

Tribal Pesticide Program Council Executive Committee
Monthly Conference Call
10/20/21
Call Notes – Final

Join by Zoom: <https://nau.zoom.us/j/89303644703>
or phone: 312-626-6799 or 888-788-0099 (toll free)
Meeting ID: 893 0364 4703
Password: 186136

Roll call:

Tribes (12)

- Dana Adkins, Chickahominy Indian Tribe
- David Anderson, Eastern Band of Cherokee Indians
- Jasmine Brown, Confederated Salish and Kootenai Tribes
- Ryan Evans, Confederated Salish and Kootenai Tribes
- James Jackson, Muscogee Creek Nation
- Renee Keezer, White Earth Nation
- Carol Kriebs, Kootenai Tribe of Idaho
- Andrea Mitchell, Cocopah Indian Tribe
- Jim Mossett, Three Affiliated Tribes
- Ted Puetz, Ak-Chin Indian Community
- Larry Scrapper, Cherokee Nation
- Julie Simpson, Nez Perce Tribe

Tribal Organizations (0)

EPA (5)

- Helene Ambrosino, EPA
- Loren LaPointe, EPA/OCSP
- Khue Nguyen, EPA/OPP
- Rachel Ricciardi, EPA/OCSP
- Emily Ryan, EPA/OCSP

Other (2)

- Mark Daniels, Institute for Tribal Environmental Professionals
- Jennifer Glennon, Institute for Tribal Environmental Professionals

Reported in advance as absent (4)

- Nina Hapner, Kashia Band of Pomo Indians
- Jefferson Biakeddy, Navajo Nation
- Joe Herrera, Yakama Nation
- Camilo Perez, Quechan Indian Tribe

1. Welcome/Introductions

Mark Daniels of the Institute for Tribal Environmental Professionals facilitated the roll call.

2. EPA Updates

Rachel Ricciardi, EPA/OCSP noted that the EPA, ITEP, and TPPC colleagues have been working on the agenda for the Fall meeting, Nov. 2-4, and are looking forward to it. Otherwise there are no EPA updates.

3. Pyrethrins, Piperonyl Butoxide (PBO), and MGK-264 Proposed Interim Decisions (PIDs) and their Proposed Risk Mitigations (Andy Muench, Chemical Review Manager, Office of Pesticide Programs)

Every 15 years the EPA re-evaluates each registered pesticide to determine whether it can perform it's intended function without unreasonable adverse effects on Health and the Environment. They are currently accepting comments on 3 chemicals (Pyrethrins, PBO and MGK-264) until November 3.

These 3 chemicals are often co-formulated in products. Pyrethrins are plant derived insecticides from Chrysanthemum flowers used in residential (homes, landscaping) and commercial settings and have a high value for organic agriculture. Pyrethrins are sometimes grouped with Pyrethroids, which are synthetic and cannot be used in organic agriculture. For agriculture, Pyrethrins are used in post-harvest fruit tree treatments and livestock.

MGK-264 is not used on agricultural crops and has limited outdoor uses as these are considered synergists and increase the effectiveness of other pesticides. Synergists are not allowed in organic agriculture like Pyrethrins. PBO and MGK-264 greatly increase the efficacy of Pyrethroids and Pyrethrins which allows these chemicals to be used at lower rates. They are also useful for slowing the development of insecticide resistance among pest populations.

They have identified residential and occupational human health risks for Pyrethrins, PBO and MGK: dermal and inhalation for adults and children and incidental oral exposure for children. They have taken into consideration that lower income families may have increased exposure because they may be disproportionately exposed to pests.

Since Pyrethrins and PBO have crop uses, some crop tolerances will be revoked and associated pest harvest uses will be cancelled because registrants have not submitted data.

You can find the half-lives for each compound in the ecological risk assessments in the respective dockets. Pyrethrins docket: <https://www.regulations.gov/docket/EPA-HQ-OPP-2011-0885>
PBO docket: <https://www.regulations.gov/docket/EPA-HQ-OPP-2010-0498>.
MGK264 docket: <https://www.regulations.gov/docket/EPA-HQ-OPP-2012-0415>

(Jasmine Brown, Confederated Salish and Kootenai Tribes) Does the registration division look at the effects of additional synergistic compounds and their breakdown products that may react to things in the environment and then cause risks to human health? (Khue Nquyen, EPA) Ecological Risk Assessments do take into account the effects of varying conditions like heat, sunlight, oil and water and incorporate into their modeling. Those parameters are captured in drinking water assessment and sent to human health effects division.

The proposed mitigation for human health risks (both residential and commercial) of the 3 chemicals is to prohibit application for indoor dusters, shakers, aerosol sprays, handheld and portable misters and

foggers and several liquid spray applications. These uses had risks that could not be mitigated by a respirator or other protective equipment. The ecological risks for PBO and Pyrethrins pertain to runoff and spray drift concerns. They recommend the use of buffers between treated areas and mitigation measures similar to Pyrethroid measures that have already been addressed. MGK has limited outdoor uses and no ecological risk mitigation for now.

After evaluating the comments and incorporating new information (data) the decision will require risk mitigation measures be implemented through changes to product labels. EPA needs to approve the labels before the products are sold and distributed.

NPIC has some fact sheets about each of the pesticides discussed as well.

Pyrethrins: <http://npic.orst.edu/ingred/pyrethrins.html>.

Piperonyl Butoxide: <http://npic.orst.edu/factsheets/pbogen.html>.

MGK-264: <http://npic.orst.edu/factsheets/mgk264gen.html>

4. TPPC Administrator Updates

- a. The vacant TPPC representative positions will be discussed again after the current election
- b. They have received many nominations for the Executive Committee election. Let Mark know if you would not like to be on the ballot. The election will be held virtually at the Fall meeting or you can vote by email.
- c. The ITEP performance evaluation survey was sent out to members and is open until Oct. 27
- d. We will plan to have our monthly call on November 17
- e. The agenda for the fall meeting on Nov. 2-4 is coming soon, and the Tribal Caucus will be held Thursday morning (Nov. 4) This is a time to speak freely and EPA will not be present.
- f. The TPPC website had 337 views and 114 users in September, YTD is 3,165 views & 904 users.

5. Workgroup Report-out

Loren LaPointe (EPA) mentioned the Pollinator Workgroup's review of the annual Strategic Pollinator Priorities and Goals report. At the fall meeting they will discuss where there are gaps when it comes to Tribes. Their next meeting is November 1.

<https://www.usda.gov/sites/default/files/documents/pollinator-priorities-2021R4-508-version.pdf>

Rachel Ricciardi mentioned the Risk Assessment group is working on updates to the questionnaire and ORD exposure handbook.

The OPP is currently doing early engagement for the revision of The National Program Guidance (NPG) and comments can be made until Mon. Oct. 25. They sent out a questionnaire seeking early feedback on what to take into consideration. Mark, Nina and Jasmine met last week to discuss some ideas. These include:

- State specific measures that don't necessarily apply to Tribes
- Desire to see one of their priorities cover Research and Development
- Have Managed Pollinator Protection Plans (MP3s) include Tribes
- Worker Protection Standards
- Include domestic/non-agricultural uses of pesticides

Include Traditional Ecological Knowledge (TEK) in document
Include climate change measure

6. Other Issues/Concerns/Hot Topics/COVID Check-in

Larry Scrapper (Cherokee Nation) mentioned that he participated in a call regarding DI inspections with the Region 6 Enforcement Compliance Insurance Division.

Rachel brought up that the dates for the Federal Certification Training for Private Applicators of Restricted Use Pesticides coincides with the next monthly call on Nov. 17. Updates to the training will be available at the Nov. 17 TPPC monthly meeting.

Rachel also mentioned that TPPC folks and ITEP have continued to work on the Hemp and Cannabis Document and anticipate eventually submitting a formal, official document to the agency on the TPPC's concerns on hemp & cannabis.

7. Next TPPC Conference Call: Wednesday, November 17, 2021, 2:00-4:00 p.m. EST