

ESA SME Liaison to EPA OPP Report for August/September/October 2021

Submitted by Allan Felsot (afelsot@wsu.edu), Washington State University

Another successful webinar presentation by an ESA member to EPA OPP headquarters staff and regional offices was held on September 15, 2021. Doug Walsh, Professor in the Department of Entomology at Washington State University presented the webinar, "IPM in Grape and Hop Production in the Pacific Northwest." The next entomology webinar will likely be December 15, 2021. I will work with Murphey Coy in OPP to secure a speaker about the "monarch butterfly decline". Below are public announcements from EPA OPP of interest to ESA members with short explanations of the issues and links to access more information.

Pesticide Program Dialogue Committee (PPDC) Meeting, October 27-28, 2021 (EPA Announcement on October 8, 2021)

Meeting will be held online. Registration access and meeting agenda can be found at URL <https://www.epa.gov/pesticide-advisory-committees-and-regulatory-partners/pesticide-program-dialogue-committee-ppdc>. The PPDC workgroups on Pesticide Resistance Management, Farmworker and Clinician Training, Emerging Pathogens, and Emerging Technologies will report on their work and discuss their recommendations with the PPDC. Members of the PPDC will provide their perspectives on the workgroup reports.

EPA Addresses PFAS in Pesticide Packaging (EPA Announcement on September 29, 2021)

Concerns about residues of PFAS (per- and polyfluoroalkyl substances) in the environment and evidence of human exposure has led to EPA's focus on methods development and determination of potential regulatory actions. EPA considers any level of PFAS to be potentially toxicologically significant. In this announcement, EPA has reported on a method for PFAS analysis in oily matrices, including pesticide formulations in oil, petroleum distillates, or mineral oils. These formulations may be stored in fluorinated high-density polyethylene (HDPE) containers, thereby possibly allowing diffusion of PFAS constituents into the matrix and thus possible release into the environment. EPA did a pilot study of its standard method for PFAS in water and analyzed three stored samples of mosquito control pesticide products but did not find PFAS residues above the method limit of detection. However, in a separate study one product stored in an HDPE container had detectable PFAS residues. EPA is using all available regulatory and non-regulatory tools to determine the scope of the contamination issue and potential impacts on environmental and human health. EPA will continue to test additional products in HDPE containers. EPA encourages the pesticide industry to consider alternative packaging, such as steel drums or non-fluorinated HDPE.

Relevant URLs for more information:

- <https://www.epa.gov/pesticides/updates-epa-efforts-address-pfas-pesticide-packaging>;
- <https://www.epa.gov/pesticides/pfas-packaging>;
- <https://www.epa.gov/pfas/our-current-understanding-human-health-and-environmental-risks-pfas>

EPA Webinar that reviews the Experimental Use Permit for Genetically Engineered Mosquitoes

(Oxitec OX5034 RIDL, Release of Insects with Dominant Lethal gene) can be viewed at URL https://www.youtube.com/watch?v=V2_ChfKcZ1E. EPA had a callout for public comments on extending the use permit for another 24 months (note the comment period has closed). The EUP currently allows Oxitec Ltd. to field test the use of genetically engineered *Aedes aegypti* mosquitoes as a way to reduce mosquito populations in Florida and Texas through April 2022. The proposed amendment would extend field testing in Florida by another 24 months on up to 6,240 acres and expand testing to California on up to 84,600 acres. The EUP docket number is EPA-HQ-OPP-2019-0274 where further information and supporting documents about the regulated technology can be found (URL: <https://www.regulations.gov/search?filter=EPA-HQ-OPP-2019-0274>).

EPA Announced an Update to the Aquatic Life Benchmarks for Pesticide Ecological Risk Assessments (August 31, 2021). The database of benchmarks can be found at URL <https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/aquatic-life-benchmarks-and-ecological-risk>.

EPA Releases Draft Biological Evaluations of Three Neonicotinoids for Public Comment (August 26, 2021); <https://www.epa.gov/pesticides/epa-releases-draft-biological-evaluations-three-neonicotinoids-public-comment>

EPA released its draft biological evaluations (BEs) for the neonicotinoid insecticides clothianidin, imidacloprid and thiamethoxam for public review and comment. EPA is accepting public comments for 60 days (~October 25th) upon publication via docket EPA-HQ-OPP-2021-0575 at <https://www.regulations.gov>, and will finalize the BEs after reviewing the comments. Some requests were received to extend the comment period but EPA denied the extension. The agency is holding to its June 2022 deadline for completing the BEs of the subject neonicotinoid insecticides.

The BEs determine whether the subject pesticides may affect one or more species listed under the Endangered Species Act (ESA) or their designated critical habitats. The draft BEs find that each of the neonicotinoids is likely to adversely affect certain listed species or their designated critical habitats.

URLs for the individual neonicotinoid BEs:

Clothianidin: <https://www.epa.gov/endangered-species/draft-national-level-listed-species-biological-evaluation-clothianidin>;

Imidacloprid: <https://www.epa.gov/endangered-species/draft-national-level-listed-species-biological-evaluation-imidacloprid>;

Thiamethoxam: <https://www.epa.gov/endangered-species/draft-national-level-listed-species-biological-evaluation-thiamethoxam>

EPA Takes Action to Address Risk from Chlorpyrifos and Protect Children's Health (August 18, 2021); <https://www.epa.gov/newsreleases/epa-takes-action-address-risk-chlorpyrifos-and-protect-childrens-health>

EPA announced it will revoke all tolerances for chlorpyrifos on all food to better protect human health, particularly that of children and farmworker. Revocation of tolerances essentially ends use of chlorpyrifos in crop protection.

EPA's actions are in response to the US Ninth Circuit Court's order directing EPA to issue a final rule in response to the 2007 petition filed by Pesticide Action Network North America and Natural Resources Defense Council. The petition requested that EPA revoke all chlorpyrifos tolerances, or the maximum allowed residue levels in food, because those tolerances were not safe, in part due to the potential for neurodevelopmental effects in children. After first rejecting the petition and then conducting new human health risk assessments, EPA has finally decided to accede to the petition. EPA has determined that the current aggregate exposures from use of chlorpyrifos do not meet the legally required safety standard that there is a reasonable certainty that no harm will result from such exposures. A number of other countries, including the European Union and Canada, and some states including California, Hawaii, New York, Maryland, and Oregon have taken similar action to restrict the use of this pesticide on food.

After considering public comments, the agency will proceed with registration review for the remaining non-food uses of chlorpyrifos by issuing the interim decision, which may consider additional measures to reduce human health and ecological risks. For more general information about the registration review process see <https://www.epa.gov/pesticide-reevaluation/registration-review-process>. Documents about chlorpyrifos, including all the

previous risk assessments are located in the chlorpyrifos registration review docket EPA-HQ-OPP-2008-0850 at <https://www.regulations.gov>. The final rule for revocation of the chlorpyrifos tolerances is located in docket EPA-HQ-OPP-2021-0523 at [regulations.gov](https://www.regulations.gov).

EPA Appointed New Members for the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel (August 13, 2021); <https://www.epa.gov/pesticides/epa-appoints-new-members-federal-insecticide-fungicide-and-rodenticide-act-scientific>

In July 2021, the U.S. Environmental Protection Agency (EPA) appointed two new members to serve on the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel (FIFRA SAP). Additionally, the Chair and one other existing member were reappointed. These appointments, effective July 30, 2021, were made by the EPA Administrator following nominations provided by the National Institutes of Health (NIH) and the National Science Foundation (NSF). Per FIFRA, only NIH and NSF can nominate candidates for the SAP. EPA solicited and considered public comments on the potential candidates.

Of interest to ESA is the appointment of Professor Jeff Blomquist from the University of Florida Department of Entomology and Nematology and the Emerging Pathogens Institute. See URL <https://www.epa.gov/sap/fifra-scientific-advisory-panel-members> for a short biography about Dr. Blomquist.