

TRIBAL PESTICIDE PROGRAM COUNCIL

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Irina Myers
Office of Chemical Safety & Pollution Prevention
Environmental Protection Agency
1200 Pennsylvania Avenue, NW, Washington, DC 20460

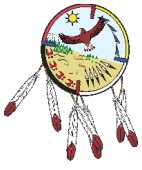
Re: Draft Considerations and Resources for Assessing Tribal Exposures in TSCA Risk Evaluations

Dear Ms. Myers,

We appreciate the opportunity for the Tribal Pesticide Program (TPPC) to comment on the Draft Considerations and Resources for Assessing Tribal Exposures in TSCA Risk Evaluations. The TPPC is a member-based organization with 99 members from 63 Tribes and tribal organizations, whose activities are funded by a cooperative agreement with the EPA. The Council serves as a tribal technical resource, and provides a forum for dialogue between Tribes and the EPA on program and policy development relating to pesticides issues and concerns. Assistance provided to Tribes includes support in building tribal pesticide programs and conducting pesticide education and training, and the preparation of resources for Tribes interested in specialized issues such as Integrated Pest Management and pollinators. Through its interaction with the EPA, the TPPC keeps Tribes informed of developments in the regulation of pesticides and pesticide use, and provides feedback to the EPA on such matters from a tribal perspective. Although the organization always seeks to represent consensus perspectives on any given issue, it is important to note that the views expressed by the TPPC may not be agreed upon by all Tribes. Further, it is important to understand interactions with the organization do not substitute for government-to-government consultation, which can only be achieved through direct communication between the federal government and Indian Tribes.

On behalf of the Tribal Pesticide Program Council (TPPC), I submit these comments on the Draft Considerations and Resources for Assessing Tribal Exposures in TSCA Risk Evaluations.

1. First, the TPPC wants to thank EPA for creating this framework to acknowledge that tribal communities may face different exposure scenarios than the general population, and to include those exposures in TSCA chemical risk evaluations. We compared the TCEP risk assessment, which utilized the new guidance, to a recent risk assessment done without the guidance, and were pleased to see that it included a much more thorough look at tribal exposures than the older one.
2. While the document includes substantial amounts of previously collected data from tribal populations on various exposure pathways, there is at least one mention of collecting new data (on fish consumption, p.31). The TPPC would like to see EPA include a note that any new data collection efforts should be conducted in a way that recognizes tribal data sovereignty, so that the Tribes involved



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maintain control of the data collected from their populations and it cannot be used for other purposes without their approval (as unfortunately has often been the case in the past).

3. The document defines the term “Potentially Exposed or Susceptible Subpopulation,” and mentions that the guidance may provide information for considering such populations in risk evaluations. What is EPA’s process for designating a group as a Potentially Exposed or Susceptible Subpopulation? Is it possible for Tribes to request such designation if they feel their exposure pathways are not being considered in an EPA risk evaluation?
4. Finally, the TPPC wishes to ensure EPA risk evaluators do not interpret anything in this guidance as encouraging a “cookie-cutter” approach toward incorporating tribal exposure pathways in their evaluations. Tribal lifeways can vary significantly between regions and tribes, and it would be a mistake to assume that all Tribes have the the same exposure pathways.

Once again the TPPC appreciates this opportunity to comment on the Draft Considerations and Resources for Assessing Tribal Exposures in TSCA Risk Evaluations. If you have any questions, please contact TPPC coordinator Mark Daniels at mark.daniels@nau.edu or 928-523-8897.

Sincerely,

Jasmine Courville
TPPC Chairperson