

## **Report to SFIREG (December 2021): Activities of the Environmental Quality Issues (EQI) Working Committee.**

### **Hotze Wijnja, Chair, Massachusetts Department of Agricultural Resources**

Submitted December 3, 2021

The EQI Working Committee is focused on issues related to water quality, human health and the environment, risk assessments, and technical aspects of the implementation of pesticide programs.

Hotze Wijnja (MA) moved into the chairperson position for the fall 2021 meeting. EQI met virtually in August 2021 to introduce new members and to discuss topics for the fall 2021 meeting.

The fall Joint Working Committee (JWC) meeting was held virtually September 20-21, 2021. The POM and EQI committees met together and had breakout sessions to discuss issues in detail within each committee. EQI committee members in attendance were James Cooper (FL), Rajinder Mann (MN), Jennifer Teerlink (CA), Christina Zimmerman (WA), Mary E. Tomlinson (ME), Beth Dittman (NC), and David Scott (IN)

### **Topics Discussed and Presentations at the September JWC Meeting:**

Please refer to the meeting recordings and materials from the fall meeting on the AAPCO website <https://aapco.org/2015/07/29/working-committees/> compiled by Amy Sullivan, AAPCO Executive Secretary. An outline of the various topics/presentations covered in the EQI and JWC joint sessions are as follows:

### **POM/EQI Joint Session:**

- Updates from AAPCO, SFIREG, and EPA
  - AAPCO President updates (Pat Jones, NC)
  - SFIREG Chair updates (Gary Bahr, WA)
  - Office of Pesticide Programs (OPP) Update (Yvette Hopkins, US EPA)
  - Office of Enforcement and Compliance Assistance (OECA) Update (Kelly Engle, US EPA)
- **Dicamba Discussion** (Hotze Wijnja, MA, Amy Brown, FL, Rajinder Mann, MN, Kristia Thomas, SD and Meg Hathaway, EPA Registration Division (RD))
  - Even with the new mitigation measures put into place on the 2020 label, some states have reported that this growing season is the same or worse than the 2017 season.
  - Rajinder Mann and Kristia Thomas shared their states experiences with the 2020-2021 label for this growing season.
  - Meg Hathaway shared an update from the EPA perspective and answered questions.
  - Questions from the agenda for EPA:
    - EPA requested the states not issue any 24(c)s this year, given the variety of experiences in the states this year, is EPA prepared to not deny 24(c)s in 2022?

- There was much discussion surrounding this question. In summary, EPA is prepared to receive them and will evaluate them as they receive them. The agency's policy is the 24(c) would be for expanding the use, and 24(a) would be for adding further restrictions.
    - Is EPA satisfied with the national label?
      - They are still in the information gathering phase and there has not been a decision made as to whether any changes may or may not be needed.
- **PFAS Discussion** (Hotze Wijnja, MA, Amy Brown, FL, Megan Patterson, ME, and Neil Anderson, EPA Biological & Economic Analysis Division (BEAD))
  - Megan Paterson provided an update from Maine on PFAS-related legislation. This includes the consideration to regulate fluorinated adjuvants, a prohibition on the distribution or application of pesticides or adjuvants containing PFASs, and the development of a feasible definition of PFAS adulteration in a pesticide.
  - Neil Anderson, Jeff Dawson, Thuy Nguyen and Kerry Leifer from EPA walked through questions provided by the April 2020 JWC meeting. The questions are among the FAQs listed on the EPA webpage [Per- and Polyfluoroalkyl Substances \(PFAS\) in Pesticide Packaging | US EPA](#). EPA provided updates to responses where available. The EPA PFAS Council is working on several aspects and is expected to release a roadmap within the next few months. The working committees will continue to follow updates and developments on this topic.

**EQI Session included:**

**Cover Crop Issue Paper** (Hotze Wijnja, MA, Lindsey Walsh and Kelly Tindal, EPA RD)

EPA indicated that they are in the final stages of completing of the formal response to the SFIREG issue paper that was submitted to EPA in 2019. The response will address several challenges brought up in the issue paper, including the definitions of a cover crop, food/feed use or non-food/feed use, pesticide residues in food/feed crops, label language regarding plant-back intervals, phytotoxicity and bioassays, and the coordination with USDA-NRCS.

**PFAS in Pesticides and Containers: update from Responsible Industry for a Sound Environment (RISE)**  
Hotze Wijnja, MA, and Megan Provost, RISE president

Megan Provost was invited to provide an overview on this topic from a national trade association perspective, representing manufacturers, formulators, distributors, and other industry leaders involved with pesticides. Industry representatives interact with EPA and FDA on this issue. Industry experts meet to coordinate efforts to further explore and respond to the issue. Educational efforts are also underway.

Discussion included clarification on the percentage of pesticide/agrochemical containers that are fluorinated, which is estimated to be 20 -40%. Aspects relative to alternative packaging were discussed, including alternative barrier treatments, the process with EPA, and FIFRA requirements. The impacts to

container recycling were also considered. This session provided useful information for EQI to consider with the efforts to monitor developments on this issue.

### **Neonicotinoid Treated Seeds: Disposal Issues and Environmental Assessments**

Hotze Wijnja, MA, and Justin Housenger, Mark Corbin, EPA Environmental Fate & Effects Division (EFED)

EPA provided responses to questions that were submitted to EPA. The discussion included aspects relative to disposal of treated seeds, pesticide regulatory limitations regarding treated articles, environmental exposure modeling approaches and updated risk assessments, best management practices, and the considerations of a broader scope to include other seed treatment pesticides and commodities. The discussion provided useful information for the working committees to further explore the issues and challenges related to treated seeds.

### **Water Quality Reporting as required by the Cooperative Agreement guidance**

Hotze Wijnja, MA and Emily Ryan, Office of Program Support (OPS)/Mission Support Division (MSD)

The discussion included the need for guidance for water quality reporting given that the use of POINTS is going to be phased out at the end of current grant cycle. A new online system will be used to report water quality information, including Pesticide of Interest and Pesticides of Concern. The option to have access to historic data captured in the POINTS database was also discussed. EQI will continue to explore options for states to track, manage and share water quality data and information.

### **Mosquito Control Mist Blower Use in Residential Settings**

Hotze Wijnja, MA, Dave Scott, IN and EPA RD/PRD

Dave Scott presented on the experiences and issues related to the use of mosquito control mist blower use in residential settings as experienced in Indiana. The presentation and discussion highlighted the need to evaluate the issue of risk from off-target drift with the use of blowers or misters and how labels could be improved to address this issue. There was an interest to continue the interaction with EPA and EQI will consider developing a white paper.

### **Weed Scientist Society of America (WSSA)– Dicamba update**

Larry Steckel, WSSA Past President

Larry Steckel was invited to present science and research update on dicamba. The presentation highlighted past and ongoing research related to the efficacy, factors in off-target movement, weed resistance aspects, herbicide choices, and the need for flexibility in label language and recommendations to address local and regional needs. It was also pointed out that interactions and data sharing occur with EPA. The information shared by Dr. Eckel was viewed by the working committee as being helpful with the efforts to follow the developments relative to this issue.

## **Aquatic Life Benchmarks**

Hotze Wijnja, MA and Jean Holmes, Ethan Harwood, & Tom Steeger, EPA EFED

The recent release of new and updated aquatic life benchmarks prompted the invitation of EPA-EFED staff to provide information on the updates and the process behind these updates. The discussion considered guidance for states on how to use these benchmarks. There seems to be a need for additional guidance on the use of these benchmarks and EQI will consider developing a factsheet or brief guidance document.

## **POM/EQI Joint Meeting:**

The following updates were provided:

- PERC update- Pesticide Educational Resources Collaborative (Suzanne Forsyth and Kaci Buhl, Advisory Board Co-Chairs)
- Label Improvement Project – Update (Megan Patterson, ME, Project Manager)
- Technology Workgroup – Update (Robby Personette, WI, Committee Chair)
- 25(b) Workgroup– Update (Erica Millette, NM, Committee Chair)

## **EQI tasks completed since the September 2021 Fall JWC Meeting:**

- EQI met virtually in November 2021.
- EQI considered the formal response from EPA on the Cover Crop Issue Paper. The committee is considering to follow up with SFIREG and stakeholders to outline a path forward.
- EQI provided comments and updates to a SFIREG white paper on neonicotinoid treated seeds in an effort to provide more information and detail on several aspects of the issue.
- EQI discussed the new water quality reporting system, the information provided at the recent Water Quality PREP course, and is looking into next steps for options to develop access to historic data captured in the POINTS database.
- EQI is in the process of drafting a white paper relative to Mosquito Control Mist Blower Use in Residential Settings
- EQI continues to follow Dicamba, PFAS, Chlorpyrifos, and Seed Treatment topics.