

Region 7 Pre-SFIREG Meeting Minutes

Virtual meeting, April 29, 2021

Participant List:

Nebraska - Tim Creger, Buzz Vance, Craig Romary, Libby Smith, Jennifer Weisbrod
Missouri- Dawn Wall, Stephanie Deeken, Kory Hubbard, Sam Polly
Kansas - Duane Simon, Gary Meyer, Shawn Plunkett
Iowa- Gretchen Paluch, Jeni Lara, Laura Castro
EPA - Candace Bednar, Mark Leshner, Jamie Green, Maren Taylor, Shawn Hackett,
Bethany Olson, Michael Daniels, Tracey Ramsey, Marie Blankenship

Introductions - Nebraska, Missouri, Kansas, and Iowa; EPA Region 7 (Program and Enforcement)

Region 7 states provided program updates on recertification, enforcement programs, staffing, funding, legislation, and recent impacts of COVID-19.

States shared programmatic updates on winter certification programs, referencing in-person vs. online training and testing efforts. Regulatory waivers and extensions are still in place for several of the states; however programs are looking to return to in-person this spring.

Over the next two years R7 state pesticide programs noted staffing changes to include retirements, position vacancies, and new positions. R7 SLAs noted legislative activity this session including pesticide bills related to the EPA C&T revised rule, waste disposal, treated seed disposal, and program funding. Current funding levels in R7 SLAs remain stable.

EPA Region 7 staff provided an update from program and enforcement. State certification plans are moving through review at this time, with 1 moving on to HQ and another to be sent short. SLAs were notified that EPA will be working on a FIFRA enforcement strategy as well as new online tools for product searches/web crawler.

Brief update provided by EPA on efforts to address use of treated seed used by ethanol plants. SLAs were asked to notify EPA R7 if other incidents occur.

ACTION ITEM - EPA R7 agreed to engage states for input on pesticide 'use' issues, as part of the on-going discussions for a FIFRA enforcement strategy.

SFIREG Chair Topics

1. Pet collar issues, cases, and reporting to EPA; including products with insecticides such as flumethrin and imidacloprid:

Region 7 states did not report any high-level pesticide use issues or concerns with pet collar incidents, or AI combinations of flumethrin and imidacloprid. SLAs were curious if there were reports made to HQ regarding incidents in the states, would these be forwarded to the appropriate state agency and through what contact/EPA? Since SLAs were unaware of on-going issues reported at this time the discussion included different routes of reporting such as reports made through NPIC and those directed to EPA HQ. SLAs were interested in providing information to veterinarians, but requested clarification on what reporting route is most appropriate for this issue – NPIC, poison control center, other.

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ACTION ITEM - EPA R7 agreed to circle back with HQ on what the appropriate reporting entity is on this issue and provide feedback to SLAs for use in current programs.

2. Dicamba registrations and regulation:

Region 7 states had provided updates and number of applicators, incidents, and handling of cases throughout the 2020 season during the fall pre-SFIREG meeting. No change since the last meeting RE: incidents.

SLAs indicated they received inquiries about the federal label cutoff date and restrictions stated in the EPA Bulletins Pesticide Use Limitation Area language. No SLAs in R7 had initiated section 24(c)s at the time of the meeting.

3. 24(c) and 25(b) EPA and state registration processes:

No R7 SLAs have submitted a 24(c) for the new products registered for dicamba over-the-top applications at this time.

SLAs discussed inquiries about 24(c)s for antimicrobials/disinfectants, particularly questions about efficacy studies of surface-protectants and levels of exposure. SLAs were interested in what updates were available at the national level to help support state registration programs.

ACTION ITEM - EPA R7 to provide feedback to SLAs on efforts toward a national 24(c) or an option for a shared submission package for states to consider. To include clarification on disinfectant efficacy vs. exposure/residual.

4. PFAS/PFOS in containers, pesticide products, environment, human health, laboratory testing support, and other issues to assist SLAs:

Region 7 states did not report any new incident or use sites at this time, and remain engaged as more information on PFAS/PFOS becomes available.

5. COVID-19 EPA response and registration topics for disinfectants, and devices:

Region 7 states did not report any response or registration topics at this time. Updates were made during introductions with reference to adjustments in the applicator certification programs working through the winter training and testing site schedules.

6. EPA Credential issues and survey:

R7 states participated in survey and await results. Topic further discussed below.

7. Paraquat topics, regulation, and education:

SLAs briefly revisited discussion of the new paraquat labeling and closed handling systems. Training material on the closed handling system has been incorporated into some SLA applicator education. No new issues reported at this time.

8. C&T Plan approval processes:

EPA R7 shared projections on number plans submitted to EPA HQ, with a Nov1 date for comments from HQ then Nov-March 2022 timeframe for R7 approval and letters issued.

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9. Pollinators and managed pollinator use of pesticides:

Region 7 states did not report any high-level pesticide use issues or concerns with pollinator incidents, or managed pollinator protection plans. No on-going issues reported at this time.

10. Hemp and Cannabis topics and issues:

Region 7 states did not report any high-level pesticide use issues or concerns with hemp and/or cannabis incidents. No on-going issues reported at this time.

11. EPA Reregistration review of pesticides, EPA 15 year schedule, PIDs, Final IDs, BEs, BiOps; recent topics such as Pentachlorophenol and other wood treatment product issues, and EPA assessing Pyridines and Pyrimidines herbicides:

Region 7 states did not report any high-level pesticide use issues or concerns related to pentachlorophenol and other wood treatments. No on-going issues reported at this time.

Any new Issues that might develop into white or issue papers:

EPA Credentialing – R7 Topic

SLAs discussed challenges with renewing FIFRA credentials on the FedTalent website. Navigation of the site has been a challenge for some states, citing large amounts of time to complete training and ensure the system is capturing/monitoring/recording status of the training. SLAs asked about record retention for career investigators that were originally issued credentials 20+ years ago. In addition, SLAs asked if state program managers still have a role in FIFRA credentialing because the permissions and level of access for program manager accounts in FedTalent don't appear enabled for this. Such access is only for EPA staff in the regional office. SLAs asked if roles and responsibilities have changed. EPA R7 agreed to generate and email timely reports to state program managers in the interim and look at online accounts vs. roles.

ACTION ITEM – SLA, NE to put together listing of issues/concerns with utility of FedTalent tool for FIFRA credential renewal.

ES Bulletins – R7 Topic

R7 states requested a call with EPA HQ to discuss questions related to the enforcement policy of ES Bulletins.

Cooperative Agreement Guidance – Water Quality and Pesticides of Concern

SLAs requested feedback on two sections of the new cooperative agreement guidance. The first section pertained to the description under high profile incident reporting. SLAs noted the description is quite broad reaching, considering most incidents that states respond to are pesticide misuse incidents. Should the majority of incidents be treated as high profile or is there an alternate interpretation of 'high profile' that SLAs can apply? The second section pertained to the frequency of review of pesticides of concern.

ACTION ITEM - EPA R7 to provide clarification to SLAs on reporting of high profile incidents and SLA 'review' of pesticides of concern, as per Cooperative Agreement Guidance.

Minutes prepared and submitted by Gretchen Paluch.
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