

**Region 1 New England
Pre-SFIREG April 26, 2023
Meeting Report**

The meeting was held both on-line and at the New Hampshire Department of Agriculture, Markets & Food office in Concord, New Hampshire on April 26, 2023, beginning at 9:30 a.m.

Introductions:

Attendance*						
EPA	VERMONT	MAINE	NEW HAMPSHIRE	RHODE ISLAND	CONNECTICUT	MASSACHUSETTS
Andrea Szylvian	Steve Dwinell		David Rousseau		Diane Jorsey	Taryn LaScola-Miner
Maya Babu	Dave Huber		Beth Caldwell		Zachary Donais	
Sarah Kinslow			Sarah Conley			
Sharon Hayes						
* Morning session also included Robert Bruleigh (Enforcement Coordinator), Rebecca Tgibedes (Product Registration Specialist/IPM Program) and Matthew Bosiak (Environmentalist/Water Quality Projects) of the New Hampshire Division of Pesticide Control.						

Agenda Item: State Lead Agencies and the EPA Comment Process

- **Topic Introduction**
- **Roundtable**
- **Recommendations**

Rousseau (NH) introduced the topic as a means of identifying how states, tribes and territories review pesticide activity at the federal level and provide response. He noted the current AAPCO and SFIREG effort to review the federal pesticide decision-making process in order to allow for the best opportunities for state, tribe and territory input. He identified the challenges of “small-staff” state, tribe and territory programs relative to the balance of managing its programs in addition to keeping pace with federal activity, that is, reviewing such matters as active ingredient review, biological evaluations and proposed interim decisions. He noted the consideration that states, tribes and territories leverage subject matter experts, in addition to those individuals that participate with AAPCO/SFIREG, with regard to certain pesticide topic review. The roundtable was opened with two main questions: how do states respond to federal activity, such as pesticide notifications through federal register announcements; and what recommendations can be made relative to participating in the process to facilitate response for the best possible outcome?

Steve Dwinell (VT) noted the efforts and activities through AAPCO and SFIREG and related working committees, particularly EQI and POM, as important means to addressing issues; highlighting the importance of state, tribe and territory participation.

**Region 1 New England
Pre-SFIREG April 26, 2023
Meeting Report**

Taryn Lascola-Miner (MA) suggested that a regional, New England states approach, may be useful for certain issues; that is possibly providing comment as a group of states for topics relevant to a particular region. To this end David Huber (VT) offered to prepare and manage an on-line option for New England state review and discussion of certain topics.

As a recommendation participation with AAPCO/SFIREG efforts, including related work groups and other associated groups was noted. In addition, a consideration to meet as a region as needed outside of regularly scheduled pre-SFIREG events was also noted.

Agenda Item: Bilingual Labels

The topic was introduced by identifying that the recent Pesticide Registration Improvement Act (PRIA 5) included a provision to include pesticide label options in Spanish, particularly relative to safety information. States were encouraged to review the phased-in approach for the inclusion and to provide comment as determined. A discussion ensued with certain concerns noted, particularly relative to enforcement activity. It was noted that EPA is to consult with the states regarding implementation of this effort.

Agenda Item: EPA Updates

Sharon Hayes (EPA) provided Region 1 enforcement updates:

Staffing:

- John Bowman: Pesticides, PCB, document control, pesticide enforcement contact for Maine, Massachusetts and Vermont
- Kelsey Sullivan: FIFRA Inspections, Safe Drinking Water Act Inspections, pesticide enforcement contact for Connecticut, New Hampshire and Rhode Island
- Kevin Pechulis: The current enforcement counsel
- Ken Rota: Point person for federal inspector credentials

Federal Inspector Credentials:

- Training discussed - annual refresher requirement
- On-line trainings noted
- Credits will be available for participation with Pesticide Inspector Residential Training scheduled for May to be held in Massachusetts

Environmental Justice

**Region 1 New England
Pre-SFIREG April 26, 2023
Meeting Report**

- Two communities per state noted for outreach, enforcement, and funding opportunities:
 - Connecticut: New Haven and Bridgeport
 - Massachusetts: Chelsea and New Bedford
 - Maine: Portland and Lewiston
 - New Hampshire: Manchester and Nashua
 - Rhode Island: Central Falls and Providence
 - Vermont: Burlington and Winooski

Sarah Kinslow provided program updates:

- Certification and Training Plans noted (Three states are approved; two are close to approval and one is expected to be submitted in relative short order)
- A request was made that remaining states submit by September 30th given the November deadline.

Andrea Szylyvian provided project officer updates:

- Referenced the appendices to the Cooperative Agreement as a reminder of the addition to the 2022-2025 FIFRA Cooperative Agreement Guidance Appendices, Appendix 12: *Environmental Justice Activities within FIFRA Program Areas*, and Appendix 13: *Federal Civil Rights Responsibilities*,
- Grant Data Base noted

Agenda Item: State-by-State Updates

- **Note on the “Survey”**
Rousseau noted the following topics provided in a pre-meeting survey: Certification and Training Plan Status, Endangered Species (EPA ESA Workplan Concerns), Rodenticide Proposed Interim Decisions and Regulations, Cooperative Agreement, Chlorpyrifos, Atrazine, and Dicamba, encouraging states to report out on any concerns related to the topics.
- **State-by-State Update**
Rousseau asked the states to include any concerns relative to PFAS, Funding/Staffing, Certification/Licensing Updates relative to suspension/modification/revocation, and any other topic that may be helpful to bring to the attention of AAPCO or SFIREG, in state report outs.

Region 1 New England
Pre-SFIREG April 26, 2023
Meeting Report

New Hampshire, David Rousseau reporting:

- **Rodenticide** In response to a bill to ban second generation anti-coagulant rodenticides, a task force was formed to review rodenticide residue in wildlife.
- **Staffing** Full complement of full-time positions currently filled.
- **Certification/Training State Plan** Approval received.
- **PFAS** Topic managed by the state's Department of Environmental Services.

Connecticut, Diane Jorsey reporting:

- **Rodenticide** 2023 Phase-in schedule to reclassify second-generation anticoagulant rodenticides.
- **Neonicotinoid** Proposal to expand ban on plants, but allowing continued use for agriculture, pet flea and tick control, and structural use.
- **Aquatic Permitting** On-line application and fee processing developed.

Massachusetts, Taryn LaScola-Miner reporting:

- **Pesticide Inspector Residential Training** Massachusetts is hosting a national PIRT in May; approximately 65 attendees are registered to attend.
- **Glyphosate** Commission reviewing glyphosate (webpage Massachusetts Glyphosate Commission); water sampling and scientific review included.
- **Staffing** Two inspector vacancies.
- **PFAS** Physicians group considering a requirement that all pesticides secure a third-party test for PFAS
- **Cannabis/Pesticide Policy** noted, Section 25(b) products only, exempt from food tolerance
- **Certification Suspension/Modification/Revocation** note that enforcement actions are posted on Department website
- **Legislative notes** Rodenticide Review Group
- **Local Control note** Community moving to limit pesticide use to 25(b) products on school grounds unless hardship is noted. Concern regarding pre-emption.
- **UAV note** Cranberry Pilot Program

Vermont, Steve Dwinell reporting:

- **Housing and Urban Development**, regional training for bed bug control relative to public housing
- **BMPs** best management practices for use of treated seeds noted; specifically neonic treated seeds and developing recommendations for BMPs; reference certain state legislative activity

**Region 1 New England
Pre-SFIREG April 26, 2023
Meeting Report**

- **Rodenticide** Noted enforcement activity relative to pesticide control professional and improper control of bait stations
- **Recertification** On-line availability noted.

Vermont, David Huber reporting:

- **PFAS** Mostly a waste management topic in Vermont.
- **NEEP** Northeast Environmental Enforcement Project (NEEP) announcement - Vermont is hosting a NEEP event in May to include glyphosate and lab topics.
- **Rules** Vermont's pesticide rules were recently updated
- **Enforcement Review** note on notice of inspection
- **Staffing** a fifth field agent added
- **PIRT note** suggestion to consider Council on Licensure, Enforcement and Regulation (CLEAR) training for PIRT 2025
- **Chlordane** note on response event (cleaning/air quantification) at a school to remedy chlordane residue

Endangered Species Discussion, Steve Dwinell

- Concern noted as Major Change – Enforcement Guidance Needed (including messaging to regulated community)
- Interim Ecologic Mitigations – surface water protection; spray drift management requirement
- AAPCO Workgroup
- Impact to Certification and Training, Enforcement noted
- EPA grouping of active ingredients for registration review; for example, herbicides
- Bulletins2 – labelling, enforceable requirement
- ESA Workplan Update, non-target species mitigation for registration review and other FIFRA action
- Opportunities to work with AAPCO and SFIREG
- ESA abbreviated information sheet noted
- Recommendation to provide input on how the proposed change would work
- Request comment on active ingredients/products

Agenda Item: Wrap Up

No new issue papers recommended at this time; request as to the status of a mosquito treatment drift paper noted.

**Region 1 New England
Pre-SFIREG April 26, 2023
Meeting Report**

Fall Region 1 pre-SFIREG meeting scheduled for November 8th, 9:30 a.m. to be held at EPA Lab in Chelmsford, Massachusetts.