

EPA Region 5 Pre-SFIREG Meeting Report

Meeting Dates: November 8 – 9, 2017

Meeting Location: Chicago, Illinois - EPA Region 5 Office

Report Prepared By: Brian Verhougstraete (MI) – Region 5 SFIREG Representative

In Attendance:

- Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin, White Earth, EPA Region 5

Full SFIREG Agenda Topics

1. Dicamba Misuse Complaints: (Joint session with Pres-SFIREG and Lab Directors)

Discussed what states experienced in terms of complaints related to dicamba and what they were seeing throughout the course of their investigations. Indiana received over 100 complaints in 2017 and Illinois and Minnesota each received over 200. Ohio received about 30 complaints, Michigan received 2, and Wisconsin only reported 1 complaint related to dicamba. For the states that received large numbers of complaints, the impact on their respective pesticide programs and laboratories was significant and closing all the cases is not expected to occur until 2018.

States are seeing a significant number of label violations during their investigations. Indiana is finding that almost no one is adhering to the label-required spray buffers. Even though states are identifying label violations, they are having a very difficult time determining whether or not those violations resulted in off-target plant damage. Minnesota indicated that about half of their dicamba complaints cannot be explained by user errors or label violations.

With the exception of Indiana, all Region 5 States plan to have registrants provide the dicamba or auxin-specific training required on the new dicamba labels. Indiana will register Xtendimax, Engenia and FeXapan through special local needs (SLN) registrations and require applicators to attend a state approved training course that will be presented by staff from the Office of the Indiana State Chemist or Purdue University Extension. Indiana's training will focus on label requirements, will be classroom based (i.e. no online training will be offered), and will be free of charge.

2. EPA Regional Consolidation:

Discussed how rumors of EPA regional consolidation persist. States and EPA Region 5 did not discuss or speculate on pros/cons of a EPA regional consolidation, but instead agreed that it is critical that EPA Administration consult with SLA's if they are considering any changes to the current EPA regional structure.

3. Regional SharePoint Site:

Estrella Calvo led a discussion about the use of SharePoint and how the program could be used to better communicate and share information between the states and EPA Region 5. States were supportive of the idea and Estrella will be developing a SharePoint site for each state and another site that will be shared by all Region 5 states. The shared site will facilitate inter-state communication by creating a central location where documents (i.e. pictures, labels, spreadsheets, reports, etc.) relevant to all states in the region can be shared and stored. Individual state SharePoint sites can be used to share information between the specific state and EPA Region 5, and

could house items such as case status spreadsheets, credentialing material, training documents and meeting agendas.

4. WPS and C&T Rule Update:

Don Baumgartner provided an update on the status of the C&T and WPS rules. During the update it was mentioned that at the last Pesticide Program Dialogue Committee (PPDC) meeting (November 1-2, 2017), EPA may have heard some comments from attendees that do not necessarily reflect the opinions of all SLA's. Some Region 5 states are concerned that EPA may be moving forward with regulatory changes based on what they heard at the last PPDC meeting and not taking into consideration comments that were submitted as part of the Regulatory Reform Act. Minimum age requirements for applicators was mentioned as a top issue by several states in Region 5.

5. Product Integrity Sampling Project:

In FY'18, Region 5 States will be targeting specific producing establishments that manufacture disinfectants containing peroxy compounds. Formulation analysis will be performed on collected samples. Peroxy active ingredients were targeted because they are used in a large number of products and because they breakdown relatively quickly which could lead to a decrease in efficacy. To maximize efficiencies and avoid sampling duplicate products, Ed White (IN), Estrella Calvo (R5), and Dave Star (R5) worked together to identify specific producers and products and created a target list for each state.

6. Dichlorvos Misuse:

Ohio reported that they are finding dichlorvos-based pest strips (e.g. Nuvan ProStips and Fruit Fly BarPro) being placed under sinks at bars and restaurants; a use pattern not allowed on product labels. Michigan reported that they are seeing similar misuse of dichlorvos and that the practice appears to be quite prevalent in the industry. Michigan will be conducting outreach to county health inspectors to educate them about dichlorvos misuse.

7. National Pesticide Information Management System:

Dave Scott (IN) and Mardi Klevs (R5) provided an update on the Pesticide Label Matcher (PLM) application. Beta testing on the application has been completed. Soon, inspectors should be able to log into the application and much of the data required on the electronic email reports will be automatically populated. The optical comparison recognition feature that was originally built into the application is being removed as it did not function as intended due to variability in label formatting. Although the application was originally available through mobile app stores, going forward the application will be web-based but can be accessed via an icon placed on devices screen.

The discussion transitioned into how the lack of a single data system for capturing/storing information on marketplace and producer establishment inspections is very inefficient and how the PLM application could be used as a starting point for developing a more robust system that states and EPA could utilize to coordinate, conduct, track, and report inspection information. Estrella Calvo shared a draft white paper that she prepared on the topic and it was recommended that the topic and white paper be presented at the December Full SFIREG meeting.