

## Report to AAPSE on **SFIREG WC/Water Quality & Pesticide Disposal**

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Three years ago, I began representing AAPSE at the SFIREG Working Committee for Water Quality and Pesticide Disposal meetings. The issues this committee works with often directly integrate with pesticide safety education programs. This is a very good opportunity for AAPSE to have direct input into these issues, keep informed about them and place issues on the agenda for discussion.

### **General Overview comments**

This is a commitment that I believe AAPSE should continue to fulfill. I think the association should consider appointing a representative for more than one year. Continuity and experience are important to being effective on the committee and I feel that AAPSE should show its commitment by appointing a representative for the same, 3-year term length that the full members serve.

There are two concerns I want to advise the board of. The expense of this commitment concerns me and I want the AAPSE leadership to be aware of the cost of sending a member to these meetings and make appropriate budgetary plans. I averaged \$1000 in expenses for a Sunday through Tuesday trip. The second concern involves the scheduling of the committee meetings. There is a specific process for scheduling these meetings that all too often created conflicts with my extension programs. Specifically, the meeting announcement came after I had made another commitment. There are two possible actions to take, one is to encourage the committee leadership to schedule farther in advance, and the second is for the AAPSE leadership to have an alternate or two available for filling the gap when conflicts arise.

A few issues have been chosen for this report and follow these comments. There certainly are other issues that could have been noted, and there will be new ones added to the work of this committee. I wanted to use these as examples of the important work this committee is involved with.

### **Specifics about the committee**

The number of meetings per year have been changed (from 3 to 2), and in its composition (3 additional members added). (*A third meeting combining the POM committee and Water Quality makes three meetings and year.*) Issue Teams have been created which can do a better job of pulling key issues together and deciding what action should be taken. WC members suggested several issues for further study as follows: 1. extension of the Pesticide Management Plan (PMP) to connect to other water quality programs; 2. pesticide degradates, particularly the evaluation of analytical methods as to their workability; 3. coordination between EPA and SLAs on conditional registrations, with a work group providing direction to EPA; and 4. treatment technologies, e.g. the development of a catalogue of different technologies for treatment systems or remediation.

### **Example Role of AAPSE Representative**

#### **Consumer Labeling Initiative (CLI) Issues & Disposal**

Participated in drafting a letter to SFIREG on the Consumer Labeling Initiative/Pesticide Disposal language issue. The Water Quality Committee was charged with the responsibility of examining the

issue and responding back to SFIREG. The WC WQ/PD made specific recommendations to SFIREG in a letter drafted by a team from the committee.

## Some of the important issues

### **Pesticide Management Plan (PMP) Rule**

The PMP Rule has gone over to OMB for review in August, 2000, but that as of January 2001, OMB had not requested an EPA briefing. The new Administration then requested that all regulations be withdrawn for further review, and the PMP Rule was among those withdrawn. EPA is now deciding what to do with the Rule. All rules are in one of three categories: 1. must be promulgated, e.g. tolerances; 2. the level of significance is so high that the rule requires intense scrutiny; and 3. the rule has policy implications, but is not significant enough for the Administrator to spend time on it. Fortunately the PMP Rule is in the last category, and within the next month EPA will reach a decision on what to do. The options are to send the Rule back to OMB, modify it, or do nothing at all, i.e. withdraw it. It is in a holding pattern for now

### **Surface Water Issues**

A 35 member work group has been set up to address surface water quality issues in general. Two sub-groups have been set up: 1. dealing with the pesticide -water interaction; and 2. dealing with the life-of-a-pesticide approach. OPP asked for advice from the ROs last week on what to do next. Arty Williams noted that the data on contamination of surface waters by non-point sources is not good. Concerning risk assessment methodology, the work group wants to see a review of the different approaches taken by OPP and the Office of Water (OW). Other issues identified by the work group include: 1. pesticide registrations are national actions, yet many water quality issues that states face are sub-national, or even local. How can we deal better with this situation? 2. what is it we are trying to regulate, e.g. when does a product become a pollutant? and 3. the need for coordination of processes between and among all levels of government on how to approach water quality issues. The work group has recommended development of a policy paper which can be issued for comment. Williams said her orders were to look at: 1. consistency in risk assessments; 2. possible special projects, e.g. a review of TMDLs; and 3. issues stemming from the recent decision by the 9<sup>th</sup> Circuit Court of Appeals which might be interpreted as requiring an NPDES permit for any application of a pesticide to water

### **National Management Measures to Control Nonpoint Source Pollution from Agriculture**

Office of Water has decided to develop guidance covering the entire country. The new document will not replace the CZARA guidance; compliance with its provisions will **not** be legally binding. Rather, it contains good practice guidance.

### **Pesticide Disposal issues**

This includes Clean Sweep programs, label disposal direction language and possible Guidance for the Public on disposal of phased-out products.

### **Total Maximum Daily Loads (TMDLs)**

There are now 45 court settlements requiring EPA to develop TMDLs if the states don't. There will probably be more action by state environmental agencies over the next year in order to head off the setting of TMDLs by EPA. These agencies will want to engage SLAs on the issue of application rates for pesticides, which are required in order to set TMDLs. There will also be some emphasis on implementation of TMDLs as states decide what to do under their own authorities. However, most of the

emphasis will be on setting of TMDLs. Up to 20% of the Clean Water Act (CWA) Section 319 funds in each state can be used for implementing TMDLs.

### **Surface Water Impacts on Endangered Species (ES)**

The National Marine and Fisheries Service (NMFS) is now listing several salmonid species as Endangered. The result has been an increased focus by EPA on ES, which spend part of their lives in the ocean. Arty Williams noted the importance of sublethal effect analysis. For example, NMFS research on the effects of diazinon runoff on salmon showed sublethal effects at a level less than one-sixth the chronic LC50 on one salmonid species.