



# SFIREG

## State FIFRA Issues Research and Evaluation Group

October 7, 2022

Elissa Reaves  
Director, Pesticide Re-Evaluation Division  
Office of Pesticide Programs  
Environmental Protection Agency  
1201 Constitution Ave. NW  
Washington, D.C. 20004

*Submitted electronically via Regulations.gov*

RE: Comments: EPA–HQ–OPP–2013–0266; FRL–9941–01– OCSPP] Atrazine; Proposed Revisions to the Atrazine Interim Registration Review Decision Memorandum; Notice of Availability and Request for Comment

Dear Ms. Reaves;

The State FIFRA Issues Research and Evaluation Group (SFIREG) and its working committees provide a platform for the states and US Environmental Protection Agency (EPA) to resolve challenges for successful implementation of pesticide programs and policies. SFIREG serves as a permanent standing committee of the Association of American Pesticide Control Officials (AAPCO), which works to represent states in the development, implementation, and communication of sound public policies and programs related to the sale, use, transport, and disposal of pesticides.

On behalf of SFIREG and our Joint Working Committees (JWC), we appreciate the opportunity to comment on the topics related to *Atrazine; Proposed Revisions to the Atrazine Interim Registration Review Decision Memorandum*. Our comment letter provides perspectives related to our concerns regarding the EPA process to establish a new lower and restrictive atrazine Concentration Equivalent Level of Concern (CE-LOC) value and mitigation measures based on modeling that is not consistent with previous and recent published decisions from the registration review of atrazine. We support efforts to determine risks to aquatic systems and water quality; however, we have concerns about the modeling and science conclusions that result in loss of uses

and mitigation measures that will be difficult to follow and enforce. We have concerns about the EPA decision to reduce the 60-day average CE-LOC from 15 parts per billion (ppb) to 3.4 ppb based on WARP modeling where a variety of data sets were utilized. The WARP modeling effort appears to be performed without utilizing extensive state data to validate the modeling. The overall modeling effort creates a dramatic change of tolerance, coupled with complex mitigation picklists, and with no apparent coinciding change of the broader atrazine science. While the lowering of the CE-LOC occurred as the result of the 2016 preliminary risk assessment, the 3.4 ppb value remains debatable among experts and additionally contentious as the value is now coupled with regulatory mitigation systems that will be difficult to implement and potentially unnecessary. We encourage EPA to utilize the experts around the nation, including SLAs and SFIREG, expand upon the expertise the EPA 2012 Federal Insecticide, Fungicide, and Rodenticide Act (FRIFRA) Scientific Advisory Panel (SAP), and create a new Science Advisory Panel (SAP) process for review.

We are concerned that the mitigation measures are being proposed without adequate guidelines for agriculture, applicators, and SLAs on how to implement the mitigation measures, and what mitigation language is enforceable or would be only advisable. The mitigation measures are very complicated and there is concern about the measures being proposed without additional funding for SLAs to conduct education, compliance assistance, and enforcement. We are also concerned about funding to implement watershed monitoring and focused mitigation measure evaluation studies on the smaller scale level to determine effectiveness of the measures to support potentially adaptable regulatory systems.

These efforts and conclusions by EPA come after years of scientific evaluation and the lack of EPA support to states for conducting adequate monitoring programs in atrazine use areas. It is our opinion that EPA is relying on modeling systems and assumptions that are not necessarily accurate and do not correlate with the data results from the existing and credible SLA monitoring programs. Relying on atrazine data sets that include older time periods where atrazine use was potentially at higher rates is a concern. Existing SLA data should be properly utilized in the modeling efforts. Funding should be available to provide for future monitoring and localized effectiveness studies, which can provide a way to track water quality pesticide trends, provide feedback to growers and applicators, implement more voluntary mitigation, and also potentially opt out of such onerous and complex mitigation measures. The EPA process does not seem to take into account the twenty to thirty years of work SLAs have accomplished and completed by implementing water quality monitoring and management of pesticides of interest and concern at the state and local level.

We suggest EPA work to involve SLAs, SFIREG and the JWC to conduct scientific evaluation, incorporation of valuable SLA data, and create the opportunity to build workable solutions for overall water quality protection while allowing for atrazine use. We recommend that EPA further assess the science of the lower atrazine CE-LOC value, and not move forward with the regulatory mitigation measures and conduct an evaluation of the science through completion of a SAP process. SFIREG and SLAs are focused on providing science based information and consistent regulations for EPA, the public, stakeholders, and industry. We thank EPA for the opportunity to comment and to express our concerns on this issue.

We look forward to working with EPA on these important science and regulatory processes.  
Thank you for your consideration.

Sincerely,



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SFIREG Chair

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