**Region 4 SFIREG Report**

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June 6, 2022

The Region 4 spring pre-SFIREG meeting was held on 26-27 April 2022, in Asheville North Carolina. This in-person meeting also provided a virtual link for those who could not come to Asheville. Many states were represented both in the meeting and through the virtual link. All states in the Region (AL, FL, GA, KY, MS, NC, SC, TN) were in attendance, and EPA regional staff were well-represented in the meeting, both in person and through the virtual link. At this time, plans are going forward for an in-person meeting in Georgia in the fall of 2022. It is undecided whether or not a virtual link will be provided for that meeting because the location is at a Georgia State Park facility.

**Updates given during the meeting by our EPA Region 4 partners were:**

-Region 4 EPA update (Donnette Sturdivant, Carol Kemker) -Regional grants update (Donnette Sturdivant, Richard Corbett) -C&T / WPS (Pat Livingston, Richard Corbett, Savannah Merritt) -Regional training update (Patricia Livingston, Rick Hayes (GA), Pat Jones (NC)) -Enforcement update (Carol Kemker, Kanoe Ho, Alan Annicella)

**Topics covered in the meeting by SLA personnel were:**

-AAPCO update (Pat Jones (AAPCO Past President, NC), Kelly Friend (AAPCO , FL)) -ASPCRO update (Ryan Okey (ASPCRO President, SC), Derrick Lastinger (GA)) -SFIREG/POM/EQI update (Tim Drake (SC), Amy Brown (POM, FL)) -Pollinator protection educational video (Pat Jones, NC) -Autonomous Precision Drones (Dwight Seal, NC) -Chlorpyrifos disposal in the states (Pat Jones, NC)

**Issues Discussed:**

A full two-day meeting was held this spring because we were fortunate to meet in person for the first time in two years. The meeting opened with a states-only meeting to allow the EPA staff to drive in from Atlanta (about a 2.5 hours drive). Their regional travel budget has been cut significantly, so they were unable to stay in the hotel for two nights. A discussion about the cuts to the EPA travel budget consumed a large part of the states-only meeting, and all states in Region 4 expressed that it is extremely important for regional EPA staff to have the ability to travel to these meetings as well as to individual states for the routine and necessary mid-year and end of year reviews. Many questions arose regarding why the federal cuts to the regional EPA travel budgets have occurred, especially in light of the fact that COVID has prevented almost all federal employee travel for the last two years. The states would like an accounting of where, and for what purposes, the previously available federal travel funds being distributed from EPA Headquarters have been reallocated. Regular in-person meetings between regional EPA and state regulatory personnel are essential to maintaining a good and effective working relationship among co-regulators. With such cuts to the regional EPA travel budgets by EPA Headquarters, these working relationships across all regions will be impaired.

There also were discussions among the states and EPA in attendance on matters of regulatory importance to the region. Tim Drake facilitated discussion on the various issues, topics, and concerns. One issue is the constant shifting of positions and roles within the EPA. This is problematic for the states. Nobody knows who is responsible for what anymore. Project officers and management staff are switched around too often, and a lot of EPA staff seem to constantly be on “detail” in another area. All of these issues complicate communication, especially when very few EPA staff at the Headquarters level are actually in their offices and are still working from home while states in Region 4, for the most part, have been back in their offices for well over a year. Some states worked from home for only a few weeks, and never ceased routine field operations. Communication has suffered during the COVID pandemic because of this.

Online exams were discussed, and almost all states in the region are giving online exams of some type. Most have online Private Applicator exams in place. Kentucky is now exploring the possibility of going to online exams and asked other states in the region for input on how to transition to this method of testing.

The political pressuring (from state governments and stakeholder groups) of State Lead Agencies to give exams in Spanish is increasing because of the EPA decision to eliminate direct supervision with products containing paraquat dichloride. Product-specific use restrictions that go beyond normal RUP limitations such as this are problematic in the states, especially on commonly used agricultural products that are very necessary in the region. This decision, like the chlorpyrifos decision, has caused a lot of hardship in the agricultural industry because of the way in which it was rolled out at the federal level. Because it is impossible for a licensed grower/pesticide applicator to make all necessary applications of this herbicide to the crop, workers (most of whom speak only Spanish) must become licensed applicators. Thus, many states now are having to seek ways in which to license applicators who do not speak English in order for agricultural applications of paraquat dichloride to be made. This essentially goes against all reason, to license anyone in a language other than English to purchase and apply restricted use pesticides when EPA-approved labels are not available. To compound the problem, a variety of languages are spoken by farm workers in the Region, so to offer exams in Spanish alone may constitute a disparity in equity among the different farm worker groups. Reciprocity issues also complicate the problem because some states reciprocate licenses and would not know if a non-English speaker is applying for a reciprocal license in a state that does not allow non-English speakers to become licensed / certified pesticide applicators. A plethora of problems can and will arise from this issue.

Hypochlorous acid generator use in hospitals still is a major concern in Region 4, especially because the EPA has not made a determination regarding the legality of these devices or of the pesticide generated by them. There are major concerns throughout the region about efficacy in hospitals where these devices often are the only method used for disinfection of areas.

The misuse of pesticides and the use of unregistered products in Region 4 by beekeepers still is of great concern, and this issue most likely is a major issue nationwide. In North Carolina alone, apiary inspectors found the use of “homemade” products or the misuse of registered products in over 2000 hives in one year. The question arose as to the progress in SFIREG of the issue paper on this concern that was submitted for consideration last year. It is believed that this also is a food safety issue, but there is a hesitancy to test honey or comb for illegal pesticide residues because of the difficulties it can cause with analytical equipment in most state pesticide labs.

North Carolina is working with NPSEC to produce an educational pollinator protection video that can be used in the states. Pat Jones (NC) led a discussion on this project, and all states in the region are in favor of the production of such a resource for beekeepers and inspectors. Topics suggested for inclusion in this video were beekeeper misuse of pesticides, hive pests, appropriate hive treatments, and possibly a segment specific to state inspectors covering sampling, inspection procedures, and misuse investigations. These topics could be covered very generally in five-minute segments. A follow-up discussion was held related to possible funding sources for the production of this video.

Dwight Seal (NC) gave a presentation related to autonomous drone use in the region. This is an application method that is gaining momentum and SLAs will be dealing with regulating this form of application and the certification of drone applicators in the future. State regulations will need to be updated to include this technology. Most states in the region are seeing some sort of UAV application of pesticides now, mostly in the agricultural, forestry, mosquito control, and right of way categories. As these UAVs get larger with much larger tank capacities, there will need to be more oversight of their use for pesticide applications. Issues of pesticide drift may arise specific to this method of application. Much discussion needs to be held going forward with registrants, SLAs, EPA, various stakeholder groups, and the agricultural sector to determine the best way to implement and regulate this method of pesticide application technology. It was decided to put together a Region 4 workgroup to investigate this technology and the licensing / regulation it will require.

Region 4 states had no new issues to send forward in the form of an issue paper for consideration or action by SFIREG. Some issues that individual states are having are reflected in the comments / answers to the SFIREG questions that were sent out. These can be found in the section that follows.

**SFIREG Questions sent to the States**

The questions sent out to states for individual responses are summarized below. If a state had no issues or remarks on a particular item, those responses are not recorded.

1. ***New Issues: Are there any new or emerging issues in states that need to come forward for development into white papers or issue papers?***

No states in the region submitted issues that need to be developed into papers.

1. ***New SLA topics and program updates:***

***Florida:*** Dec. 2021 – Florida began using Everblue to conduct remote pesticide testing. As of now Florida has conducted 121 exams.

***Georgia:*** Georgia added a new state certification category in structural pest control: Honey Bee Control & Removal. Georgia does have new employees.

***Kentucky:*** Kentucky is currently in the middle of revising its Statutes and Regulations in conjunction with its new C&T Plan. Roy “Brad” Smith is the new Pesticide Licensing and Certification Branch Manager.

1. ***Chlorpyrifos Issues:***

***Kentucky:*** Kentucky has been approached by the Fruit and Vegetable Growers Association about mass disposal. EPA guidance would be appreciated.

***Mississippi:*** The biggest question about chlorpyrifos is probably what to do with unusable product. It may not be a major issue for Mississippi since it is not as widely used as in the past.

***North Carolina:*** The approved list has become more clear distinguishing between food/non-food use. The FAQ’s have been helpful. NC has neither funds nor capacity to handle large amounts of Chlorpyriphos for disposal.

***South Carolina:*** South Carolina has concerns about disposal of existing stocks and issues in agricultural production with discontinuance of use. The state does not have the funds or capacity to dispose of existing Chlorpyrifos within the state.

***Tennessee:*** Tennessee has concerns regarding waste disposal and the potential cost.

1. ***Dicamba registration and the 2022 growing season issues and cases:***

***Mississippi:*** The mandated applicator training and application restrictions have worked well in Mississippi. In 2021 Mississippi had 4 complaints of off-target application

***North Carolina:*** Auxin training is nearing completion. NC has trained 879 so far in 2022. Training was offered virtually and through some hybrid meetings.

***South Carolina:*** No reported cases in 2022

1. ***Enlist Products:***

***Mississippi:***  Although there are no counties in Mississippi with an ESA restriction for Enlist, action seems to open the door for more and more restrictions on currently labeled pesticides based on ESA as time goes on. This one is particularly troubling since it seems to base the restrictions on the POTENTIAL for endangered species to be present IN THE AGRICULTURAL FIELDS rather than in the surrounding environment. Furthermore, the credit system could soon become very burdensome and confusing for growers if it becomes standard on future labels.

1. ***ESA and pesticide evaluations, Labels, and Bulletins Live2:***

***North Carolina****:* There is a great deal of confusion as to whether information will be housed on the Bulletins Live2 website. This needs to be clearer for applicators. The credit system will be hard to enforce.

1. ***C&T plan approval process and the feedback from EPA regions and headquarters:***

***Florida:*** 95% complete on revisions from HQ comments. FL will have a call with OGC & OECA re reciprocity issues.

***Kentucky:***  Kentucky currently is revising its C&T Plan, addressing the comments made by EPA during their review. KY plans to resubmit to EPA by mid-May.

***Mississippi:*** The last hurdle for Mississippi’s updated plan is language guaranteeing funding of the plan.

***North Carolina:*** North Carolina has completed revisions from HQ comments. The Pesticide Board and Structural Pest Control Committee have both approved the revised plan.

1. ***24(c) state registration process:***

***North Carolina:***  24(a) is not a good solution for States to address restrictions.

1. ***Device Topics:***

***Kentucky***: KDA would like for EPA to provide a clearer definition for “Devices”

***North Carolina****:* It has been three years since NC submitted a device inspection report to the EPA. Information needs to be relayed to applicators. Guidance is needed quickly!

1. ***Treated seeds and articles exemption:***

No comments or issues from any states in the region

1. ***EPA actions and pet collar and ingredient issues:***

No comments or issues from any state in the region

1. ***PFAS/PFOS in containers of pesticide products:***

***South Carolina:*** Currently, no monitoring is occurring for PFAS/PFOS in the state.

1. ***Pesticides, FIFRA, and climate:***

No comments or issues from any state in the region.