Present were:
- Oregon—Rose Kachadoorian, Colton Bond
- Alaska—Bob Blankenburg
- Idaho—Vic Mason, Kevin Kostka, Sherman Takatori
- Washington—Gary Bahr, George Tuttle, Joel Kangiser, Tim Schultz, Robin Schoen-Nessa, Kelle Davis, Eddie Simons
- Tribes—Joe Herrera (Yakama)
- EPA—Chad Schulze, Derrick Terada, Linda Liu, Bethany Plewe, Nicholas Hurwit, Dirk Helder, Katie McClintock

State Briefing and Hot Topics

Alaska—
- Nearing final adoption of a regulation change they made to provide for general permit authority to apply pesticides to water. The focus is to make it more streamlined to do invasive species response. The previous permit requirement had a lot of time intensive delay steps that made it a challenge. Expecting adoption this month. It is a package that has been fairly popular with the regulated public.

Oregon—
- Today Oregon published a permanent rule prohibiting most uses of aminocyclopyrachlor. It allows for an exemption for those doing spot treatments for noxious weed control, but otherwise any application to all kinds of rights-of-way, natural areas, restoration areas, inner & outer area of banks of ditches and canals, anywhere where roots of non-target trees or shrubs may extend, any aerial application, and any habitat for sage grouse is prohibited in Oregon. There is also a provision in the rule of what to do with plant material contaminated with aminocyclopyrachlor and what this material cannot be used for—like horse bedding or mulch.

Idaho—
- Hot Topic is about the new paraquat labels related to training, and the restrictions of the use of the product to only certified applicators (no longer can handlers use product). Have not found any of the new paraquat labels in the marketplace yet. Idaho talked with Syngenta about Gramoxone and learned that Syngenta wasn’t planning on doing any outreach/training about label changes until the fall of 2019, (right when most of the paraquat work is done in Idaho and elsewhere in the Pacific Northwest), and that Syngenta would be releasing the new labels to come out in fall in 2019—right during harvest season. Syngenta planned the fall timing of their paraquat outreach efforts based on the springtime use in most parts of the country, but after talking to IDA, Syngenta may move their outreach efforts to earlier in the year. There is a concern with potato harvest and other crops harvested this fall that growers will buy these products with the new labels and not know about the new restrictions. (Training requirements, handler restrictions.)
- Right now the only paraquat training available is online through E-extension (free, 15 question quiz) certification is required every 3 years, not on an annual (or bi-annual) basis, and won’t coincide with Idaho pesticide applicator licensing requirements of 2 years. The online training is not difficult. Many other states have seen the “certified applicator only” restrictions on dicamba labels, but this will be the first time Idaho applicators will have seen these type of restrictions.
• Concern that there is no date stamp on the paraquat training certificate, could a certificate be “used” long after its three year expiration date?

Washington--
• Updated marijuana list to include columns on home grown and WPS. This helps designate products that are specific to residential use only or to those that have the Agricultural Use Requirements box on the label and are subject to Worker Protection Standards. We found from our Compliance staff that a lot of marijuana growers are using Ag Use pesticides but didn't know that they have to follow WPS requirements and instructions. Compliance has been performing technical assistance visits to inform the growers.
• Air Blast Sprayer Pilot project – WSDA’s Technical Services and Education Program (TSEP) has been doing a lot of outreach to private applicators in Eastern WA. TSEP has come up with some techniques to help reduce drift. They have created a system where burlap is installed over the intake of the air blast sprayer. This reduces the volume of air the sprayer is drawing in, therefore reducing the volume of air it is pushing out. The intent is to get the spray into the canopy and not above where it can cause problems. TSEP has also developed a more simplified way of calculating application rates. This will help reduce the number of test passes that applicators will have to perform in order to test their rates. TSEP has demonstrated these techniques through technical assistance visits at three farms and although it is still a pilot project and still needs full evaluation, it appears to be having some success. Challenges with this complicated project include the differences in the sizes of the farms, the types of orchard set-up (standard vs trellising), the different spray application equipment, and the resistance to change practices without supporting data.

Tribes--
Joe Herrera (Yakama Tribe)—Has been working with WSDA Waste Pesticide Program to collect old, unwanted pesticides on the reservation. Have already disposed of several drums of pesticides already.

Discussion on Full SFIREG Draft Agenda Topics/Other Issues

Action Thresholds on Cannabis:
• POM was asked by SFIREG to draft a letter for full SFIREG to consider sending to EPA. The intent of the letter was to ask EPA to communicate to the states and reinforce the fact states that cannot legally set action levels or anything like a tolerance on any crop.
• The letter would reaffirm that state lead agencies for pesticides should be coordinating with whoever is regulating cannabis in their state to provide technical information and regulation on pesticide issues and residues on these crops. The letter would also state that the action levels set by these agencies do not comply with federal law related to tolerances.
• Full SFIREG will vote on sending the letter.

Pesticide Use on Industrial Hemp:
• Plans to categorize Cannabis as a food commodity which will assist SLAs to enforce laws including to embargo hemp, including seeds, vegetative matter or processed commodities that are treated with inappropriate pesticides.
• Is CBD a considered food item, how will pesticides be labelled on these products?
• Most states that have a hemp program have expanded their program in relation to the 2018 Farm Bill.
• Region supports the idea to categorize Industrial Hemp as a food commodity. It would make it easier to detain or embargo.
• Also to consider is EPA setting a Raw Agricultural Commodity (RAC) tolerance for “Cannabis spp” instead of a tolerance for just Hemp Seed. This would potentially allow the RAC tolerance to cover culinary oil from the seed; protein from the seed; CBDs and other extracts from the vegetative floral and foliar portions of the plant; and the vegetative portion/seed waste to be used in animal feed.

**Pass-through Insecticides**

• Pass-through insecticides (larvacides) that are being added to animal feed products, are to be regulated as pesticides. Both EPA and FDA determined it needs to be regulated as a pesticide and not as a feed. All animal feeds containing pass-through pesticides with the purpose of controlling insect or pest populations in manure must be registered and regulated as pesticides and are NOT exempt as feed additives or as a medication.
• Just a reminder to the states that these products need to be registered as a pesticide.

**Survey on Regulated Devices**

• POM committee has drafted up survey on the regulation of devices that will eventually be going out to all states. Those devices discussed at POM were carbon dioxide generating devices, ozone, Rodenator products, etc. the survey will address which states register devices and the how the states manage the devices. The issue of hypochlorous acid devices used in hospitals for disinfecting may have some human health implications.

**Cover Crop Issues and Plant-Back Restrictions**

• EQI worked for a number of years on an herbicide topic related to cover crops primarily, and then plant back issues and potential damage to subsequent cash crops that could be planted after production and after cover crops are utilized on fields.
• Issue was brought to EQI a number of years ago. EQI has drafted an issue paper to be presented at SFIREG on cover crops and herbicide labels and the potential issues related to label language and consistency with label review manual. Also consistency with NRCS practice standard 340 which covers cover crops and herbicide topics.
• There are a variety of discrepancies that need to be resolved, and the issue paper is a request to EPA to clear this up.

**The Future of POINTS**

• The future of POINTS will be addressed as a White Paper at full SFIREG. The issue is that the POINTS topic and the POINTS reporting process though the POINTS database has been in our EPA Cooperative Agreement since 2005-2006 when the water quality part of the pesticide programs was revamped to include surface water and ground water and include a framework for evaluating the Pesticides of Interest and Pesticides of Concern.
• Currently the POINTS database sits on a WSU server that is not maintained and there is no funding to maintain it. The last money provided by EPA for maintenance was in 2015 and amounted to $4500. Since then the database has just been sitting there. Everyone is using it, but no work is being done to trouble shoot or improve it.
• In November of 2018, EPA headquarters said they will not bring the POINTS database (or a version of it) into EPA, they have no money, and that they are considering not acknowledging that POINTS exists anymore, and not funding it—yet we have 2 years to go in our EPA Cooperative Agreement.
• In the Cooperative Agreement it is in the core of our required water program elements in the spreadsheet where the Pesticides of Interest and Pesticides of Concern are evaluated.
• The issue paper addresses the requirement that we are required to use POINTS in our Cooperative Agreement, yet EPA is unwilling to fund, maintain or recognize the database. The issue paper is requesting clarification on a variety of elements from EPA. It is a major part of our grant for the water
program, EPA position is fairly confusing and we want some clarification. Of note, there are a variety of states willing to help with funding at least until the end of the Cooperative Agreement period.

Special Local Needs (24c) & EPA’s Re-evaluation Approach to Reviewing SLN’s

- EPA has announced they may re-evaluate their approach to reviewing FIFRA Section 24(c) SLN’s, and the circumstances under which it will exercise its authority to disapprove those requests.
- What appears to have initiated high level EPA’s interest/concern are the Section 24(c) registrations that some states have granted for dicamba containing products that are more restrictive than the federal label.
- States have been approving these SLN’s to mitigate or prevent damage to other crops in their states.
- APPCO and NASDA have submitted letters to EPA on this issue. APPCO is promoting that states have the freedom to regulate pesticide use in their state, to prevent damage and ensure protection of non-target plants and environment. APPCO wants to ensure states have the right to do what they need to do.

C&T Rule/PREP Debrief

- General takeaway from PREP was that EPA will be asking for more in our rule and regulation than was originally thought. Some surprise that the competency standards need to be in rule (and not in policy as originally thought.) Some debate if this is appropriate, EPA is going back to their legal team to see if there is flexibility for states to meet competency standards by policy (through study material etc). The Public Health category being limited specifically to public agency employees and contractors working directly for public agencies but not the back yard mosquito work definitely threw people for a loop. There was a lot of talk how to handle that and what category those people would fit into.
- Also the issue of existing licensees’ having to take an exam to pass into the new plan because they cannot be grandfathered in. What process do you do utilize to aid that process? People will be upset if they have to re-test. Can we have a one-time certification course tailored to those competency standards to meet this?
- Related to non-certified applicator annual training--Richard Pont mentioned that it was possible that a non-certified applicator (Oregon’s “technician” category which requires the Laws and Safety exam) could possibly qualify for maybe 3-5 years of the annual training requirement. Essentially the “Annual” training didn’t need to be on an annual basis.
- A number of things needed to be clarified, and those points of clarification are forthcoming from EPA. For example, by the end of PREP it was determined that the competency standards don’t need to be in the state regulations and pass through the legislature. Other issues can be brought up by the states and have OGC take a second look at them taking into account the state’s concerns.
- Also of concern is that EPA staff who have worked on the C&T rule are retiring or moving to new positions, leaving new staff in place that may not have the background and history of the rule. Richard Pont and Anne Overstreet are leaving. Jeanne Kasai is now the branch chief for the interim.

APPCO Technology Workgroup and Unmanned Aerial Vehicles

- The workgroup consists of members from states across the US. Have not had the first meeting yet, but will be held in the next couple of weeks. The UAV issue was selected to work on first due to all the levels this technology touches--labels, drift, C&T, WPS, etc. The workgroup will be prioritizing issues and what to tackle first, making policy recommendations, creating a mission statement, etc.

EPA’s Draft Guidance for Plant Growth Regulator Label Claims, Including Biostimulants

- Eddie Simons is the chairman of AAPFCO’s Biostimulant Task Force, and is also the lead representative for AAPFCO on USDA’s Biostimulant Workgroup.
- Generally we like the guidance. It provides a lot of clarity as far as claims. It is mostly a claims based document on what claims are, and are not, PGR claims. The guidance also did a good job dividing up by
some of the exemptions from the definition of a PGR whether it is nutrition-based, soil amendment or a plant inoculant claims.

- The most common complaint we've heard is with Table 4—the list of ingredients which EPA has registered as a plant regulators that could also be considered biostimulants. Industry representatives have stated that the table is confusing the state, and that the states are taking the information out of context—however, the states that we have talked to disagree with this—most states like Table 4 and appreciate the clarity it provides.
- If anyone is considering writing comments to EPA—consider not only making comments about the sections you think are not correct or need improvement, but also about the parts that you think are beneficial so that those parts don't get removed from the document.
- The due date is May 28th, we will be providing comments and sharing them with other states, we have heard they may extend the due date to June 28th or even July 28th.

Upcoming PIRT on Drift Issues
- WSDA is hosting a PIRT on Drift Issues in Kennewick, WA on May 14 - 17, 2019
- Should be a great course, there has been a lot of interest in this PIRT
- Attendees are coming from 35 states, 4 tribes, 1 territory, 10 EPA staff from Region 2, 8, 10 and Headquarters. Should be about 75 attendees on any given day.
- Thursday is the bus trip to the WSU Prosser Research Station, where they will looking at new technology both on ground and aerially. In the afternoon attendees will be visiting with 2 fixed wing pilots and a helicopter pilot at the Prosser airport.
- Speakers are coming in from Canada and across the US.

Soil Fumigation Water Seal Issues
- Soil fumigation labels (metam sodium) allow for a 25-foot buffer if a water seal is applied after a shank injection. WSDA Compliance has found that this use of the water seal may be taken advantage of and may not be being used properly. WSDA had a human exposure case this last fall related to this and found that the water seal may not be covering things as quickly as it should. Dirk Helder (EPA) would like to review the discussion paper with WSDA, had some edits that might help clarify the paper before submitting as an issue paper to SFIREG. WSDA will work with Dirk on this subject.

Delay in SLITS Responses
- An Oregon SLITS request went unanswered for 2 years. SLITS was not functioning for a while and the states were not notified that it wasn’t working. SLITS was something that the SLAs pushed EPA to create. EPA is supposedly working on it—States would like an update on this issue.