

Upcoming Federal Pesticide Regulatory Activities of Potential Importance for Urban Surface Water Quality

Process	Items Tracked and Anticipated Activity
<p>Pesticide Registration Review <i>All currently registered pesticides are planned for review on a 15-year cycle.</i></p>	<p>In 2009, U.S. EPA is expected to issue registration review workplans for the following pesticides of potential importance for urban surface water quality: (Updated 5/09)</p> <ul style="list-style-type: none"> • Chlorpyrifos – Docket opened and draft workplan issued. Comments due 5/18/09. • Malathion – Process not yet initiated. • Imidacloprid – Docket opened and draft workplan issued. Comments were due 3/17/09. • Silver compounds – Process not yet initiated. • Zinc and Zinc compounds – Docket opened and draft workplan issued. Comments due 6/23/09. <p>No registration review risk assessments or decisions on pesticides of potential importance for urban surface water quality are anticipated in 2009. Pyrethroids are scheduled for review in 2010.</p> <p>Complete schedules: http://www.epa.gov/oppsrrd1/registration_review/schedule.htm</p> <p>Status of individual pesticides undergoing registration review: http://www.epa.gov/oppsrrd1/registration_review/reg_review_status.htm</p>
<p>Pesticide Reregistration <i>One-time process of evaluating all pesticides registered prior to November 1984. Most reviews were completed by 2006; a few are still underway.</i></p>	<p>In 2009, U.S. EPA is expected to make progress on reregistration of the following pesticides of potential importance for urban surface water quality: (Updated 5/09)</p> <ul style="list-style-type: none"> • Tributyltin (a biocide) – Reregistration Eligibility Decision anticipated. • Antimicrobial copper uses (including use in marine antifouling paint) – Ecological portion of Reregistration Eligibility Decision anticipated • Zinc pyrithione (a marine antifouling paint biocide) – Reregistration Eligibility Decision anticipated. <p>U.S. EPA is also implementing past decisions, which may involve changes in allowable uses. No formal public process exists for such changes; however, some of these actions are noticed in the Federal Register.</p> <p>Status of individual pesticides undergoing reregistration and copies of original decisions: http://www.epa.gov/pesticides/reregistration/status.htm</p>

Upcoming Federal Pesticide Regulatory Activities of Potential Importance for Urban Surface Water Quality (Continued)

Process	Items Tracked and Anticipated Activity
<p>Regulations <i>U.S. EPA occasionally develops regulations relevant to surface water quality effects of urban pesticide use.</i></p>	<p><u>Office of Pesticide Programs</u> – 40 Code of Federal Regulations, Part 158 - Antimicrobials Data Rule. Would modify (generally increase) requirements for providing information characterizing antimicrobial pesticides to U.S. EPA. The term “antimicrobials” includes (but is not limited to) biocides, disinfectants, sterilizers, preservatives, sanitizers, wood preservatives, and antifoulant coatings. Proposed changes include restructuring of requirements to provide water-quality related data, most importantly data related to POTW discharges.</p> <ul style="list-style-type: none"> • Comments submitted by CASQA, Tri-TAC, LACSD, CASA, SF, NACWA and others in April 2009; awaiting U.S. EPA decision. (Updated 4/09) <p><u>Office of Water</u> – Possible development of NPDES General Permit for aquatic pesticide applications in response to lawsuit decision on aquatic pesticide applications (see below)</p> <ul style="list-style-type: none"> • Awaiting final outcome of legal action. (Updated 5/09)
<p>Legal Petitions <i>Under Federal law, individuals and organizations can submit petitions requesting U.S. EPA take specific actions within the Agency’s existing authorities</i></p>	<p>Petition requesting U.S. EPA regulate nanosilver-containing products as pesticides</p> <ul style="list-style-type: none"> • Comments submitted by NACWA, BACWA and others in March 2009; awaiting U.S. EPA decision. (Updated 4/09)
<p>Litigation <i>Decisions in lawsuits against U.S. EPA can modify pesticide regulation.</i></p>	<p>Lawsuit to overturn U.S. EPA aquatic pesticide application rule.</p> <ul style="list-style-type: none"> • Court decision to overturn rule; awaiting court decision on industry motion for re-hearing and U.S. EPA request for stay of decision to provide time for development of a permit program for aquatic pesticide application. (See http://cfpub.epa.gov/npdes/home.cfm?program_id=41) (Updated 5/09)

Upcoming Federal Pesticide Regulatory Activities of Potential Importance for Urban Surface Water Quality (Continued)

Process	Items Tracked and Anticipated Activity
<p>Endangered Species Consultations <i>When draft biological opinions are issued by the U.S. Fish & Wildlife Service, U.S. EPA provides a 30-day comment period to obtain input on the “reasonable and prudent measures” and alternatives.</i></p>	<p>A series of consultations between U.S. EPA and the National Marine Fisheries Service related to pesticides and Pacific salmon and steelhead species are currently underway.</p> <p>Biological Opinion on Diazinon, Chlorpyrifos, and Malathion</p> <ul style="list-style-type: none"> • Final issued Nov. 2008. Seeking information on how it will be implemented in urban areas. (Updated 4/09) <p>Biological Opinion on Carbaryl, Carbofuran, and Methomyl</p> <ul style="list-style-type: none"> • Draft issued; EPA response in March 2009. Awaiting final decision. (Updated 4/09)
<p>Meetings <i>National meetings offer a information and a means to engage in dialogue with U.S. EPA staff and others about the relationship of urban pesticide use to surface waters.</i></p>	<p>A water quality agency representative sits on the U.S. EPA pesticide stakeholder advisory committee, the Pesticide Program Dialogue Committee (PPDC). PPDC information: http://www.epa.gov/pesticides/ppdc/ (Updated 4/09)</p> <ul style="list-style-type: none"> • PPDC meetings (quarterly) – April 22-23, 2009; next meeting fall 2009 <p>U.S. EPA hosts Exposure Modeling Public Meetings (EMPMs) involving scientific discussions of environmental risk assessment methods for pesticides in water. (Updated 4/09)</p> <ul style="list-style-type: none"> • EMPM meetings (triannual) – May 4, 2009; next meeting in September? <p>Special water-quality related meetings are sometimes scheduled.</p> <ul style="list-style-type: none"> • None of interest are currently scheduled. (Updated 5/09) <p>Scientific conferences provide the major forum for discussion of methods of evaluating pesticide risks to surface water and impacts of urban pesticide use on surface water quality. Upcoming meetings (Updated 5/09):</p> <ul style="list-style-type: none"> • American Chemical Society Conference, Washington DC, Agrochemicals Session on “Exposure to Chemicals in Urban Aquatic Environments” August 16-19, 2009 • Society of Environmental Toxicology and Chemistry, New Orleans LA, November 19-23, 2009

Upcoming Federal Pesticide Regulatory Activities of Potential Importance for Urban Surface Water Quality (Continued)

Process	Items Tracked and Anticipated Activity
<p>Pesticide Special review <i>U.S. EPA initiates special review when it discovers that the use of a registered pesticide may result in unreasonable adverse effects on humans or the environment.</i></p>	<p>No pesticides of potential importance are currently undergoing special review. Special review information: http://www.epa.gov/oppsrrd1/special_review/</p>
<p>Pesticide Registration <i>Pesticides must be registered or exempted by U.S. EPA before they may be sold. New uses of existing pesticides must also be registered.</i></p>	<p>Not currently being tracked. Other than making its registration workplan available, U.S. EPA has no public involvement process for pesticide registration. Registration information and schedules: http://www.epa.gov/pesticides/regulating/registering/</p>
<p>Other actions <i>Other actions by U.S. EPA that can affect water quality protection include non-regulatory actions such as determination of policies and procedures, initiation of new programmatic activities, issuance of "Pesticide Registration Notices," and requests for voluntary actions by pesticide registrants.</i></p>	<p>Pyrethroid early mitigation label language – Notice requesting voluntary label changes expected to be issued in May. Amended labels are due to EPA by November, 2009. (Updated 5/09) EPA is developing a pyrethroid and pyrethrins web site. (Updated 5/09) OPP/OW Harmonization –Special project to explore harmonization of aquatic life effects assessment methods used by EPA Pesticides and Water Offices. Scoping document released in May. EPA is open to stakeholder input, is planning workshops. (Updated 5/09)</p>