

## **Region 7 Pre-SFIREG Meeting**

On November 1, 2023, representatives from Region 7 states and EPA met in-person for the Pre-SFIREG meeting at the EPA Region 7 Office in Lenexa, Kansas. Those in attendance included:

**Iowa** – Gretchen Paluch, Mark Smith, and Laura Castro.

**Nebraska** – Elizabeth (Libby) Smith, Herbert Bates, Craig Romary, and Holly Hillebran (online).

**Missouri** – Kory Hubbard, Emily Groner, Kash Kruep, Jamie Eiken, and Megan Troesser.

**Kansas** – Kelly Navinsky-Wenzl and Josh Gillespie.

**EPA** – Anthony Pierce, Jeffery Robichaud, Mike Daniels, Shawn Hackett, Maren Taylor, Logan Smith, Jordan Galliher, Sharon Dobesh, Mark Leshner, Brenton Jennings, and Candace Bednar (online).

### **State Updates:**

Region 7 States have experienced changes in personnel roles and/or vacancies. It was noted that Iowa is fully staffed in the field but has one vacant case review position. Nebraska noted that it is fully staffed, and that Libby Smith was promoted after the retirement of Tim Creger. Missouri has one field staff vacancy, and that Kory Hubbard was promoted after the resignation of Dawn Wall. Kansas noted it currently has three field staff vacancies. It was also noted that Gretchen Paluch will serve her term as the AAPCO President in March 2024.

### **EPA Update:**

Staffing – Three individuals were introduced during the Pre-SFIREG meeting since they had joined EPA after the Spring Pre-SFIREG Meeting. Additionally, a new outreach person will be starting at EPA in November 2023.

### **C&T Plan Approvals:**

C&T Plans for Region 7 states were approved prior to the Pre-SFIREG Meeting. Nebraska noted that its implementation process went smoothly. States identified implementation concerns, including identifying existing resources for new certification categories, developing materials such as study guides and examinations, navigating the procedures to implement new requirements (depending on the state that could include new rulemaking, statutory revisions, regulatory revisions, etc.), providing internal training for SLA personnel, and conducting outreach and education. States expressed an interest in continuing a discussion on reciprocity.

EPA noted that updates to C&T plans are expected, and that EPA is working to create a document to help with update process. States also expressed an interest in learning more about Tribal Plans and the Federal Trust System.

### **ESA Workplan, Vulnerable Species Pilot, Herbicide Strategy and other topics for mitigation, labels, and Bulletins Live! 2:**

States recognize that EPA's ESA activities are significant and ongoing. States discussed their recent public comments and the timelines to review complex information and provide public comment. The discussion also noted concerns with the public's awareness of the changes, the accuracy of the data and science behind the proposals, maps of vulnerable species compared to territories of the species, education and training needs for SLA personnel, implementation and enforceability concerns, and changes needed to update Bulletins Live! 2, including the means to obtain historical data and the ability for SLAs to be notified when bulletins are implemented that impact the respective states. It was also noted that there needs to be a focus on ensuring applicators have basic competencies (federal competencies requirements may not address conservation) and there should be more engagement on ESA activities. It was further noted that several Region 7 states have a representative on AAPCO's ESA Workgroup.

### **Reviewing and renegotiating the FIFRA and OECA Cooperative Agreements:**

It was noted that there have been significant ESA activities and implementation of such activities will impact SLAs. States would like a way to recognize the impact these ESA activities will have on state activities. It was also noted that virtual / off-site monitoring inspections can be valuable activities, but there are concerns with receiving credit and the manner of reporting such activities. It was noted that EPA has expressed an interest in eCommerce activities and States noted resource concerns, time commitments, and no dedicated reporting on the 5700 Form. New and emerging technologies may also need to be an area of focus in future discussions. With respect to water quality data, it was noted that other agencies within a state may be responsible for collecting and maintaining water quality data.

### **Rodenticide PIDs and Regulations:**

It was noted that as a result of the rodenticide changes, there may be concerns with certification and PPE requirements; along with new entities such as vineyards, being required to hire rodent control.

### **SAFHER Database:**

At least one Region 7 State is looking into the SAFHER database but there is nothing specific to report at this time.

### **PRIA 5 Bilingual Label Language Work and Implementation:**

States discussed the implementation of the PRIA 5 Bilingual Label Language. The discussion focused on a variety of implementation questions from the States such as: “Who is responsible to review and approve such label language,” “Who is responsible for errors in label translations,” “What does enforcement look like if a label does not follow the rollout schedule” and “What accessibility expectations will this create for states?” States also noted there were limited resources to aid in development of bilingual resources.

### **Chlorpyrifos:**

States expressed an interest in a status update on this matter, particularly as it relates to product return/buy-backs. It was noted that it can be difficult to find a list of products with cancellation orders.

### **Atrazine Interim Registration Decision:**

No comments.

### **Dicamba:**

States expressed interest in an update on the status of the ongoing litigation relating to the over-the-top dicamba products. For the 2023 season, Iowa included additional restrictions on the use of over-the-top dicamba herbicides. Iowa noted a drop in complaints and believes complaint fatigue and the early cut-off date may have impacted decisions regarding use of such products, thus reducing the number of complaints that were received. Nebraska assigned 40 complaints for investigation. Missouri assigned 12 cases for investigation and also contributed the reduced number of complaints to complaint fatigue. Kansas received 41 complaints and assigned 15 cases for further investigation. It was also noted that many investigations are “open cases” without confirmed laboratory results and enforcement actions.

### **25b Issues, False and Misleading Claims, and Solutions:**

No comments.

### **Antibacterial and Antifungal Resistance Framework:**

States noted that additional information may be needed to provide meaningful comments.

### **New and Ongoing Issues:**

States expressed an interest in the ongoing discussion relating to label language for unmanned aerial vehicles / drones, including certification requirements and the development of study manuals.

### **Pesticides and eCommerce:**

It was noted that some states conducted virtual marketplaces during the pandemic; however, reporting and counting offsite compliance monitoring cases under the FIFRA Cooperative Agreement was a concern. Several states also refer complaints to EPA for further investigation.

### **Region 7 Discussion Topics:**

States expressed an interest in continuing reciprocity discussions as a result of C&T updates. It was also noted that States are interested in being provided more ESA information.