

PESTICIDE REVIEW COUNCIL MEETING
MINUTES
September 24, 2009
North Florida Research and Education Center (UF/IFAS)
Institute of Food & Agricultural Sciences
University of Florida
Quincy, Florida

MEMBERS PRESENT:

Dr. Mel Kyle, (Chair) Agrichemical Industry Representative
Dr. Keith Tolson, (Vice Chair) Toxicologist
Dr. Dennis Howard, FL Department of Agriculture and Consumer Services, FDACS
Dr. Mark McLellan, IFAS/UF
Mr. Rick Hicks, FDEP
Mr. Richard Pfeuffer, South FL Water Management District, SFWMD
Mr. Gary Reeder, Grower Representative
Dr. David Krause, State Toxicologist, FDoH
Mr. Joe Gaudino, Environmental Groups
Dr. Brian Katz, (Secretary) Hydrologist

MEMBERS ABSENT

Mr. Dave Eggeman, FFWCC

OTHERS PRESENT

Mr. Joshua Craft, FFB
Mr. Charlie L. Clark, FDACS
Dr. Davis Daiker, FDACS
Ms. Patty Lucas, FDACS
Mr. Joel Jackson, FGCSA
Ms. Marian Berndt, USGS
Mr. Tony Di Bartolo, FDACS
Ms. Jo Marie Cook, FDACS
Mr. Gary Mahon, USGS
Mr. James Cooper, FDACS
Ms. Anne Choquette, USGS

Ms. Jessica Fernandez, FDACS
Mr. Janak Vyas, FDACS
Ms. Mary Hartney, FFAA
Mr. Eric Sespico, FDACS
Ms. Nohemy Reid, FDACS
Ms. Teresa Rygiel, FDACS
Mr. James Dodson, FDEP
Mr. Paul Rygiel, FDACS
Dr. Nicholas Comerford, UF/IFAS

Introduction. Chairman Mel Kyle began the meeting by introducing the Council's newest member, Mr. Joe Gaudino, who represents environmental interests. Dr. Mark McLellan introduced Dr. Nick Comerford, who provided a description of the many functions and capabilities of the North Florida Research and Education Center. The Council accepted the meeting agenda as written, except to delete the Legislative Update report from Mr. Andy Rackley, FDACS (who was unable to attend the meeting). The Council accepted the minutes of the July, 2009, meeting, as written.

Officer Nominations. Dr. Mark McLellan, Chair of the Nominating Committee, reported on the nominations for Council officers by the Committee (other members include Mr. Richard Pfeuffer and Mr. Gary Reeder). The following plank of officers for October 2009 to September 2010 was recommended by the Committee and accepted by the Council: Chair- Dr. Keith Tolson; Vice Chair- Dr. Brian Katz; Secretary- Mr. Rick Hicks.

Legislative Issues. Dr. McLellan summarized the difficult budgetary climate, noting that everyone was hoping for economic stability and that the University was working well with the Legislature. A new research "roadmap" for IFAS was distributed to the Council. The document described the strengths of the various IFAS centers and a vision of how these centers are positioned to pursue important trends in science.

FDACS Pesticide Laboratories. Ms. Patty Lucas described the pesticide analytical resources and services of the Bureau of Agricultural Environmental Laboratories (Division of Agricultural Environmental Services). Ms. Jo Marie Cook provided a similar presentation on the Chemical Residue Laboratory (Division of Food Safety). Following the meeting, a tour of the laboratories was provided to Council members and interested members of the public. Council members suggested that the FDACS laboratories seek collaborative opportunities with IFAS laboratories and questioned whether more risk-based factors could be considered for selecting domestic vs import samples.

NPDES Permits for Pesticide Applications. Dr. Davis Daiker (FDACS) summarized recent developments regarding the Sixth Circuit Court decision which determined that applications of pesticides in, on, or near water would require National Pollutant Discharge Elimination System (NPDES) permits under the Clean Water Act. Under this decision, the Florida Department of Environmental Protection would be the likely

NPDES pesticide permitting authority in Florida. FDACS, FDEP and the Florida Fish and Wildlife Conservation Commission (FFWCC) are working closely on the development of Florida-specific permits, the respective roles of the three agencies, and state legislative issues that may need to be addressed. FDACS, FDEP and FFWCC are also participating in frequent national discussions regarding general NPDES pesticide permits with the USEPA Office of Water. New permitting requirements are scheduled to take effect in April, 2011. Questions from the Council focused on monitoring requirements and time constraints of permit applications.

Recent Developments in Arsenic Toxicology. Dr. Keith Tolson provided a background presentation on the proposed revision of arsenic carcinogenicity by the USEPA Integrated Risk Information System (IRIS). The USEPA is interpreting epidemiological data to propose that the cancer potency of arsenic should be increased 16-fold. If the IRIS revision is accepted, the Florida residential soil screening level would drop from 2.1 ppm to 0.1 ppm, which is well below the 1.1 ppm average background arsenic soil levels in Florida. The USEPA's proposal has been countered by scientists who argue that the Agency has not fully considered mitigating additional evidence. Dr. Tolson noted that a new cancer potency profile could be expected to affect consideration of the registration of arsenical herbicides (e.g. MSMA), allowable arsenic residues in fertilizers, worker protection, surface water protection and development of lands where arsenical pesticides have been applied. Dr. Davis Daiker followed with a brief update on the federal reregistration review of organic arsenical herbicides, highlighting the cancellation schedule for all uses in Florida except weed control in cotton in specified counties.

Water Quality and Evaluation of Pesticides in Lakes in the Ridge Citrus Region. Ms. Anne Choquette of the USGS reported on the results of a reconnaissance study of pesticides in lakes and parallel, ongoing work on pesticides in groundwater in the same geographic area. The lake study focused on occurrences of parent pesticide and degradates, potential trends, comparisons with toxicological benchmark levels for aquatic life and with detections in other areas of the country, and predictions based on chemical properties and usage patterns. The report also contrasted surface water and nearby groundwater results at one of the lakes. The concentrations of detected pesticides in lakes were found to be generally high compared to other sampled sites across the nation. Evidence suggests persistence of some chemicals in surface water and groundwater. Detections in the lake study were typically below USEPA benchmark levels. Concentrations of pesticides and degradates in groundwater typically exceeded those for lakes and there is evidence of continuing degradation in lakes. Spatial heterogeneity was noted in samples from lakes and groundwater but interpretation is limited due to gaps in pesticide usage data. In lakes, the concentration of degradates often exceeded titers of parent compounds. Mixtures of pesticides were commonly found. Seasonal trends were more obvious in groundwater than in surface water. Efforts to predict occurrences in water samples were not consistent, perhaps because local usage patterns are not well known. Ms. Choquette closed by suggesting areas for further study. Discussion followed.

Supplemental Registration Fee Implementation. Mr. Charlie Clark (FDACS) briefed the Council on implementation of a new supplemental registration fee which offsets General Revenue funding cuts sustained by the Chemical Residue Laboratory (Division of Food Safety). The fee is \$315 per pesticide brand per year for any brand containing an active ingredient for which a federal food tolerance has been established. The fee is retroactive to January 2009. Since no new positions were approved by the Legislature to process the fees, the Pesticide Registration Section is setting aside other priorities to expedite fee collection.

Next meeting. The next meeting is tentatively scheduled for Homestead, FL on January 13 or 15, 2010.

Adjournment. After the Council members thanked outgoing Chair Mel Kyle for his leadership and service, the meeting was adjourned. An afternoon tour of FDACS pesticide laboratory facilities was attended by interested Council members and the public.