

# EPA Region 7 Pre-SFIREG Meeting Report

The pre-SFIREG meeting took place on November 17, 2016.

## Attendees

- EPA R7: Mark Leshner, Shawn Hackett, Lacey Ridnour, Jamie Green, Heather Duncan, Damon Frizzell, Royan Teter
- EPA HQ: Carol Galloway
- Iowa: Gretchen Paluch, Mark Lohafer, Laura Castro
- Nebraska: Tim Creger
- Kansas: Gary Meyer, Judy Glass, Duane Simon
- Missouri: Darryl Slade, Melissa May, Dawn Wall

## State Updates

### Iowa

- Projected flat line state budget
- Department will continue to absorb rising costs through other means
- No projected pesticide staff retirements at this point
- Record number of priority cases during the 2016 crop season (mostly misuse, some occupational/bystander exposures with media coverage, one case related to off-label use of dicamba)
- Significant work in the laboratory to better respond to pressure from organic producers on sample turnaround times
- More ground-level discussion of weed resistance (Palmer amaranth and water hemp)

### Kansas

- Significant state budget shortfalls (\$360 million deficit)
- Jeanne Fox retiring – Certification and Training
- 2 open positions in the office with Jeanne's retirement
- Update on migration to Kelly Solutions (able to accept online product registration, pesticide dealer registration, and private applicator certification)
- Received \$75,000 Multipurpose grant from KDHE over 2 year period for orphan pesticide waste disposal
- Items of interest – Shuttles with pesticide waste offered for sale on Craig's List, Inability to take enforcement action on a case due to label language on Ravage label, EPA Reg. No. 89168-16-89391

### Missouri

- New governor will lead to new Director (administration change forthcoming)
- Judy Grundler retiring December 1

- Pesticide program is fully staffed, some field staff eligible to retire
- Added a person in the office, asking for 2 additional field staff
- USA Plants working well
- 1 year anniversary of using Pearson Vue for exams
- Very busy case year (dicamba)
- State legislature considering stiffer civil penalties for pesticide misuse (\$1000→\$10,000)

## Nebraska

- Significant state budget shortfalls (currently forecasted at \$1.2 billion, 8-10% decrease in agency budget)
- Successfully launched on-demand pesticide applicator certification testing in June through Pearson Vue
- Will be switching laboratories
- Used air grant to pay off lab bill
- State hiring freeze
- Clayton Hammond retiring in fall of 2017

## EPA Updates

- Administration change forthcoming – will lead to new R7 Regional Administrator
  - Acting Regional Administrator will be Ed Chu (R7's Deputy Regional Administrator)
- Continuing Resolution through December 9; unknown what happens next
- Karen Flournoy will retire in 2017 (either in July or December, dependent on backfill and transition)
- Pesticide Program remains short-staffed; recruitment efforts ongoing (Royan Teeter is away on detail, Heather Duncan came on 90 day detail to backfill critical needs; Beth Held is leaving Agency next week)
- Royan Teeter helped coordinate laboratory support for dicamba sample analysis across the Region as well as the nation
- Currently manually processing 2,000 import requests per year; process is automating with U.S. CBP in December
- Completed approximately 12 cases
- High-Level Pesticide Incidents
  - Penalty amounts have increased
  - Some of the incidents have involved Drexel Chemical, Albaugh and Syngenta
- CAG FY18-20 Updates
  - Discussed the guidance criteria for implementing the High Visibility Incident notification process.
  - Question about whether all drift incidents should be reported via this guidance. Jamie Green noted that this wouldn't be expected based upon the criteria in the CAG. R7 will double check with HQ to determine if they are interested in all drift cases impacting organic crops. In the interim, states should continue to operate per our current interpretation of the guidance.

- Zika Virus Update
  - Zika is spread mostly by the bite of an infected Aedes species mosquito (Ae. aegypti and Ae. albopictus). These mosquitoes bite during the day and night.
  - Zika can be passed from a pregnant woman to her fetus. Infection during pregnancy can cause certain birth defects.
  - There is no vaccine or medicine for Zika.
  - Laboratory confirmed cases
  - Iowa and Kansas = 17 cases
  - Missouri = 24
  - Nebraska = 12
  - Increase in Zika cases if mild winter
  - State feedback: health department funding has significantly decreased and have created limitations on the networks usually used for outreach/education on issues
  - Vaccines are in clinical trial
  - Some products have section 18
  - Increase in mosquito control in KS and IA
  - MO health departments have increased funding to aid in control
  - NE – health dept. has taken lead

#### MDA

- MDA has 122 complaints from individuals alleging Dicamba damage.
- 62 applicators, as identified by complainants, as Dicamba applicators.
  - Complainant may have identified more than one applicator.
  - Total number of complaints on all 62 applicators is 226.
- “Top five” applicators represent 109 complaints of the 226 which is 48%.
- 4 state search warrants issued to individual applicators
- EPA CID involved
- Complaints from June 22, 2016 – early October, 2016 involving 5 counties in the boot heel and 1 county in the north central part of MO
- Damage from Dicamba included soybeans, tomatoes, cotton, peaches, peanuts, watermelons, alfalfa, purple hull or southern peas, cantaloupes, trees, shrubs and residential gardens.

#### WPS

- New inspection guidance will be released soon
- Ag and family checklists
- 1 program submitted and approved for train the trainer worker training (Iowa State University)
- Suggestion of monthly WPS regional call

#### NDA

- Inspector contracted tularemia while on a prairie dog inspection. Not typically something covered in health & safety training.

- Have had four consecutive years of six figure laboratory costs (4-6 analytes per sample); going with a different lab that could potentially be a 50% reduction in cost

Lamda-cyhalothrin label – Ravage (EPA Reg. No. 89168-16-89391)

- ACTION: compare distributor label with master label
  - Front page of the label does not clearly identify it as an insecticide
  - PPE statement does not agree with ag pesticides subject to WPS nor with the other L-C products examined by KDA
  - Missing bee toxicity language found on other L-C products
  - Missing vegetative buffer zone language found on other L-C products
  - Question on the enforceability of the drift language