

EPA Region 5 Pre-SFIREG Meeting Report

Meeting Dates: November 6th and 7th, 2019

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 Topics

1. State Updates:

- Several states continue to experience staff turnover from retirements. Backfilling positions is typically a long a difficult process as many external applicants don't meet the experience requirements and internal candidates are not willing to relocate.
- MI has nearly finished building a custom pesticide inspection and reporting system.
- MI responded to a handful of complaints involving pesticide misuse on marijuana.
- Legislation has been introduced in MN that will allow first-class cities to regulate pesticides.
- WI: is developing groundwater standards for imidacloprid. They are also dealing with PFAS issues.
- WI investigated a methomyl misuse case that resulted in the deaths of several dogs, coyotes and a wolf. The methomyl was mixed with meat.
- Both IL and IN are considering raising pesticide-related fines.
- MN is preparing for recreational marijuana in 2020.

2. Dicamba:

- IL investigated 720 dicamba-related complaints with a high number of complaints coming from the east-central part of the state. In some cases, symptoms of dicamba damage was prevalent across entire counties.
- Due to wet weather during the 2019 growing season, IL extended the cut-off date from June 30th to July 15th. The majority of the dicamba complaints received by IL had applications dates during this 2-week period.
- For 2020, IL will implement a June 20th cut-off date and temperature restrictions.
- IN did not have a cut-off date in 2019 but are considering a June 20th cut-off date for 2020.
- IN does not always take residue samples when investigating dicamba complaints. Some cases are for documentary purpose only, without residue sampling.
- 2019 dicamba damage in IN seems to coincide with areas of damage in IL.
- MN reported that they investigated a case involving a spray tank of dicamba (new formulation) that leaked while being transported down the road. The leak/spill caused damage to nearly every non-dicamba tolerant soybean field along the spill path.
- IL received contacts from farmers who are concerned about the amount of dicamba in the environment and potential health impacts to their families.
- IN saw an increase in damage to ornamental plants and IL reported that the Illinois DNR is seeing a decrease in tree health across the states and they believe it may be linked to dicamba.
- IL growers have indicated to IDA inspectors that they have observed that Enlist beans seemed to be more susceptible to damage from dicamba than other non-DT soybeans. They also found dicamba tolerant beans that were damaged by Enlist. It was noted that the damage to Enlist beans was consistent with volatilization and the damage from Enlist was a classic drift pattern.

3. Potential 24(c) Changes:

- States remained concerned about potential changes to EPA's 24c policy and intend to submit comments against the 24c changes being proposed by EPA.

4. C&T:

- Several states have finished updating their plans but have not officially submitted them to EPA.
- There was some confusion amongst states regarding the specifics of submitting final plans. EPA Region 5 agreed to develop a brief submission guidance document to ensure states are meeting EPA's submission needs.

5. 25b Workgroup, POM, and EQI Update:

- 25b Workgroup has developed an inert guidance document which is currently being reviewed by AAPCO.
- Sarah Caffery and Jerin Borrego are the chairs of the 25b Workgroup.
- POM and EQI are working on a dicamba guidance document and the label table.
- POINTS – WA will support for 2 more years. EPA looking at a replacement and may remove POINTS from the Cooperative Agreement.
- POM reviewed Region 5's *Integrated Collection & Transfer of Information and Evidence Collection System* issue paper and is recommending that the scope be narrowed down.

6. UAV's:

- IN is actively working on getting UAVs for inspection and investigation purposes. They anticipate having 1-2 units available for the 2020 use season.
- MN has one unit and 3 pilots and used their UAV for investigation purposes during the 2019 growing season.
- MN noted that the UAV was useful for identifying the number of acres that were damaged during misuse complaints.
- MN was able to use their UAV to confirm non-conforming equipment on an anhydrous ammonium tank. Since MN inspectors are not allowed to climb on anhydrous tanks, the UAV was vital to this complaint.

7. Hemp:

- Discussed what pesticides states are allowing to be used on hemp.
 - Some states are creating "approved" product lists, while others are not.
 - Some states are reviewing labels on a case by case basis.
 - Some states will only allow 25(b) products to be used on hemp.
- MN noted that they are not coming to the same conclusion as some other states when determining if products are acceptable for use on hemp.
- IL doesn't register 25(b) pesticides, but because of the hemp law in their state, they are now required to register 25(b) products if they are labeled for hemp.
- States discussed coordination on 24c registrations for hemp.
- Many hemp growers seem to be unfamiliar with pesticides and are having a difficult time understanding label language and what they are allowed to use on their crop.

8. Future Region 5 Pre-SFIREG Meeting Dates:

- May 6 & 7th 2020
- Nov. 4th and 5th 2020
- Doug Owens of Illinois will be taking over as the Region 5 SFIREG representative starting in 2020.