Office of Enforcement and Compliance Assistance (OECA) Update

Ed Messina, Director
Monitoring, Assistance, and Media Programs Division
U.S. Environmental Protection Agency
Cooperative Agreement Guidance

FY2018-2021 cooperative agreement guidance finalized

Key Changes:

• Updated references to new WPS
• Updated references to C & T requirements
• Updated program focus areas
• Updated pick-list options
• Added EPA’s Compliance Monitoring Strategy
• Changed the guidance from a three-year to a four year time period
FY18-21 Cooperative Agreement Program Areas

- Basic Pesticide Program
- Worker Protection Standard
- Pesticide Applicator Certification
- Pesticides in Water
- Product Integrity
- Border Compliance
Grantees select one OPP activity and one OECA activity:

<table>
<thead>
<tr>
<th>OPP</th>
<th>OECA</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Endangered Species Protection</td>
<td>• Fumigation/Fumigants</td>
</tr>
<tr>
<td>• Bed bugs</td>
<td>• Spray Drift</td>
</tr>
<tr>
<td>• Pollinator Protection</td>
<td>• State and Tribal Coordination and Communication</td>
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<tr>
<td>• School Integrated Pest Management (IPM)</td>
<td>• Emerging Public Health Pesticide Issues</td>
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<td>• State and Tribal Coordination and Communication</td>
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<td>• Emerging Public Health Pesticide Issues</td>
<td></td>
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</tbody>
</table>
Pesticide State Dashboards

1. WPS Facilities (National)
   - Commercial Handlers: 20,000
   - Agricultural Operations: 104,000

2. Number of WPS Agricultural Workers/Handlers and Commercial Handlers (National)
   - Commercial Handlers: 20,000
   - Agricultural Workers/Handlers: 104,000

3. Inspections of WPS Regulated Facilities
   - Fiscal Year: 2011 to 2015
   - Inspections: 4000

4. Violations by WPS Regulated Facilities

5. Types of WPS Violations by Year

6. Enforcement Actions
   - Enforcement Action Types: Warning Issued, Administrative, Civil

Find this information at: https://echo.epa.gov
Inspections of WPS Regulated Facilities by States (National)
Section Seven Tracking System (SSTS)

New SSTS Electronic Reporting Webpage to helping producers
https://www.epa.gov/compliance/electronic-reporting-pesticide-establishments

- In 2016, electronic reporters increased by more than 150%
SSTS Benefits

Environmental Impact

More than 18,000,000 miles traveled a year, by reducing dependence on postal delivery.

SSTS Can Help Reduce...

2.2 million gallons of gasoline used annually to deliver forms to their final destination.

Form 3540-9 new establishment registration

Form 3540-16 Annual and Initial reports

Benefits

Visibility: conveniently store all company records in one online location.

Efficiency: submit forms electronically and upload multiple reports at a time.

Security: increased for industry users by encrypting in progress data.

Response Time: register new establishments in a few days rather than months, allowing for faster marketplace access.

The Impact

20,000+ hours saved annually by maintaining forms electronically.

$1.6 million+ saved annually through electronic submissions.

100,000+ pieces of paper saved annually.

Who Benefits

8,000+ companies with the ability to report electronically.

14,000+ pesticide producing establishments globally registered.

80+ countries with registered establishments globally.
Using Pesticide Producer Data

• OECA published a webpage to list all active EPA-registered foreign and domestic pesticide establishments
  – Worked with Industry to meet their needs
  – Will work to update this list periodically
Pesticide Label Matching Mobile Application

Available through iTunes App Store and Google Play “EPA PLM”
Pesticide Label Matching App

- Both State and Federal FIFRA inspectors inspect labels in marketplace, production facilities, and in the field.
- Information on labels can be difficult to assess for compliance quickly & efficiently.
- Purpose of the app was to create a tool for quick compliance verifications, and to provide an efficient screening tool for inspectors.
- Project serves both State and Federal inspection needs, and will also be useful for the regulated community and consumers.
- First round of Beta Testing has already taken place (August 2016) and the next round will begin soon.
Pesticide Label Matching App: Next Steps

• EPA is offering a webinar for beta testers to train on Version 1.2
  – March 22, 2017
  – To register for the webinar: https://plm2017webinar.eventbrite.com

• Fix any bugs identified by second round of beta testing

• For more information go to:
  https://www.epa.gov/pesticide-labels/mobile-application-pesticide-label-matching
PIRT Updates

• **July 24-27**: Advanced Inspector Skills PIRT (Savannah, Georgia)
  – Invitation to submit nominations will be distributed this month

• **2018 PIRT Topics**:
  – New Inspector/Basic Training
  – Pesticide Enforcement PIRT (focus on advanced evidence collection)
  ➢ If your state, tribe, or territory is interested in hosting a 2018 National PIRT on one of the topics above, contact Kelly Engle at engle.kelly@epa.gov

• **2018 Tribal PIRT**
  – If your tribe is interested in hosting a Tribal PIRT, contact Kelly Engle at engle.kelly@epa.gov

https://www.epa.gov/compliance/pesticide-inspector-regulatory-training-pirt
PREP Update

• 2016 Comprehensive Combo PREP Course (Santa Fe, NM)
  – 42 Attendees (States, tribes & EPA)
  – Received positive reviews by more than 90% of attendees
  – Collaborative state grantee and EPA Project Officer training
  – Included presentations on:
    • National Pesticide Program Framework and Partners
    • Roles and Responsibilities of the EPA Project Officer
    • National guidance and the FIFRA Work Plan and Report Template
    • Fostering successful relationships
  – OECA is working to convert this training into an e-learning
PREP Schedule

- **April 4-6**: Pesticide Applicator Certification (Baltimore, MD)
- **May 16-19**: Water Quality (St. Paul, MN)
- **July 17-20**: Public Health (Seattle, WA)
- **Oct. 23-26**: Lab Directors (Denver, CO)

For more information on PREP: [http://prep.cw.wsu.edu/](http://prep.cw.wsu.edu/)
## FY16 Enforcement Actions
### By OECA Focus Area

<table>
<thead>
<tr>
<th>Focus Area</th>
<th>Number of Cases</th>
<th>Entry Denials</th>
<th>SSUROs</th>
<th>CAFOs</th>
<th>Penalties Assessed</th>
<th>Environmental Benefits (lbs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Product Integrity</td>
<td>79</td>
<td>-</td>
<td>25</td>
<td>54</td>
<td>$2,995,342</td>
<td>4,774,303</td>
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<tr>
<td>Border Compliance</td>
<td>471</td>
<td>450</td>
<td>7</td>
<td>14</td>
<td>$560,010</td>
<td>14,652,511</td>
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<tr>
<td>Worker Safety</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>$2,640</td>
<td>0</td>
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<tr>
<td>All FIFRA</td>
<td>589</td>
<td>450</td>
<td>32</td>
<td>107</td>
<td>$3,669,375</td>
<td>19,426,875</td>
</tr>
</tbody>
</table>
(R4) – Syngenta Crop Protection (Sept 2016)

Settlement Details

Settlement Value: $1,203,498
- $766,508 cash penalty
- $436,990 in SEPs

Collaboration with
- Regions 5, 7, 8
- Headquarters
- State inspection support
  - Ohio, Michigan, Kansas, Iowa, Colorado

Violations

Container / containment rules
- No refiller repackaging agreements

Misbranding
- Repackaged product sold with outdated and incorrect labels

GLP data audit
- Raw data not retained
(R3) – Puricore (May 2016)

Settlement Details

Penalty - $ 550,000

Stop Sale issued May 2016

Violations:

Unregistered pesticides
- 418 Distributions / Sales

Products Involved

FloraFresh
ProduceFresh

Used to keep flowers and produce fresh and bacteria free
(R5) - GoJo Industries (April 2016)

• $282,000 penalty
• Violations:
  • Unregistered pesticide
• Product:
  • Purell Sanitizing Wipes
• Ohio state inspection
(R4) - Lintech International (Aug 2016)

Case Details

• Penalty - $278,820

• Misbranded products
  • Lacked cautionary statements
  • Lacked directions for use

• Referral to/from Georgia

Products Involved

• BioBan CS-1135

• Fuel Saver Antimicrobial Agent

• BioBan DXN Antimicrobial
Questions?

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