Southern Forest Nursery Management Cooperative

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Debbie Edwards
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US Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Re: Forest Tree Nursery Comments - Risk mitigation for MBr and chloropicrin

EPA-HQ-OPP-2007-0350 & EPA-HQ-OPP-2005-0123

Dear Debbie Edwards: September 22, 2008

I am writing today in response to the Risk Mitigation Rules published on July 17, 2008 and the future production potential of seedlings for renewing our forests here in the southeastern United States. A more detailed account has been submitted to both Andrea Carone and Steven Weiss. A current survey of our member nurseries (80% return rate) indicate that 7 nurseries indicate they will close within 2 years; 9 more nurseries indicate a better than 50% chance of closing within 2 years. Those nurseries that remain in business will have significantly higher costs (hundreds of thousands of dollars per year) and a reduction in seedling production.

Smaller Buffers – Neither practical, possible nor economical: Forest tree nurseries cannot simply reduce buffer zones distances by putting in smaller fumigation blocks. Over 50 years of soil fumigation has proven this time and time again. One cannot stress enough about the short biological window in the fall or spring when soil moisture, texture and temperature is optimum for a proper and efficacious fumigation. There is a 4-6 week period in the fall and even a shorter period in the spring when all of these factors align for a proper soil fumigation. By attempting to operate under the Risk Mitigation rules, a fumigation period, that would normally take 1 day to complete, would take at least 3 weeks to complete. We ask that EPA take into consideration the biological aspects (soil moisture, structure, temperature, organic matter, etc) that are necessary for efficacious soil fumigation.

Soil Fumigation Rates – They are what they are: After 50 years of operational work throughout the southern United States, the standard rate of soil fumigation is 350 lbs 67/33 to 400 lbs 98/2, (MBr/Chloropicrin) or more recently, 300 -350 lbs of chloropicrin. The Southern Forest Nursery Management Cooperative has been recommending to its membership to use 300-350 lbs of chloropicrin under a plastic tarp since 1991. EPA has the forest-tree seedling rate of chloropicrin at 135 lbs per acre in their RED (EPA-HQ-OPP-2007-0350). Thus, all projected buffer zone distances (Page 42) are incorrect and underestimate the effects of these rules on using chloropicrin as an alternative to methyl

bromide. We ask EPA to re-address the fumigant rates, especially chloropicrin levels in forest nurseries.

Credits – Organic Matter, Clay Content and Tarps.

Organic Matter: There are very few, if any forest-tree nurseries in the Southern United States that has an organic matter contact greater than 2%, let alone 3%. The average of 45 forest-tree nurseries over 5 years has an organic matter content of 1.4%. Thus, there is no incentive by forest-tree seedling producers to get this credit, especially if increasing organic matter decreases fumigation efficacy– high organic matter defeats the purpose of fumigation altogether.

Clay Content: There is not a single forest-tree nursery in the southern United States that has a clay content higher than 27%. The average (45 nurseries over a 5-yr period) clay content in currently operated nurseries is 11% . This level of clay is desired by seedling producers for the same reason as low organic matter: fumigation doesn't as work as well in heavy, clay soils.

Tarps: There is not a single applicator, supplier, producer, manufacturer in the United States that can "glue" two sheets of VIF/TIF together in a broadcast system used in forest-tree nurseries. Offering a credit for something that doesn't exist to forest-seedling producers to reduce buffer zones is disingenuous. We ask that EPA consider the technical limitations and operations under the broadcast fumigation system used by forest-tree nurseries needed to actually use these credits.

Buffer Zones: Posting & Notification: Eighty-eight percent (22/25) nurseries who responded do not control the land beyond their nursery production areas. Buffer zones distances outlined in Matrix Tables (rates and acreages currently used by nurseries) will necessitate buffer zones being posted on non-controlled land. Nurseries will not be able to split blocks for multiple applications (see paragraph above) and thus buffer zones will fall onto non-controlled land. Nurseries will take large areas of land out of seedling production to make sure buffers remain on nursery controlled land. Seedling production will significantly decrease. Forest tree nurseries will shut their operations.

Buffer Zones: Notification & Monitoring: We have been informed by growers and applicators that the likely impact of the monitoring would be $2,000-$3,000 per fumigation. The notification of the public and other procedures is not a viable Risk Mitigation solution and would only serve to increase public false "exposures."

If I can be of further assistance to answer any questions you may have concerning Risk Mitigation and its affect on forest seedling production, please do not hesitate to contact me at the number listed above.

Sincerely;

Scott Enebak

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