

Environmental Justice and Pesticides



Rick Keigwin
U.S. Environmental Protection Agency
Office of Chemical Safety and Pollution Prevention
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Executive Order on Tackling the Climate Crisis at Home and Abroad

Agencies shall make achieving environmental justice part of their missions by developing programs, policies, and activities to address the disproportionately high and adverse human health, environmental, climate-related and other cumulative impacts on disadvantaged communities, as well as the accompanying economic challenges of such impacts. It is therefore the policy of my Administration to secure environmental justice and spur economic opportunity for disadvantaged communities that have been historically marginalized and overburdened by pollution and underinvestment in housing, transportation, water and wastewater infrastructure, and health care.

January 27, 2021



Justice40 Initiative

The Federal Government has made it a goal that 40 percent of the overall benefits of certain Federal investments flow to disadvantaged communities that are marginalized, underserved, and overburdened by pollution.

From Executive Order on Tackling the Climate Crisis at Home and Abroad, January 27, 2021



EPA Actions to Advance Environmental Justice

1. Strengthen enforcement of violations of cornerstone environmental statutes and civil rights laws in communities overburdened by pollution.
2. Take immediate and affirmative steps to incorporate environmental justice considerations into their work, including assessing impacts to pollution-burdened, underserved, and Tribal communities in regulatory development processes and to consider regulatory options to maximize benefits to these communities.
3. Take immediate and affirmative steps to improve early and more frequent engagement with pollution-burdened and underserved communities affected by agency rulemakings, permitting and enforcement decisions, and policies.
4. Consistent with the Administration's Justice 40 initiative, consider and prioritize direct and indirect benefits to underserved communities in the development of requests for grant applications and in making grant award decisions, to the extent allowed by law.

April 7, 2021



Office of Environmental Justice and External Civil Rights (OEJECR)

- EPA combined three existing offices into a single new National Program Office
 - Office of Environmental Justice
 - External Civil Rights Compliance Office
 - Conflict Prevention and Resolution Center
- Includes a Senate-confirmed Assistant Administrator to lead this office
- OEJECR elevates environmental justice, equity, and civil rights at EPA and puts it on the same playing field as other national programs

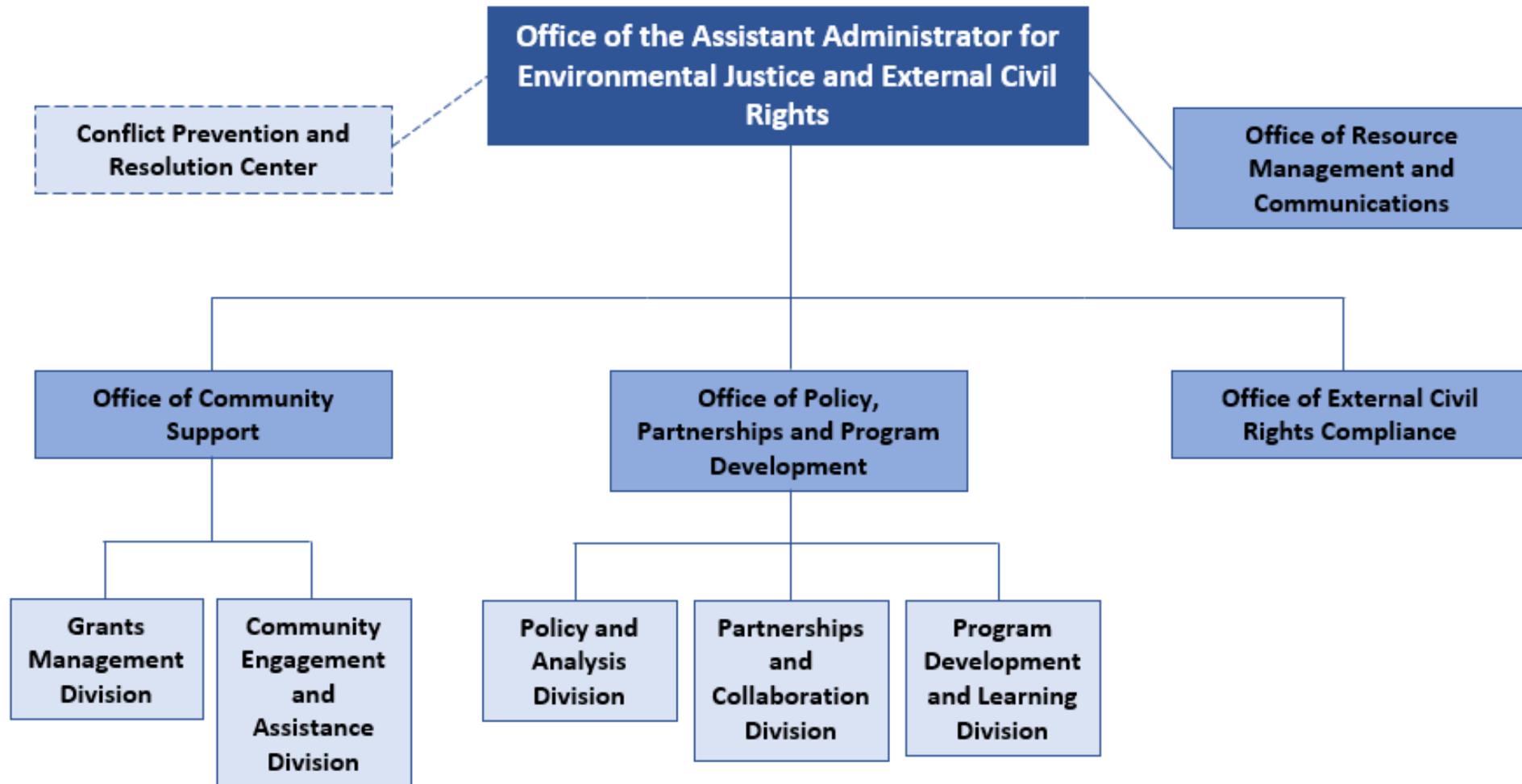


Why EPA Formed OEJECR

- EPA needs high-level, coordinated, and consistent leadership on environmental justice, equity, and civil rights to transform how EPA understands and implements its work—how it prioritizes program resources, allocates funding, implements statutory authorities, and engages communities.
- OEJECR is laser-focused on making sure all relevant agency programs, policies, and regional activities reflect a renewed focus on environmental justice and external civil rights.
- The Assistant Administrator (AA) of the new NPM will serve at the same level as the other AAs and will facilitate critical, peer-to-peer discussions about changing the way EPA does its work.



OEJECR Organizational Structure





EJ and Pesticides: Risk Assessment

- 10X safety factor to account for possible susceptibilities/increased sensitivity for sub-populations
- Literature searches for hazard and exposure information
- Consumption data from What We Eat In America survey
- Drinking water estimates from most vulnerable watersheds
- Occupational and residential exposure assessments
- Spray drift and volatility assessments



EJ and Pesticides: Risk Management

- Implementation of the Worker Protection Standard and the Certification of Pesticide Applicators Regulations
- Assistance agreement programs
 - National Farmworker Training Program (AFOP)
 - Health Care Initiative cooperative agreement (PERC-Med)
 - Pesticide Educational Resources Collaborative (PERC 2.0)
 - Outreach Communications to Educate and Inform Farm Workers
 - Integrated Pest Management projects and grants



Cooperative Agreement Guidance

- New guidance includes appendices for states, tribes, and territories to use as a tool in helping to outline current activities and exploring future opportunities for integrating environmental justice principles into their FIFRA work
- New guidance also includes an appendix that informs grant recipients of their civil rights responsibilities as recipients of federal financial assistance



PRIA 5: Bilingual Labeling Requirements

- Establishes requirements for pesticide label information to be available in Spanish
- Requires EPA to consult with State lead agencies “for the purpose of implementing bilingual labeling” as expeditiously as possible
- Mechanism
 - Directly on the product label OR
 - Link to translated information via scannable technology or other electronic means readily accessible on the label
 - Some alternative mechanisms for certain antimicrobial and non-agricultural products



PRIA 5: Bilingual Labeling Requirements

- By late June 2023: EPA to seek stakeholder input on ways to make bilingual labeling accessible to farmworkers
- By late December 2024: EPA must develop, implement, and make publicly available, a plan for tracking the adoption of bilingual labeling
- By late December 2025: EPA must implement a plan to ensure that farmworkers have access to bilingual labeling



PRIA 5: Bilingual Labeling Requirements

- .Timeline
 - Agricultural Pesticide Products
 - December 2025: Acute Toxicity Category 1 Products
 - December 2027: Acute Toxicity Category 2 Products
 - December 2030: All other agricultural pesticide products
 - Antimicrobial and Non-agricultural Pesticide Products
 - December 2026: Acute Toxicity Category 1 Products
 - December 2028: Acute Toxicity Category 2 Products
 - December 2030: All other antimicrobial and non-agricultural pesticide products



PRIA 5: Funding Opportunities

- Continuing
 - Farmworker Training and Education Grants (Up to \$1.5 million/year)*
 - Partnership Grants (Up to \$500 thousand/year)
 - Pesticide Safety Education Grants (Up to \$500 thousand/year)

- New
 - Healthcare Provider Training (Up to \$500 thousand/year)
 - Interagency agreement with NIOSH to support the SENSOR program (Up to \$500 thousand/year)
 - Technical assistance for grant writing (Up to \$350,000/year)

*Increased from up to \$1 million/year



Engagement with EPA Advisory Committees

- Children's Health Protection Advisory Committee
 - May 2021: Exposure Assessment Considerations for Youth in Agriculture
 - November 2021: Take-Home Pesticide Exposure
- National Environmental Justice Advisory Committee
 - Farmworkers and Pesticides Workgroup
 - Working with OPP to develop a charge to the workgroup



“Central to all of our work at EPA is the belief that all people deserve clean air to breathe, clean water to drink, and the opportunity to lead a healthy life. We are working every single day to ensure that all communities – especially communities who have disproportionately borne the burden of pollution and environmental harm – are empowered to realize the full protections of our environmental laws.”

Excerpt from Forbes Magazine Interview with Administrator Regan, published on February 28, 2023.