

Office of Pesticide Programs (OPP) Update

SFIREG EQI and POM

April 17, 2023

Ed Messina, Director

Office of Pesticide Programs

U.S. Environmental Protection Agency

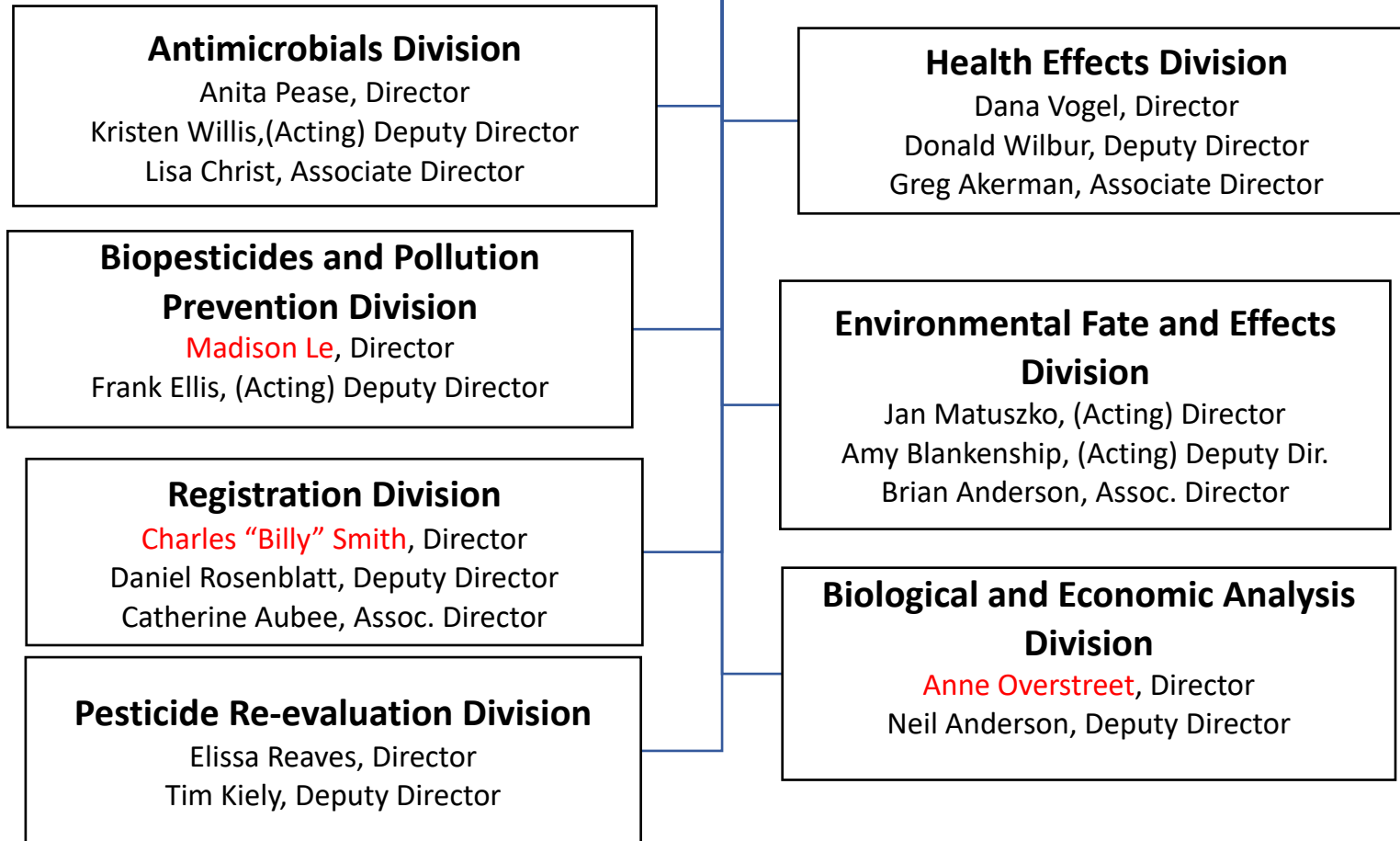




Office of Pesticide Programs

Edward Messina, Director
Vacant, Deputy Director, Management
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Endocrine Disruptor
Screening Program





OPP Updates - Upcoming

- New Als with ESA
- Neonics Mitigation
- OPs Activity
- Section 18 Hawaii Approval
- PFAS results
- PRIA 5 news
- Dicamba Court Filings



OPP Updates

April 13: EPA Establishes First Pesticide Tolerance for Hemp

- The U.S. Environmental Protection Agency (EPA) has established the first pesticide tolerance for hemp. This tolerance is for the pesticide ethalfluralin.
- After a robust human health risk assessment, on April 10th, EPA issued a [final tolerance rule](#) that established the maximum amount of ethalfluralin residues allowed to remain in or on hemp seed. Today, EPA accepted labels for this pesticide that now contain directions for use on hemp.
- Establishing a tolerance for residues of ethalfluralin on hemp and accepting updated pesticide labels provides farmers with an additional tool to control annual broadleaf and grassy weeds that grow in hemp fields.
- In October 2020, EPA received a petition from Interregional Research Project No. 4 (IR-4) requesting tolerances be established for residues of ethalfluralin in or on several crops, including hemp. IR-4 is a USDA-funded project that helps specialty crop growers address pest management concerns



OPP Updates

April 11: EPA Proposes New Standards to Protect Public Health, Reduce Exposure to Ethylene Oxide Pollution

- EPA is proposing new health protections to reduce exposure to Ethylene Oxide (EtO), including more stringent air emissions standards and additional protections for workers who are exposed to the gas used to sterilize medical devices and certain spices.
- EPA is proposing a comprehensive set of new mitigation measures that will decrease risk for workers who use EtO to sterilize products and for other people in communities near sterilization facilities.
- EPA is proposing to increase control measures on the use of EtO in the Proposed Interim Decision, such as
 - Prohibiting certain uses of EtO where alternatives exist including use in museums, archival settings, beekeeping, some cosmetics, and musical instruments;
 - Reducing the amount of EtO that may be applied for medical device sterilization while meeting applicable standards for sterility assurance;
 - Requiring engineering controls that reduce worker exposures to EtO, such as automation or emissions capture technology; and
 - Mandating Personal Protective Equipment (PPE) in sterilization facilities when EtO is detected using state-of-the-art monitoring technology.
- EPA's Proposed Interim Decision and EPA's Draft Risk Assessment Addendum, can be found [on EPA's website](#) and will soon be in docket EPA-HQ-OPP-2013-0244 at www.regulations.gov.
- The docket will be open for public comment for 60 days after publication in the Federal Register



Updated Registration Review Schedule

- On April 10, EPA released an updated registration review schedule for the next three years to provide a roadmap and advance notice of actions for stakeholders.
- This update reflects the four-year extension for the registration review deadline provided for in the FY 2023 budget.
- The deadline for the completion of registration review final decisions is now October 1, 2026, for the pesticides registered before October 1, 2007.
- This schedule update also reflects some of the broader policies that EPA is pursuing, i.e., registration review schedules for the rodenticides and many of the herbicides, insecticides, and fungicides.
- Visit [EPA's website](#) for more information on the [registration review process](#) and the [updated schedule of upcoming registration review actions](#).



Progress in Meeting Pesticide Registration Review Deadline

- Use the QR code below for more information on EPA's progress in meeting the pesticide registration review deadline.





OPP Updates

March 30: EPA Releases Final Biological Evaluation for Effects of Sulfoxaflor on Federally Listed Endangered and Threatened Species and Designated Critical Habitats

- EPA has released its final biological evaluation (BE) and its response to comments received on the draft BE. Sulfoxaflor is an insecticide used on a variety of crops to target difficult pests such as aphids and tarnished plant bugs (lygus).
- As an alternative to older insecticides including carbamates, neonicotinoids, organophosphates, and pyrethroids, sulfoxaflor typically requires fewer applications resulting in less exposure to non-target pests and plants.
- In the BE, EPA evaluated sulfoxaflor to determine the potential effects on federally listed endangered and threatened (listed) species and their designated critical habitats, along with predictions of whether sulfoxaflor is likely to jeopardize endangered and threatened (listed) species or adversely modify designated critical habitats.
- The BE is part of EPA's efforts to meet its obligations under the Endangered Species Act (ESA). This work furthers the goals outlined in EPA's April 2022 ESA Workplan to provide practical protections from pesticides for listed species.
- The final BE and the response to comments are available in docket [EPA-HQ-OPP-2010-0889](https://www.regulations.gov/docket/EPA-HQ-OPP-2010-0889) on regulations.gov.



OPP Updates

March 24: EPA Seeking Public Nominations for Experts to Serve as Ad Hoc Reviewers for Analysis of Atrazine Ecological Risks:

- EPA is seeking public nominations of scientific and technical experts for consideration to serve as ad hoc reviewers assisting the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel (SAP) with the review of the Agency's analysis and assessment of ecological risk from atrazine use.
- EPA is also announcing a three-day public virtual meeting on August 22-24, 2023, starting at 10:00 a.m. to approximately 5:00 p.m. EDT on Examination of Microcosm/Mesocosm Studies for Evaluating the Effects of Atrazine on Aquatic Plant Communities.
- Nominations must be submitted on or before April 24, 2023. These nominations will be used to assist the Agency in selecting approximately 8-12 ad hoc reviewers to assist the FIFRA SAP with their review. The review will take place during the August public meeting. Registration information for the meeting will be announced on the FIFRA SAP website in July.



OPP Updates

March 16: EPA Posts Draft Biological Opinion for Carbaryl and Methomyl for Public Comment

- EPA posted the National Marine Fisheries Service's (NMFS) draft biological opinion for the insecticides carbaryl and methomyl for public comment.
- In March 2021, EPA completed its final biological evaluations for carbaryl and methomyl, which made “likely to adversely affect” determinations.
- EPA initiated formal consultation with the Services upon completing these biological evaluations and, in response, NMFS has developed a draft biological opinion for carbaryl and methomyl.
- After the 60-day public comment period, EPA will provide NMFS with the comments received and a summary of the comments for consideration before it finalizes the biological opinion. EPA will implement the final biological opinion.
- The biological opinion is available for public comment in docket [EPA-HQ-OPP-2023-0144](#)



OPP Updates

March 15: EPA Announces Accelerated Action on Four Organophosphate Pesticides Based on Updated Exposure Assessments

- EPA released the updated occupational and non-occupational spray drift exposure risk assessments for diazinon, ethoprop, tribufos and phosmet.
- As part of the registration review process, EPA assessed the potential risks to people who mix, load, and apply the four pesticides, farmworkers who work with crops that have been treated with these pesticides, and bystanders who are potentially exposed to spray drift, including families living in agricultural communities.
- Although registration review for these pesticides was not scheduled to be completed until 2025-2026, after recognizing that several of uses of these four pesticides present significant human health risks, EPA is taking accelerated and early action to address these risks.
- The updated exposure risk assessments are now available in the registration review dockets, [EPA-HQ-OPP-2008-0351](#) (diazinon), [EPA-HQ-OPP-2008-0560](#) (ethoprop), [EPA-HQ-OPP-2008-0883](#) (tribufos) and [EPA-HQ-OPP-2009-0316](#) (phosmet) at www.regulations.gov.
- EPA expects to issue the proposed interim decisions in fiscal year 2025 (tribufos) and fiscal year 2026 (ethoprop, diazinon and phosmet).



OPP Updates

March 13: EPA Opens Application Period for Grant Supporting Education and Training for Pesticide Applicators

- EPA is accepting applications from Tribal and state governments, nonprofits and universities for a \$15 million grant opportunity to administer a national program on education and training for people that apply restricted use pesticides (RUPs), meaning pesticides that can only be applied by people that are specially certified and trained to handle them.
- This grant program will help ensure that RUPs are used safely by teaching applicators how to avoid pesticide misuse, clean up spills, and properly use personal protective equipment.
- The program administered under this grant will help support over 50 land-grant university PSEPs nationwide that provide this important training. Certification and training programs ensure pesticide applicators are trained to apply RUPs properly, in accordance with the label.
- In addition to core pesticide safety and practical use concepts, these programs provide applicators with critical information on a wide range of environmental issues, such as the protection of endangered species, water quality, workers and bystanders, and non-target organisms. Through previous cooperative agreements, EPA supported PSEPs provided workshops and educational tools and assisted in meeting certification requirements for more than 825,000 certified pesticide applicators.
- EPA anticipates awarding the recipient up to \$3 million per year in a five-year cooperative agreement, depending on the Agency's budget. Total funding for the five-year cooperative agreement (2023 through 2027) is not to exceed \$15 million.
- Eligible entities can now apply at www.grants.gov. Applications must be submitted no later than 5:00 p.m. EDT on April 27, 2023, to be considered.



OPP Updates

March 1: EPA Finalizes Updates to List of Pests of Significant Health Importance

- EPA released an updated list of pests of significant health importance. The list identifies the pests that EPA, the Centers for Disease Control and Prevention (CDC), and the U.S. Department of Agriculture (USDA) currently consider to be of significant public health importance.
- The list of pests serves as a useful tool for private and public organizations, including local or state governments, departments of public health, pesticide registrants, and non-governmental organizations when making decisions and planning for future public health actions.
- Federal law requires that EPA develop and implement programs to improve and facilitate the safe and necessary use of chemical, biological, and other methods to combat and control such pests of public health importance.
- Since this list's original publication in 2002, EPA, CDC, and USDA have identified new vector-borne diseases and pests that were previously considered benign or nuisance pests, but have since been shown to adversely impact public health.
- The final Pesticide Registration Notice (PRN) adds several new pests (e.g., brown dog tick) and public health impacts (e.g., Zika fever and coronaviruses like SARS-CoV-2). Other pests have been renamed, grouped with similar species or removed altogether.
- Read the final PRN [here](#) and in docket [EPA-HQ-OPP-2020-0260](#) at www.regulations.gov.



OPP Updates

February 24: New Pesticide Registration Service Fees To Go into Effect

- EPA is notifying pesticide registrants that the new pesticide registration service fees and decision timeframes specified in the Pesticide Registration Improvement Act of 2022 (PRIA 5) will go into effect on Monday, February 27, 2023.
- Pesticide registration service fee tables in FIFRA section 33(b)(3)(B) are updated by PRIA 5, which also specifies that the fee tables will become effective 60 days after date of enactment.
- Pesticide applications received by EPA on or after February 27, 2023, will be subject to PRIA 5 fees and timeframes.
- Applications received by EPA prior to February 27, 2023, will be subject to PRIA category fees and timeframes specified under the Pesticide Registration Improvement Extension Act of 2018 (PRIA 4).
- The following PRIA webpages will be updated during the week of February 27 to reflect the new fees and timeframes under PRIA 5:
 - Fee tables
 - Primary/Secondary Related Applications
 - Fee Reduction and Refund Formula
- EPA will continue to update additional PRIA-related webpages over the coming weeks. These webpages include category interpretations and the PRIA 5 fee determination decision tree tool. The Agency will issue another announcement when all updates have been completed.



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- Under, “Get pesticide updates by email,” enter your email address and click “Sign up”

Pesticide News Story Updates





Questions & Answers