and the Upcoming Growing Season. AAPCO will provide information regarding the State Lead Agency Bimonthly Dicamba Survey.*

Baris began by stating that there were over 2700 enforcement cases in 2017. Dr. Bradley will be collecting information again this year regarding acreage.

- Clear benefit of technology for resistant weed management
- Must stay on field; relabeling with additional restrictions
- Training required, 10s of thousands of applicators have been trained

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)  
FULL COMMITTEE MEETING  
JUNE 4-5, 2018  
U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA  
MEETING MINUTES**

- Anxiety regarding end of this year: damage, registration expiration-the decision will be made on weight of evidence
- Increase in adoption of seed, therefore soy damage will go down
- EPA wants to know about other damage specifically

Cofer added that we are trying to make sure we have early ongoing dialogue with EPA so they can make this decision by having weekly calls and conducting the biweekly survey.

- Registrants say that 70% of cases are due to off label use, and 30% are ‘unclear’.
- 95% of complaints were on soy, and if they were only hit once they had a good chance of growing out of the damage.
- There were even yield increases in states with lots of damage.
- Major issues appear to be
  - Buffer zones
  - Wind speed
  - Temperature inversion
  - Nozzles-this has a large effect on off target movement
  - Boom height-this has a large effect on off target movement
  - Spray tank contamination

**DEVICES- EPA DEVICE DETERMINATION WORK GROUP ACTIVITIES AND DECISIONS**

Yvette Hopkins, EPA/OPP/FEAD

Andrea Medici, EPA/OGC

*EPA will provide an overview and activities of the newly formed Devise Determination Work Group including any specific determinations that have been made and how that information can be shared with State pesticide regulatory programs.*

Please see presentation.

There is a device determination workgroup going through the various examples. The states would like to see EPA’s guidance on determination—there will be a webpage. Fleeson Trossbach and POM will work on drafting questions to help and will disseminate the information.

**PRE-SFIREG REGIONAL REPORTS**

SFIREG Committee Members

*Regional SFIREG Representatives will provide a brief report (5-6 minutes) of key issues raised at their respective pre-SFIREG meetings including any requests for additional action by SFIREG.*

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

Please see reports.

Common concerns include:

- CPARD
- C&T plans-template is requested
- Drones/UAV/UAS-AAPCO is considering a workgroup for the topic
- Federal Credentials

Fumigation white paper presented by R5-The reps will collect more info on unused excess methyl bromide stored at ports, and will bring the results back for the December meeting.

**ASSOCIATION OF AMERICAN PESTICIDE CONTROL OFFICIALS (AAPCO)  
UPDATE**

Tony Cofer, AL, AAPCO President

*Association activity report and identification of current pesticide related issues of shared interest.*

Cofer began by describing the two main roles of AAPCO-to work on policy and hot topics, and to provide stable management for the organization. He wants to update and modernize our organization management, developing fiduciary best management practices and other policies. AAPCO interviewed for the new treasurer on Sunday June 3, and hope to have the successful candidate hired and training with Fredrickson this summer. The board of directors will be having a summer board meeting this year to provide stronger oversight to SFIREG and ensure the association is moving forward in a strong position. The two-year term that Cofer is serving as President is helpful, because it is allowing him to address sustainability issues with the association that would be difficult to work on in a one-year term. He also mentioned that attending SFIREG and the joint working committee meetings is important for the president. The website is a great resource for everyone.

AAPCO is looking to develop an UVA workgroup. The C&T workgroup is focused on implementation issues. The Pollinator Protection workgroup has provided high quality work in an effort to find common sense solutions. The Industry Relations workgroup has developed a 25(b) workgroup, and they are moving the issues forward and providing great resources.

The next AAPCO Spring Meeting will be March 3-6, 2019 and we are looking forward to seeing everyone there! Thank you to all who work so hard on our issues.

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

**PESTICIDE PROGRAM DIALOGUE COMMITTEE (PPDC) UPDATE**

Liza Fleeson Trossbach, VA, AAPCO PPDC Liaison

*Association activity report and identification of current pesticide related issues of shared interest.*

In the interest of time, this update was not presented. Please see the attached presentation.

**ESA-BiOp AND INTERAGENCY WORK GROUP UPDATE**

Brian Anderson, EPA/OPP/EFED

Gary Bahr, WA, EQI Chair

*As a follow-up to the release of NMFS' Biological Opinion for Pesticides: Chlorpyrifos, Diazinon, and Malathion and the establishment an Interagency Working Group to coordinate Endangered Species Act consultations for pesticide registrations and registration review, EPA will provide a summary of the BiOp and current and future activities of EPA and the Interagency Work Group.*

Please see presentation and remember that this affects more than just the Pacific Northwest.

Tuesday June 5, 2018 8:30 am

**INGREDIENT TRANSPARENCY**

Bill McCormick, The Clorox Company

Liza Fleeson Trossbach, VA, SFIREG Chair

*Retailer requirements necessitating changes to pesticide product labels have implications for registrants, state lead agencies and EPA. An overview of these requirements, current registrant activities and outstanding issues will be presented.*

*Given the implications to state lead agency pesticide product registration programs, the creation and charge of a SLA-EPA Work Group will be considered.*

Please see presentation.

The registrants requested that SFIREG assist them in determining uniform approach for the labels, such as where to put the ingredients, and font size. They would like a state workgroup and outreach to state registration programs.

- PRN 98-10 on notification (registrations)
- Spagnoli offered that the Label Review Manual, Ch.5, outlines policy for voluntary disclosure of ingredients.
- Cofer said the requirements must be on the label and legible; Federal regulations must be met; directions for the end user must be clear
- Fleeson Trossbach asked if any of the reps wanted to be on the workgroup:

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**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

- Bahr, Drake, Cuevos, Lamanno, Davis, Caffery, Lastinger, King. Will follow up with Florida as well.
- Bahr asked about the timeframe and McCormick replied that end of summer is best.

**FEDERAL CERTIFICATION OF PESTICIDE APPLICATORS RULE**

Richard Pont, EPA/OPP

Tim Creger, NE, AAPCO C&T Workgroup Chair

*EPA will provide information regarding the EPA's Work Group and Guidance for Submission of Revised State Certification Plans.*

*AAPCO C&T Work Group will provide a report of current and future activities.*

Creger described the AAPCO workgroup and their activities during the rule development and finalization. One rep from a SLA per EPA region is the current makeup of the workgroup. They want to coordinate with states to keep a good line of communication open with EPA and are coordinating with a similar ASPCRO effort as well. It is very important that EPA remain engaged.

There are lots of concerns regarding reciprocity, and we believe that consistency from state to state and region to region is vital.

There will be guidance from EPA to the states this fall. After that, there are 18 months to get it done. States need the guidance for revision, especially concerning statute and rule changes to support legitimate work plans.

A question for EPA is whether a letter of notification of intent is sufficient if needed due to issues related to statute or rule changes?

States also want a central location for materials so that all the states can easily access them.

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Please see presentation

Mosby said that EPA has a Certification Plan review workgroup consisting of regions, OPP, OECA and the Office of the General Counsel. They are looking to provide tools, information and support, including CPARD.

Richard Pont, Jeannie Kasai, Nancy Fitz, and Jennifer Park will be working on the issue. Keaney thanked AAPCO for comments and input during the proposal period. He hopes that the spirit of flexibility continues in this engagement.

Pont added that EPA has all of the important letters and papers for each state (some states were concerned about loss of paperwork that is very old in their state systems).

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)  
FULL COMMITTEE MEETING  
JUNE 4-5, 2018  
U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA  
MEETING MINUTES**

Creger added that the workgroup will be publishing newsletters to disseminate information to the states as well.

Back to the notification of intent: that will be looked at on a case-by-case basis if the states cannot fully meet the date. They still have to submit a revised plan, but it doesn't have to be final; it can be an anticipated schedule.

**ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS (ASPCRO) UPDATE**

Linda Johns, MT, ASPCRO President

*Association activity report and identification of current pesticide related issues of shared interest.*

Please see presentation.

**LABORATORY DIRECTOR'S REPORT**

Mike Stage, AR, Laboratory Director's Liaison to SFIREG

*Association activity report and identification of current pesticide related issues of shared interest.*

Stage let folks know that the EPA laboratory workshops are scheduled for 2019-Nevada and Indiana; 2020-Florida; 2021-Wisconsin.

**TRIBAL PESTICIDE PROGRAM COMMITTEE (TPPC) UPDATE**

Fred Corey, Aroostook Band of MicMacs Chairperson

*Association activity report and identification of current pesticide related issues of shared interest.*

Corey started by describing a priority setting meeting between EPA and TPPC in March 2018. The two focus areas for the tribes are risk assessment and direct implementation. Cultural activities expose tribes to unique risks. An example is the presence of lindane in arctic seals, which are harvested by indigenous peoples. Due to this risk, EPA chose not to reregister lindane. They are currently concerned that there isn't an institutional approach to consider the tribes' unique risks. Right now, the revisions to TSCA include a mandate for EPA to look at susceptible populations, and TPPC hopes that this model will be adopted for FIFRA as well. The National Tribal Toxics Council and TPPC are working together on a pilot project to see how EPA can incorporate tribal risks into the assessments. Can use an eco-region approach to address similar patterns of resource use, using the most conservative values.

**STATE FIFRA ISSUES RESEARCH & EVALUATION GROUP (SFIREG)**  
**FULL COMMITTEE MEETING**  
**JUNE 4-5, 2018**  
**U.S. EPA, POTOMAC YARDS, CRYSTAL CITY, VA**  
**MEETING MINUTES**

Regarding direct implementation, at issue is that there are about 90 tribes who have a FIFRA agreement with EPA. Only about half of those have an OECA agreement. There are over 570 Federally Recognized Tribes in the U.S. TPPC has evaluated EPA's direct implementation role in Wyoming, and would like to see similar effort by EPA in Indian Country. In many regions currently there aren't compliance inspections done routinely, only emergency response.

Corey also weighed in on the term 'stakeholder', which was brought up earlier in the Cooperative Federalism discussion. The 1984 EPA Indian Policy details how it should be done—Stakeholder is a 'receiving' word. Partners share risks and rewards of partnership, and is the more appropriate term for co-regulators.

Next meeting is October 10-12, 2018 in Gila River.

**ASSOCIATION OF AMERICAN PESTICIDE SAFETY EDUCATORS (AAPSE)  
UPDATE**

Kim Pope Brown, LSU Pesticide Safety Education Program, AAPSE President-Elect  
*Association activity report and identification of current pesticide related issues of shared interest.*

AAPSE uses education to protect human health and the environment. Brown emphasized that we are all in this together, and that she appreciates AAPCO's partnership.

Professional Development Committee--developing two webinars for PSEPS. They will be recorded so they can be viewed anytime.

AAPSE is also working on a conflict of interest policy.

Science-based Decision Making committee wants to support educators by supplying strong science.

Dicamba-AAPSE has a survey of PSEPS and will share with AAPCO.

They would like to participate in the C&T workgroup as well.

AAPSE will meet next in San Antonio in conjunction with the NPSEC meeting on the front end of the ASPCRO meeting.

**ISSUE PAPER- PRN 96-8 PESTICIDE IMPURITIES**

Rose Kachadoorian, OR

Tim Drake, SC, POM Chair

*Consideration of December 2017 Issue Paper and action.*

Drake provided an edited version of the issue paper, stating that there were only small changes made by POM.

Please see presentation.

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Dan Rosenblatt suggests that FEAD have lab analysis conversations regarding chemistry data and certified limits for products submitted for registrations.

LaScola and Wade brought up concerns with 25(b) products, and we were told that there cannot be any impurities in 25(b) products (unless they are on the approved list also). Since the current standard is an allowance of 1000 ppm, there is also concern that a manufacturer could legally adulterate their product up to 999 ppm.

Kachadoorian offered that perhaps indoor uses and 25(b)s be added to the paper, since Spagnoli mentioned that there could be residues on botanicals that are used in the 25(b) products, which is an issue with the a.i. itself.

Rachael Latimore, General Counsel for CropLife and Rise, wants to work with SFIREG to move this forward. She raised concerns about low detection limits as being problematic. The levels should be toxicologically significant, and economics are important to consider.

Fleeson Trossbach called for a vote by the committee to move the issue paper forward to EPA. The committee voted unanimously to do so, with an open-ended timeline.