

State FIFRA Issues, Research & Evaluation Group

MINUTES	JUNE 9-10, 2014	EPA OFFICES, POTOMAC YARDS ARLINGTON, VA
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MEETING CALLED BY	Steve Dwinell, Chair, SFIREG
TYPE OF MEETING	Issues, Research, and Evaluation
NOTE TAKER	Grier Stayton, Exec. Sec., AAPCO
ATTENDEES	<p>The meeting convened at 8:36 a.m. with the introduction of SFIREG Committee members. Members of the Committee: David Rousseau, New Hampshire, (Region 1 Representative); Anthony Lamanno, New York State Dept. of Environmental Conservation, (Region 2); David M. Scott, Pennsylvania Dept. of Agriculture (Region 3); Patrick Jones, NC Dept. of Agriculture & Consumer Services (Region 4); Leo Reed, Indiana State Chemist Office, (Region 5); Susie Nichols, Arkansas State Plant Board, (Region 6); Gretchen Paluch, Iowa Dept. of Agriculture, (Region 7); Matthew Lopez, Colorado Dept. of Agriculture, (Region 8); Thomas K. Matsuda, Hawaii Dept. of Agriculture (Region 9); and, Robert Blankenburg, Alaska Dept. of Environmental Conservation, (Region 10). Also present: Tim Drake, South Carolina Dept. of Agriculture, and AAPCO President; Jeff Comstock, Vermont Agency of Agriculture, Food & Markets, and AAPCO Past-President; Roy Meyer, New Jersey Department of Environmental Protection, and Chair of SFIREG Working Committee ("WC"), Environmental Quality Issues ("EQI"); Cary Giguere, VT, Agency of Agriculture, Food, and Markets, and Chair, SFIREG WC, Pesticides Operation and Management ("POM"); Fred Corey, Chair, Tribal Pesticide Program Council; Don Renchie, Texas A&M, representing AAPSE; John Scott, CO Dept. of Agriculture, and President, Association of Structural Pest Control Regulatory Officials (ASPCRO); Bonnie Rabe, NM Dept. of Agriculture; Liza Fleeson, VA Dept. of Agriculture and Consumer Services; Dave Scott, IN Office of State Chemist; Dea Zimmerman, OPP, (via conference call); Michelle Bogner, MI Dept. of Ag & Rural Development, representing AAPCO Lab Directors; Ann Pontius, EPA, OECA; Jim Roelofs, EPA, OPP, FEAD; Dan Helfgott, EPA, OPP, FEAD; and Grier Stayton, AAPCO/SFIREG Secretary. Other state representatives, registrants, trade association representatives and EPA staff were also present.</p> <p>Attachment 1 Agenda ; Attachment 2 Attendees</p>

ORDER OF DISCUSSION TOPICS

- 1) Introductions and Comments from Jack Housenger, Director OPP
- 2) OPP Update – Jim Roelofs
- 3) Pesticide Registration Reevaluation Update – Rick Keigwin
- 4) Status of ESA Lawsuits – Don Brady, Director, EFED; Lois Rossi, Director RD
- 5) Status of Pollinator Protection Issues, Policy Development – Tom Moriarty, PRD
- 6) Environmental Quality Issues Working Committee Report – Roy Meyers
- 7) Pesticides Operations and Management Working Committee Report – Cary Giguere
- 8) Results from Pre-SFIREG Meetings/ Regional Reports – Regional Reps
- 9) SFIREG Roles and Responsibilities – group discussion
- 10) OECA Update – Ann Pontius, Al Havinga
- 11) Performance Measures Update – Liza Fleeson
- 12) Worker Protection Standards Discussion – Kevin Keaney, FEAD
- 13) Project Officer Training – Cindy Wire, FEAD
- 14) Tribal Pesticide Program Council – Fred Corey, TPPC Chair
- 15) ASPCRO Report – John Scott
- 16) AAPCO Report – Tim Drake
- 17) CTAG Report – Leo Reed
- 18) AAPSE Report – Don Renchie
- 19) Summary/Closing Statements – Steve Dwinell, Jim Gray

MEETING CONVENED JUNE 9TH AT 8:36 a.m.

OPP UPDATE AND DIRECTOR'S COMMENTS		JACK HOUSENGER, DIRECTOR, OPP JIM ROELOFS, FEAD, OPP, EPA	
DISCUSSION			
<p>Roelofs discussed the highlights section of the re-formatted OPP homepage. Roelofs felt the "Rodenticide" link could be a useful resource for states. He announced a June 19th webinar for grant template training. Regarding "Smart Labels" EPA is developing internal data elements details. There should be a pilot opened late this summer for registrants to test. Roelofs also noted changes to Chapter 10, Worker Protection, of the Label Review Manual. Based on consultation with NIOSH, Table 5, respirator recommendations, has been updated. Roelofs stated these types of revisions are not difficult to put in place. Jack Housenger, Director OPP, was introduced and provided his background with EPA, welcomed the State Lead Agency ("SLA") representatives, and expressed the importance of the partnership.</p> <p>Roelofs reported the status of the methomyl Restricted Use Pesticide ("RUP") Issue Paper (requesting RUP classification for methomyl fly baits). The registrants are willing to eliminate the 1-5 lb. containers, move distribution to only large ag cooperatives, and add specific label prohibitions ("not for use other than fly control"). The registrants felt the packaging and label changes can take place within one year. Troy Corporation offered to collect incident data for one year to determine if these steps reduced poisonings. Dwinell asked if the registrants' offer would be formalized in an MOU. Roelofs confirmed. Dwinell asked if the registrant approach was acceptable with the Region 5 states. Reed replied he would present the offer to the Region 5 states, but felt they would still opt for RUP classification as the preferred approach. Reed agreed to bring the states' position back to the September SFIREG POM Working Committee meeting. Gray asked the registrant timeline, and Roelofs replied one year – but they would do nothing until they have an agreement with EPA.</p>			
CONCLUSIONS			
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	
Region 5 states will consider proposal by methomyl fly bait registrants and report back to SFIREG with a recommendation.	Reed	Sept 2014	

PESTICIDE REGISTRATION REVIEW UPDATE		RICK KEIGWIN, DIRECTOR, PRD; STEVE DWINELL, SFIREG CHAIR	
DISCUSSION			
<p>Keigwin noted PRD is moving from the docket opening stage of registration review to risk assessments and proposed decisions for comment. These will appear as 8-12 risk assessments per quarter and 8-12 proposed decisions per quarter. Consideration of mitigation measures for Endangered Species will be included as part of the review process. Keigwin referenced recent gas cartridge mitigation measures as an example. Fumigants are going through registration review – soil and structural fumigants. It will be a few years before the risk assessment stage. Dwinell stated it is difficult for SLAs to keep track of PRD activities. He noted PRD chemical reviews may use default assumptions in lieu of contacting SLAs for more accurate information. He added there may be only a few chemicals of interest where SLAs could provide additional information if contacted. Keigwin wondered what the triggers would be for making these calls. There will be some chemicals of obvious interest but, some predictability should be part of the process. Keigwin stated a willingness to work with SFIREG to develop "sensitivity" areas. EPA currently publishes when the docket will open to start the process. Another idea is to publish a schedule when the risk assessments or proposed decisions will go out for comment. Keigwin</p>			

asked for SFIREG input on what would be helpful to avoid being bombarded. John Scott, CO, asked if ESA Bulletins could be more detailed to avoid prohibitions of use in the entire county. Keigwin deferred to Don Brady's time allotted during the meeting. Helfgott suggested state involvement when risk mitigation is triggered (through POM). Dwinell recommended filtering those chemicals needing early SLA involvement from those that don't – but was not sure how to triage. Keigwin stated the easier chemicals came out in 2007, but a number of herbicides are about to come out – so drift and buffer issues may be of interest.

Keigwin stated work plans for fumigants are being completed based upon comments received. Data call-ins will be issued next. Some of these may involve 2-3 year studies. About 100 people are working on fumigants. Knowledge and education of the reviewers is important and a number of the mid-Atlantic fumigant companies have volunteered to provide field experience. Giguere asked what states possessed the most structural fumigant expertise. FL, TX, and CA were mentioned.

CONCLUSIONS

ACTION ITEMS

Keigwin will look for current or upcoming chemicals in registration review for which PRD needs state involvement. Conference call with Gray, Giguere, Cook, and Keigwin re: means to discuss next steps and refine process for state involvement.

PERSON RESPONSIBLE

Giguere

DEADLINE

STATUS OF ESA LAWSUITS

DON BRADY, DIRECTOR, EFED, OPP;
STEVE DWINELL, CHAIR, SFIREG

DISCUSSION

Brady reported on the current EPA approach to litigation, implementation of their interim agreement, and their long-term approach to the consultation process with the Services. Litigation challenges against the Services and EPA have resulted in an agency approach to align their strained resources. On June 6th, a stipulated injunction was proposed for comment, with 3 components. As proposed it would settle the NCAMP vs. EPA suit (for failure to implement the RPAs and RPMs in the Biological Opinions ("BiOps") 1 and 2. The conditions are:

1. Re-instate the original stream-side buffer zones (carbaryl, chlorpyrifos, diazinon, malathion and methomyl) and would remain in place until protections are in place based until EPA implements salmon and steelhead protection based on reinitiated consultation with the National Marine Fisheries Service (NMFS).
2. Provide notice to a wide group of stakeholders
3. Upgrade the EPA website on Endangered Species.

There will be a 30 day comment period.

Regarding NCAMP vs. NMFS (on failure to complete consultations) – NMFS has agreed to complete consultation on the 5 chemicals above (on chlorpyrifos, diazinon, and malathion by December 2017, and on carbaryl and methomyl by December 2018).

Fish & Wildlife is negotiating a change to their settlement on the "red-legged frog" agreement. They will revise this to seven consultations over a period of time. In the context of Registration Review, EPA will be working through national consultations so that all of the agencies agree – and all litigation obligations are met.

In reference to the National Academy of Sciences ("NAS") report, the agencies have agreed to an interim shared scientific approach. Teams from EPA, USDA, and the Services are currently meeting on effects determinations and opinions and what each will look like. Internal schedules are being developed to meet the deadline in the NMFS case. Stakeholders will see the draft EPA effects determination and the draft BiOp. EPA has a White Paper published and held a workshop.

Brady noted that species range maps are currently held in regional field offices of the Services. A plan is in place to send letters to the field offices requesting these maps for consolidation into a national data base. The data is expected by

December. Another major step forward is an agreement on how to identify pesticide use areas through a refinement of USDA cropland with an over-lay of NASS use data.

Brady emphasized EPA and the Services do not have the resources to implement NAS recommendations in whole and EPA's intent is to use the Registration Review process as the primary ESA compliance tool. The five chemicals noted above will be the first to fulfill the NAS recommendations. There will be chemical reviews that will come out without all of the NAS recommendations but over time the recommendations will be phased in. Lois Rossi, Director, RD, stated the first ESA analyses will be for the herbicides dicamba and 2,4-D Enlist. In the decision document that goes out for the 30 day comment period, a comparative hazard analysis of alternatives (particularly where there is a level of concern) will be used to support the risk management decision.

Gray commented on the SLA frustration for getting accurate maps on species. He asked if SLAs could also obtain the maps EPA is requesting from the field offices. Brady stated they may not be available initially - but later in the draft published documents. Comstock asked if the streamside buffers applied to the watershed or only the range maps. Brady replied they only apply to where Salmonids are. Dwinell asked about the "mega" suit. Keigwin replied the original was dismissed, but the court allowed that the litigants could re-fine and re-file the complaint.

CONCLUSIONS

ACTION ITEMS

PERSON RESPONSIBLE

DEADLINE

STATUS OF POLLINATOR PROTECTION ISSUES, POLICY DEVELOPMENT

TOM MORIARTY, PRD, OPP; STEVE DWINELL, CHAIR, SFIREG

DISCUSSION

[Attachment 3 – Moriarty Slides](#); [Attachment 4 – Pollinator Labeling Issue Paper](#)

Moriarty reported the PPDC workgroup on Pollinator Protection met the week of June 1st. The workgroup's advice and EPA response follows:

1. Workgroup recommended labels should be harmonized and protective language should be made clearer (EPA response: neonic labels are indicative).
2. Workgroup recommended that RT25 data may be a useful tool to potentially mitigate exposure. (EPA response: EPA has compiled all existing residual toxicity data submitted to the Agency into a database. EPA intends to make this data available on its website in 2014).
3. Workgroup asked for more BMP research posted on a central web site. (EPA response: some available at <http://pesticidestewardship.org> but USDA taking lead on website development).
4. More applicator training specific to pollinator protection needed. (EPA response: educational materials can be posted on the web and used as a resource).
5. More uniform and transparent bee kill investigations (EPA response – Region 5 guidance developed already).

There were strong comments from SLAs in opposition to signing of any agreements to collect bee kill incident data without an enforcement trigger in place ("would be a waste of resources," "no "get out of jail free cards"). Scott noted the need for investigator support (trained apiarist, possible extension service involvement). Helfgott stated bee kill/incident data is requested in grant guidance and asked what the goal is. Moriarty replied this request needs to be fleshed out. Brady commented on the complexity of enforcement cases and that some incident data from beekeepers does not rise to the level of an enforcement investigation – there was no intent to subvert the enforcement role of SLAs.

Dwinell suggestion that the PPDC workgroup recommendations be reviewed in view of potential of revisions to Bee Kill Guidance document. Dwinell reported survey results that 28 of 33 states were aware of or used the Bee Kill Guidance document.

Moriarty reported the bee labeling PRN is still being worked on – with the current approach similar to the neonic labeling. The PRN will be published as a draft.

There followed a discussion of state Pollinator Protection Plans (FL, CO, ND, SC).

Dwinell presented the Pollinator Issue Paper. The IP addresses statements in the Environmental Hazards label section that are more restrictive than those found under the specific crop use directions (the more flexible statements under the crop use directions are desired). After a short discussion the IP was approved by SFIREG and forwarded to EPA.

CONCLUSIONS	
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Pollinator IP approved and forwarded to EPA	Dwinell	
PPDC workgroup recommendations be reviewed with the potential of revisions to Bee Kill Guidance document.	Dwinell, Rowe	

	ENVIRONMENTAL QUALITY ISSUES WORKING COMMITTEE REPORT	ROY MEYER, CHAIR. SFIREG EQI WC
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DISCUSSION	
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Meyer focused on three topics addressed at the May SFIREG joint meeting of the EQI and POM:

1. Compost residue detection and lab methodology
2. Cover crops and rotational restrictions on labels.
3. Indoor contamination from misuse of outdoor labeled pesticides.

The joint meeting included participation by NRCS on the subject of cover crops and label plant-back restrictions. There was agreement that the cover crop program is beneficial, but resolution is needed on how to address cover crops that are harvested or grazed when labels prohibit. One suggestion was the involvement of Extension Service to educate growers on label restrictions.

On the subject of indoor contamination - guidance is lacking on clean-up procedures and Amy Mysz, EPA reported on EPA's regional investigation into decontamination products and procedures.

CONCLUSIONS	
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

PESTICIDES OPERATIONS AND MANAGEMENT WORKING COMMITTEE REPORT		CARY GIGUERE, CHAIR, POM WC
DISCUSSION		
<p>Giguere summarized topics of particular interest to the POM WC during the joint WC meeting of May:</p> <ol style="list-style-type: none"> 1. A select group from POM is active on a workgroup with EPA to revise the current 24(c) guidance document. 2. A key Product Manager has transitioned and POM needs to re-establish their connection in the EPA monthly Product Managers meetings. 3. POM continues with their involvement with the Spanish label workgroup (3 SLAs participate). 4. The issue surrounding a joint EPA/SLA response to 25(b) infractions has progressed – a new liaison for this issue has been assigned in OECA. 5. Cover crops and label restrictions. Giguere noted the goal is to promote a culture of compliance with pesticide use and current practices should be addressed. It was noted that USDA is promoting harvest of cover crops through SERA grants. Dwinell agreed to bring this subject to the attention of USDA OPMP during their June 11th meeting. 6. Deficient compost analytical capabilities within SLA labs. Giguere noted the DOW AgroSciences project for assessing and improving SLA capabilities has shown disappointing results – due mainly to equipment limitations. 7. Water of the U.S. proposed rule and the impact on SLA pesticide programs. There is a concern the rule will encompass pesticide use under NPS, as a result of an overlap of cropping activities in flood plains, etc. Comstock reported AAPCO has asked for an extension of the comment period on the rule. <p>Dwinell asked Roelofs for information on the insect repellency project and Roelofs replied he was not sure of the status.</p> <p>On the subject of 25(b), Steve Howie, OECA, offered his assistance as the new liaison.</p>		
CONCLUSIONS		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
RESULTS FROM PRE-SFIREG MEETINGS AND NPM GUIDANCE DISCUSSION		STEVE DWINELL, CHAIR, SFIREG; REGIONAL SFIREG REPS; DAN HELFGOTT, FEAD
DISCUSSION	<p><u>Attachment 5</u> (Region 1 report); <u>Attachment 6</u> (Region 2); <u>Attachment 7</u> (Region 3); <u>Attachment 8</u> (Region 4); <u>Attachment 9</u> (Region 5); <u>Attachment 10</u> (Region 6); <u>Attachment 11</u> (Region 7); <u>Attachment 12</u> (Region 8); <u>Attachment 13</u> (Region 9); <u>Attachment 14</u> (Region 10); <u>Attachment 15</u> (NPM Guidance Summary); <u>Attachment 16</u> (Washington State 2,4-D Buffer Issue).</p>	
<p>For details, copies of the Regional Reports are attached.</p> <p>Some of the report highlights include:</p> <p>Region 1, Rousseau, reported a proposed study relating to pesticide runoff impacts to lobsters (and other crustaceans). The EPA broken bag policy was also discussed during the regional meeting. Rousseau may be rotating off SFIREG.</p> <p>Region 2, Lamanno, discussed the issue of the request from EPA Region 2 to conduct independent Worker Protection inspections. Inspections this summer will be done jointly with the NY DEC (some under state credentials and some under</p>		

Federal). In one of the states, EPA will be conducting WPS inspections independently. Lamanno felt this is a state primacy issue and further negotiations with the Region will take place.

Region 3, Scott, reported he will be rotating off SFIREG. The grant template was discussed, along with lab funding changes. The region will continue discretionary funding for the annual inspector training workshop.

Region 4, Jones, reported discussions related to enforcement performance measures, pollinator protection, and the revision of Quality Assurance Plans (QAPPs).

Region 5, Reed, expressed his thanks to Amy Mysz, Region 5, for the indoor de-contamination project. He noted there is a small concern in Region 5 states that RUP dealers in Indian Country are not being fully inspected.

Region 6, Nichols, reported across-the-board problems with inspector training and credentialing. The requirements for refresher training are not clear and it is taking 4-5 months to receive inspector credentials. Access to the initial training on-line is very difficult. There were also concerns relating to use of the grant template. Helfgott noted the June 19th webinar on use of the template.

Region 7, Paluch, reported a regional concern with laboratory formulation and residue costs. The SLAs hope to generate a trend line on cost increases – coordinated through the Region Office. The new Grant Guidance has a section on demonstrating lab and inspector competency (in order to qualify for funding). Clarification of this section is being discussed with the Region Office.

Region 8, Lopez, reported their regional meeting focused on the enforcement performance measures, WPS revisions, and regulating medical marijuana pest control products.

Region 9, Matsuda, reported no major issues. There are many new inspectors in Region 9, and Region 9 Office was asked to provide training. Region 9 replied they could not provide the training, so the R9 SLAs are very dependent on PIRT and self-training. The GMO bill is still on the table in HI and a lawsuit has been filed by 4 seed companies to fight the bill.

Region 10, Blankenburg, referenced the Washington State 2,4-D issue relating to buffers in residential areas (attached). Blankenburg also reported WA issues with dust borne residues of the highly active chemistry herbicides – causing vegetative damage miles away.

FY 2015 NPM (National Program Manager) Guidance Discussion, Helfgott: The guidance is sent to the Regional Program Managers with direct implications to SLAs. Helfgott asked for SLA input and discussed the FY15 NPMP grant guidance. Some support for SLAs advocating IPM in schools, but one comment (Lopez) made that implementing school IPM is not the mission of the SLAs. Helfgott noted there is no enforcement component in this priority. Dwinell asked that this be made clear to the Regional Offices. Rabe asked that the SLA and Regions' message on IPM be the same and clear. Lopez asked what is meant by "negotiated agreements" and that Regions must have a realistic view of the term. Jones asked that the WPS regulations be moved up on the priority list when implemented. Lamanno and Dwinell asked that the Regions be made aware of SLAs' major concern with Regional over-reach on WPS inspections and SLA primacy concerns. Kimberly Bingham, Region 4, agreed to make Regions aware of SLA concern at NPM meeting and also to address inspector training and funding for training. John Scott asked that EPA engage the states on medical marijuana pesticide use – there is a need to address tolerances, provide risk assessment, and remove "home brewed" pesticides from the market.

CONCLUSIONS	
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
SLA volunteer/representative needed to participate on workgroup for Federal Certification Plan for Indian Country. Regional reps to contact their states to ask for volunteers.	Regional reps contact Jim Gray	
June 10 th - Havinga to report on training and credential issues	Dwinell	
Regions to be made aware of SLAs' major concern with Regional over-reach on WPS inspections and SLA primacy concerns, and that IPM priority has no enforcement component in the NPM	Bingham	

SFIREG ROLES AND RESPONSIBILITIES		GROUP DISCUSSION
DISCUSSION		
<p>This was a brainstorm session to discuss whether the current structure is effective: what value is added from SFIREG, pre-SFIREG, and the Working Committees. There was general support for continuation of joint Working Committee meetings (with break-out sessions for WCs, workgroups, and EPA). Also there was an expressed need to keep both WCs staffed with specific expertise and for meetings to be interactive as opposed to "reporting."</p> <p>There was general agreement that communications with OPP have improved and Gray encouraged EPA to adopt a corporate philosophy promoting routine communications between OPP staff and SLA staff. SLAs also expressed a need for early input on some EPA policies/actions.</p> <p>Dwinell noted the need for more involvement/input from pre-SFIREG regional meetings. Drake encouraged "states-only" forums as part of the pre-SFIREG meetings. Lamanno supported a sharing of pre-SFIREG agendas between the regions. Giguere suggested full SFIREG topics be forwarded to regional meetings in advance.</p> <p>Comstock suggested SLA webinar access of WC meetings before their regional meetings. Some pre-SFIREG regional meetings are limited and it was suggested Region Offices encourage participation (Region 4 provides travel funding for their SLAs to attend). Face to face meetings were also encouraged. Matsuda noted time zone issues in Region 9 and the difficulty of engaging tribes. John Scott noted a lack of structure in the pre-SFIREG meetings and suggested specific topics be passed down from EPA or SFIREG in advance.</p> <p>Dwinell felt the joint WC meetings should be followed with a "post" meeting get-together with EPA Divisional staff. Gray supported "reporting out" with Divisional staff. Helfgott cautioned the post meetings with Divisional Directors must be productive or they won't last. Drake noted the importance of SFIREG meetings in keeping AAPCO informed on hot-button topics.</p>		
CONCLUSIONS		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
OECA UPDATE – INSPECTOR CREDENTIALING		ANN PONTIUS AND AL HAVINGA, OECA
DISCUSSION		
<p>2 PIRT Courses are planned: NM (technical skills) and NV (urban pesticide issues). The draft Compliance Monitoring Strategy was distributed and OECA has asked for "real world" comments. Havinga reported on the Inspector credentialing program. Credentials are currently transferred from Headquarters to the Regions (actual approval is done in Headquarters). The credentials are electronically submitted to Headquarters for approval and returned for signatures at the Region (where they are printed). Credentials are shipped to the Inspector via certified mail for signature and then returned to EPA Region for signature. The process took about 2- 2 ½ months for Texas inspectors. Havinga also reported on the annual refresher training requirements and training requirements for new inspectors. Co-inspection with a credentialed inspector is required for new inspectors. On-line "Inspector WIKI" training is sometimes difficult to access</p>		

and Havinga provided his phone number for those with problems. Per the request of Dwinell, Havinga is to arrange a conference call with Regional credential contacts (along with Susie Nichols, AR) to discuss hold-ups in credentialing.		
CONCLUSIONS		
ACTION ITEMS		
Conference call with Regional credential contacts (along with Susie Nichols, AR) to discuss hold-ups in credentialing with report to full SFIREG in December.		PERSON RESPONSIBLE Havinga
		DEADLINE
PERFORMANCE MEASURES UPDATE		LIZA FLEESON, VA; ANN PONTIUS, OECA
DISCUSSION	Attachment 17 – Performance Measures ppt	
Fleeson provided the background and an update from the Performance Measures Workgroup. The workgroup started with 60 measures, and is now down to 5 proposed measures. They are currently reviewing comments from SLAs and providing answers from the pre-SFIREG meetings. One challenge is that data collection varies from state to state. The workgroup is still open to new ideas. Clarification and definitions may be needed but the measures will be incorporated into FY15-17 grant guidance and template. The measures were described (see attachment).		
Pontius is seeking to establish a baseline so trends can be assessed. She also expressed interest in tablet pc's and other electronic devices and systems for recording/reporting activities. In reference to the measure "identifying violations of label language regarding protection of environmental media," Jim Gray asked if OECA is looking for label violations only or including enforcement of state rules (in particular, drift). Fleeson replied their focus is on the enforcement of label language. John Scott recommended separating pollinators within the non-target species. Fleeson replied that label violations were the focus and they have not asked for this level of specificity. Helfgott noted the grant guidance asks SLAs to report bee kills through beekill.com.		
CONCLUSIONS		
ACTION ITEMS		
		PERSON RESPONSIBLE
		DEADLINE
WORKER PROTECTION STANDARDS COMPLIANCE STRATEGY – RE-DEFINITION OF TIER 1 AND TIER 2 INSPECTIONS		KEVIN KEANEY, FEAD; STEVE DWINELL, CHAIR SFIREG
DISCUSSION		
Keaney reported the comment period closes August 15 th . The proposed changes to central posting has received some push-back from the ag sector and worker groups. Questions arose regarding the difficulty to perform Tier 1 as defined, with unannounced inspections and a 2 day window. The availability of these inspections are difficult to predict and depend upon the prevalent types of agriculture in the state. SLAs also noted their limited resources (numbers of inspectors) and many require consent to inspect private property. Keaney commented EPA is seeking a practical way to accommodate cropping variability among states.		
CONCLUSIONS		

ASPCRO REPORT		JOHN SCOTT, PRESIDENT, ASPCRO	
DISCUSSION			
<p>Scott provided an ASPCRO update. In combination with EPA, ASPCRO held a structural PIRT with 40 attendees. The training was well received and comments are being reviewed. Derrick Lastinger, GA, has identified a monthly webinar series (for \$10) through the University of Georgia. SLAs are notified of their availability. The Label Stewardship Committee has commented on the neonic pollinator labeling (for non-ag uses). They are awaiting further discussion with EPA.</p> <p>The Termiticide Committee is considering changes to the standards for vertical treatment rates. A proposal will be drafted. ASPCRO is working on development of a guidance document with Amy Mysz for structural pesticide remediation. ASPCRO is also compiling a survey of SLAs to determine if there is, in fact, an increase in urban pesticide misuse. Helfgott asked Scott if ASPCRO would be interested in the public housing IPM Tribal initiative. Scott replied they would.</p>			
CONCLUSIONS			
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	

AAPCO REPORT		TIM DRAKE, PRESIDENT AAPCO	
DISCUSSION			
<p>Drake provided the following report on behalf of AAPCO:</p> <p>WPS proposed changes: AAPCO assembled a workgroup chaired by Chuck Andrews to gather comments related to the proposed WPS revisions. This workgroup met and assembled a preliminary set of comments and recommendations. Chuck Andrews stepped down from the workgroup for planned medical leave, and Steve Dwinell assumed leadership of the group. The next meeting will be held in California in July. This group is working closely with NASDA (Dudley Hoskins) to ensure comments are consistent with the NASDA position. A letter was sent to the docket by the AAPCO Board in April requesting an extension of the comment period.</p> <p>Waters of the U.S. Letter: AAPCO submitted a WOTUS letter in May requesting an extension of the 45 day comment period. This followed a meeting between Jeff Comstock (AAPCO), Nathan Bowen (NASDA), and ACWA, SDWA, state forestry, state wetlands, and state transportation administrators involved in the review of the EPA Office of Water proposal to redefine Waters of the US. There was a concern that the definition's potential impact on NPDES permits would require additional comment from affected stakeholders and co-regulators.</p> <p>2015 AAPCO Spring Meeting: Planning for the meeting is in progress. The meeting will be held in March, 2015, at the Hilton in Old Town Alexandria. This is a convenient location near the King Street Metro stop and many restaurants and shops. Board calls have been held in order to put together agenda topics, and a preliminary agenda has been drafted. Another planning call is scheduled for June 16.</p> <p>Executive Secretary Retirement: Grier Stayton has announced his intention to retire after the March, 2015 meeting. The AAPCO Board is in the process of putting together a position description to advertise the position. The intent is to advertise it in July or August and select a qualified replacement by December, 2014. The Board intends to bring the new Executive Secretary in a couple of months prior to Grier's leaving so the transition to the new person will be as smooth as possible. It has been proposed that this will be done in the same manner as when Dave Fredrickson came in as the new AAPCO treasurer.</p> <p>PREP / PIRT Support: The AAPCO Board is very supportive of PREP and PIRT and encourages continuing federal support of these programs. PREPs give EPA and Lead Agency managers the opportunity to network, work together on current</p>			

issues, make important face-to-face connections, and begin initiatives that often grow into beneficial national programs. PIRT courses are essential to keeping state and tribal inspectors up-to-date on current national issues that affect programs on the regional, state, and local level. Amber Davis (Region IV EPA) recently assumed the role of PIRT Coordinator, and she is doing a great job.

SFIREG Working Committee Proposal: The AAPCO Board is supportive of the proposal to restructure the SFIREG EQI and POM working committee meetings. It is believed that this new structure will result in greater efficiency and cost savings for SFIREG. The work that SFIREG performs is essential to AAPCO and state lead agencies, along with US tribes and territories.

Regulator in Residence Program: The AAPCO Board is supportive of the Regulator in Residence program. The commitment by Lois Rossi and other EPA administration and staff is greatly appreciated. It is hoped that this program is mutually beneficial to the US EPA, and that it can be expanded in the future.

Expanded Working Relationships: AAPCO currently is working toward expanding its working relationship with NASDA, USDA, and industry representatives, along with growing its partnership with State Lead Agencies, ASPCRO, and the US EPA. All of these organizations and agencies have a vested interest in the success of US agriculture, environmental programs, structural issues, and the protection of humans and endangered and threatened species where pesticides are concerned.

AAPCO Board Vacancy: Amy Bamber left the Montana Department of Agriculture earlier this year, leaving a vacancy on the Board. This position is in the process of being filled by the AAPCO Board. It is the intent of the Board that the person filling this position should complete the term of this regular position, assuming the role of AAPCO president following Steve Dwinell (five years). An official vote of the Board will occur next week, and the person who is selected to fill this vacancy will be announced at that time.

CONCLUSIONS

ACTION ITEMS

PERSON RESPONSIBLE

DEADLINE

CTAG REPORT

LEO REED, IN

DISCUSSION

Reed provided the following report on behalf of CTAG:

Members:

Kevin Keane	EPA-OPP	EPA	Co-Chair
Jack Peterson	Arizona Department of Ag.	SLA	Co-Chair-ASPCO Liaison
Ples Spradley	University of Arkansas	CES	Member
Betsy Buffington	Iowa State University	CES	Member-AAPSE Liaison
Gary Fish	Maine Board of Pesticides Control	SLA	Member
Laurie Gordon	Oregon Department of Agriculture	SLA	Member
Richard Pont	EPA-OPP	EPA	Member
Marty Pousson	Louisiana Department of Agriculture	SLA	Member
Leo Reed	Office of Indiana State Chemist	SLA	Member-SFIREG Liaison
Kim Pope	Louisiana State University	CES	Member
Don Renchie	Texas A&M University	CES	Member
Thia Walker	Colorado State University	CES	Member
Katy Wilcoxon	EPA-OPP	EPA	Member
Michelle Arling	EPA-OPP	EPA	Secretary

Projects nearing completion:

New employee resources: CTAG is working to compile links and basic information in one location on the CTAG website. These resources will enable new employees in C&T to quickly find professional contacts and regulatory and educational information.

Collaboration Paper: To promote and make new C&T/PSEP personnel aware of the many human resources in the country that can provide mutually beneficial relationships through the sharing of resources and collaborative efforts. To be posted in the new employee section of the CTAG website

Limited Use Pesticide Certification: The purpose of this paper is to recommend that EPA provide a mechanism for States to add a "commercial limited use" applicator certification category and to provide information for States interested in offering certification for "limited use" pesticides. This paper was started after conversations with Jeff Comstock, past AAPCO president and full SFIREG.

Mentoring: CTAG is working to encourage the mentoring of fellow C&T staff. The board is currently working on a method of soliciting what efforts and projects are being planned by PSEPs and SLAs. Once projects are reported, interested parties could contact the project coordinators for further information.

Cover Crops: CTAG is encouraged and grateful that POM is engaged in the cover crops issue. PSEP coordinators and C&T personnel have a strong interest in conveying the correct message to our clients.

CONCLUSIONS

ACTION ITEMS

PERSON RESPONSIBLE

DEADLINE

AAPSE REPORT

DON RENCHIE, Ph.D., AAPSE PRESIDENT-ELECT, TEXAS A&M UNIVERSITY

DISCUSSION

Renchie provided the following report on behalf of AAPSE:

General summary for the year (2013 to date):

AAPSE completed its 11th biannual meeting last August in Saint Paul, Minnesota. At the workshop AAPSE set a goal to move to an annual meeting format. As a result, AAPSE will be hosting its first annual membership workshop on September 18-19, 2014 following the Northeast Region's Certification and Training Meeting in Harrisburg, Pennsylvania. The program will mix professional development with membership priorities in pesticide safety education.

AAPSE continues to work with Pesticide Safety Education Program (PSEP) IMI Board as part of the National Stakeholder Team for the PSEP in exploring potential funding sources to support PSEP programs. The Stakeholder Team has included AAPSE, EPA, NASDARF, AAPCO, ASPCRO and other stakeholders in discussions with the USDA's IPM Program leadership, State Lead Agency PSEP managers, and CLA. The goal is to encourage USDA, EPA, and CLA to include pesticide safety education as part of the national dialogue and program priorities, including eligibility to be placed in EPAs budget as a line item, rather than a discretionary item.

The issue of the 25(b) products continues to be of concern to AAPSE. A White Paper regarding this was developed and submitted to AAPCO for comment in 2013. AAPSE would like to move forward with this issue, but wants to insure that any position taken by them is aligned with that of AAPCO. As a result, they have been waiting for feedback from AAPCO and would like to know the status of this request.

AAPSE is continuing to review and reevaluate its membership structure and makeup. This is in an effort to broaden the scope of the membership and encompass a wider range of individuals involved with pesticide safety education. Any changes if they occur will be at the will of the entire membership.

AAPSE also continues to be involved (in various roles) with EPA, USDA and other groups, to represent the Association's interests regarding pesticide education. This includes the Certification and Training Assessment Group (CTAG), State FIFRA Issues Research and Evaluation Group (SFIREG), SFIREG's Working Committees on Environmental Quality Issues (EQIWC) and Pesticide Operations and Management (POM). AAPSE also maintains an ongoing relationship with EPA and USDA through correspondence and meetings.

As in the past, AAPSE would like to thank SFIREG for its continued support of pesticide safety education. SFIREG has been a valuable asset for AAPSE in dealing with these issues and wants to ensure this working relationship is maintained between the two entities. Through this joint process it is felt that a viable Certification and Training program can be maintained by the states.

CONCLUSIONS		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

WRAP-UP		STEVE DWINELL, SFIREG CHAIR; JIM GRAY, IN-COMING SFIREG CHAIR
DISCUSSION		
<ol style="list-style-type: none"> 1. Methomyl IP – registrants' counter-proposal to be discussed by Region 5 states. Other regional reps encouraged to survey their states and provide feedback at December SFIREG meeting. 2. Pesticide Re-evaluation Division will contact SFIREG WCs on active ingredients of likely concern. 3. 25(b) repellency will be discussed at next SFIREG (Lamanno as lead). 4. Tribal Certification workgroup to have SLA rep identified within one week. 5. Headquarters OECA to arrange conference call with regions about Inspector credentials (Nichols to be included on call). 6. Possible Bee Kill Guidance document revision as result of PPDC recommendation to report incidents to EPA. Also, clarification of SLA role in responding to bee kills with no enforcement trigger? 7. December SFIREG meeting – Pontius and Housenger to provide their interest in what field data from states could be mined. 8. Refinement of pre-SFIREG meetings. 		

Meeting adjourned 6/10/2014, at 11:30 A.M.