AAPCO Board of Directors Meeting
June 5, 2019
Amy Sullivan, Executive Secretary

On the call: Pat Jones, NC; Tony Cofer, AL; Rose Kachadoorian, OR; Derrick Lastinger, GA; Leo Reed, OISC; Liza Fleeson Trossbach, VA; Megan Patterson, ME; Amy Sullivan

AAPCO Pollinator Workgroup
Kachadoorian and Jones are considering expanding the workgroup to include some more SLA representatives to assist with conducting the survey. Fleeson Trossbach has already imputed the survey into Survey Monkey. The board is fine with adding a few more members of the workgroup.

AAPCO Technology Workgroup
There have been 2 meetings. They drafted a mission statement, and in review it was felt that industry and pesticide registrants should be identified as information sources.

Dicamba Survey
Kachdoorian sent out the end of year draft survey to some of the dicamba states. They responded that they weren't sure what the questions were getting at, how the information would be used, that it wasn't capturing all of the issues the states felt were important, etc. Comments already include that the states would want more specifics and rationale. It is a lot of work for the states to collect the information and they may not want to do so without better understanding of the survey's purpose. Kachadoorian and Reed will follow up the EPA for clarification.

SLITS
EPA is moving away from Lotus Notes and are having issues with the current system development. There are a lot of demands on IT when changing platforms and it is easy to get bumped in that process. That appears to be the case for SLITS. States are unaware of the issue and continue to submit and the response time is unacceptable. Kachadoorian proposes writing a letter to EPA stressing the importance of SLITS to the states, and asked the board's opinion. Cofer strongly agreed, and added that SLITS is a culmination of about 15 years of work to get it up and running and for them to abandon it or backburner is not okay. This is indicative of a myriad of issues we are seeing with the agency at this time. SLITS is a form of accountability and it appears that the agency is avoiding that level of transparency at this time. One state in R5 got opposing opinions by the same EPA employee six months apart. It appears that putting their opinion in writing is against the current administration's will right now. Kachadoorian will draft a letter for the board to review.

PPDC nomination process
AAPCO's current representative to PPDC is Fleeson Trossbach. EPA's solicitation to the states indicated that a SLA person who may be interested in serving in that capacity should send their nomination for being the AAPCO representative into the agency. Kachadoorian has since followed up with the agency so that the response from AAPCO is coordinated appropriately through the board.

The choosing of the representative should include a broad look at possible representatives, and that will be part of the further discussion.

Biostimulants Letter
There are two different things going on: a workgroup providing information to USDA so that they can report back to Congress, and review of the Draft Guidance developed by EPA, especially the contents of table 4, which includes a list of active ingredients that require FIFRA Section 3 registration.
Giguere was instrumental in writing the letter, providing comments to NASDA, who will then represent our concerns to USDA. NASDA was pleased with the letter as it was done in a timely manner and is comprehensive in its content. There are two boxes being considered, one being a PRIA lite idea for things such as seaweed or crustacean extracts. EPA would normally register them as growth regulators, and they sometimes have a fungicidal or insecticidal quality. EPA does not appear to be interested in this approach, but industry and the states are open to it. The other idea box, which may be less desirable, is to exempt them from registration. For instance, using kelp extract as a growth regulator, rather than as a nutrient source. Those two ideas would take a long time to go through, including changing 40 CFR. It could take as long as ten years. PRIA lite would also take a long time. Kachadoorian asked for input and also encouraged the board to contact Giguere if interested in getting more involved. Patterson noted that in conversations with ag producers, there was concern about a mechanism for biostimulants to go around the established registration processes, mostly due to consumer protection reasons. Especially given that many times the companies don't know why the product works, or they can contain a known human pathogen that would be applied to food.
Kachadoorian wants to follow up with some of the state technical experts to make sure we are on the same page and not in conflict with each other. Kachadoorian also commented on the value of having Sarah Caffery from OISC be involved and she has done a great job representing the states and gathering information for AAPCO, in addition to Giguere as our lead.

Possible 25(b) letter
This is related to the PRIA lite idea, brought up by Jim Jones during an industry heavy meeting with Alexandra Dunn. Essentially the 25(b) registrants would request EPA Section 3 registration despite being exempt. They hope that this would help streamline the state registration process, which is required by 41 states currently. Kachadoorian asked for comment. Reed doesn't believe that it will be successful. After further discussion it was decided to put this on the back burner for now.

NC Device White Paper
A lot of states have had concerns about devices for years. Jones had identified a very egregious situation with a device that is used to produce a disinfectant used in hospitals, sometimes as the sole means of disinfection. The disinfectant is also a known Section 3 active ingredient. The claims are unsupported by available data, and are very concerning. At SFIREG we learned that EPA doesn't believe they have the authority to ask for data

unless the brine solution required to produce the active ingredient that the device puts out is sold with the device. This is a public health issue, and perhaps this is where we engage in further activity to support EPA in their ability to regulate these products. EPA has the scientists that can develop the protocols and to know which data to request to determine the antimicrobial properties of the product produced by this device. Cofer suggested that it may be advisable to submit the issue for an enforcement case review. Kachadoorian and Jones will reach out to some other states that have had issues as well. The board feels an obligation to follow up on these issues, especially the public health and children's exposure issues. Fleeson Trossbach offered that Andrea Medici is with EPA's Office of General Counsel and she has been involved in the device workgroup.

POINTS

Fleeson Trossbach summarized the white paper developed by EQI regarding the issues with POINTS, and the suggestion at SFIREG that perhaps AAPCO could use the SFIREG grant funds to maintain the system for the benefit of the states. There was quite a bit of discussion on the issue. Cofer expanded that this is indicative of the agency right now, but that water quality programs will become important again. It is also an example of a program area being deemphasized by the agency and the states not even having been consulted in that decision. The issue paper is available in the June 2019 SFIREG minutes. We will follow up more on the issue offline with EPA, SFIREG and EQI.

Summer Board Meeting

Kachadoorian requested that the board review the agenda and get back to her with any comments or questions.