

# MBr CUE & Fumigant Risk Mitigation: An Update



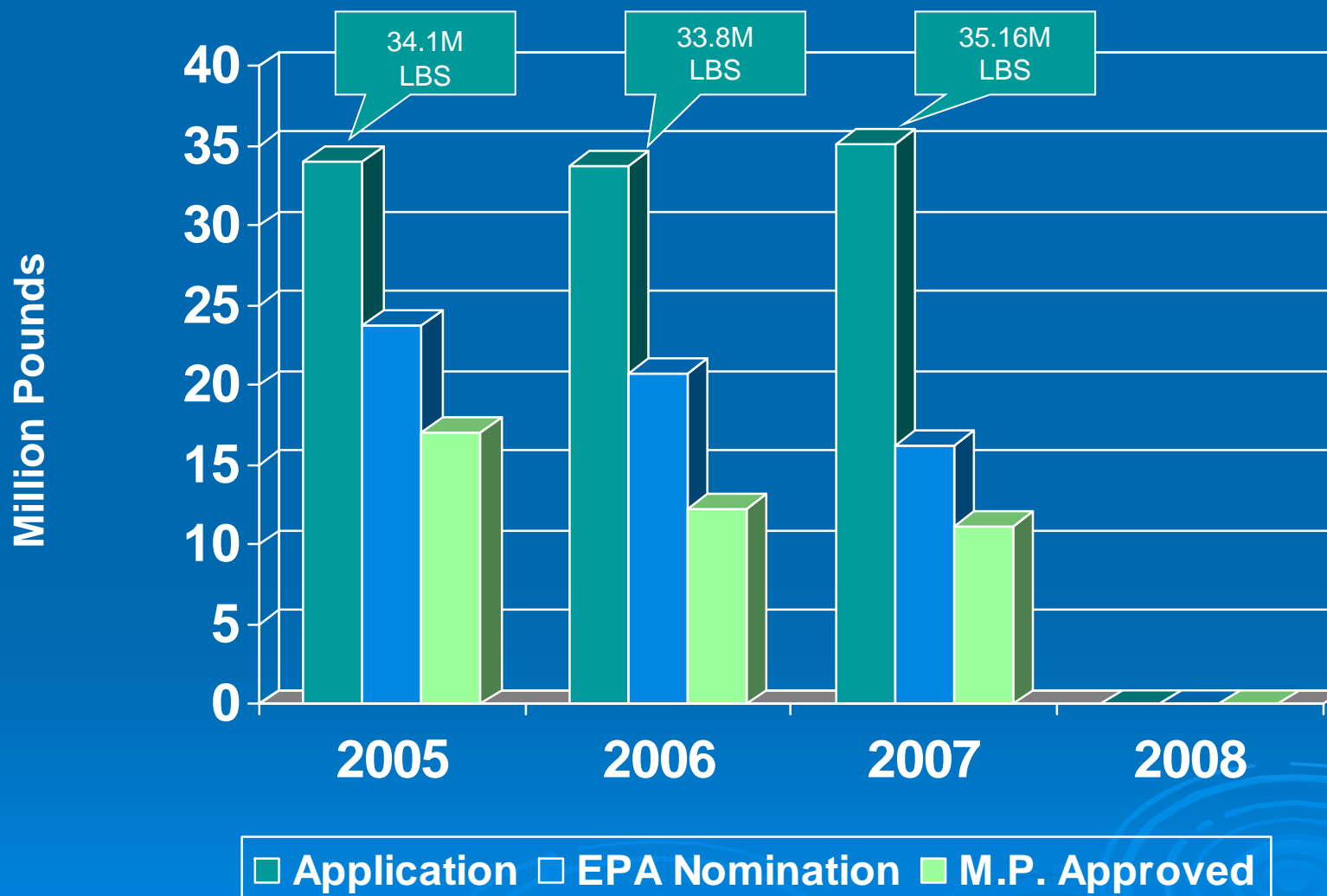
# MBr CUE Update

- Application for 2008 CUE MBr was evaluated by MeBTOC and they were “unable to assess” due to “insufficient information on the application”.
- Nursery Cooperative was contacted by EPA and asked to address four concerns outlined by MeBTOC
  - “why alternatives in recent studies (Pic and metam sodium) are not considered effective alternatives?”
  - “does 67/33 combinations of MBr/Chloropicrin meet certification requirements”
  - “why can’t nurseries use glyphosphate, 1, 3-D (telone) and metam sodium over MBr/Chloropicrin”
  - “growers in Europe use VIF, why can’t forest-tree nurseries in the US use VIF?”

# MBr CUE Update

- Nursery Cooperative responded to Dr. Leonard Yourman at EPA about MeBTOC's concern who was to pass the answers onto the State Department.
- The next Meeting of the Parties will be in Montreal this September to go over the US nominations and allocate MBr to Critical Users for 2008.
- Should know status of 2008 CUE by Advisory Meeting.
- 95% of all Ozone Depleting Substances have been discontinued

# U.S. CUE End-User Applications



➤Nursery Cooperative was contacted again by EPA

“One area where we are a bit hazy is the issue of certification in the forest nursery industry. I'm wondering if at some point you could help to clarify if certification is an internal quality-control requirement of forest nurseries or whether there are state-mandated quality requirements, or something else. For example, is there an official state certification program that specifically lists use of either methyl bromide or 1,3-D for nematode control.

We're trying to prepare for upcoming meetings with MBTOC when they may ask if alternatives can be used to treat forest nurseries. We understand that nurseries have incentives to produce and maintain pest-free seedling stock so as not to transmit pests to forest lands. We'd like to get a picture of the process and any official certification that's involved--for example, do state inspectors go to forest nurseries? does it depend on the state? or is it nursery folks who internally inspect and "certify" seedling stock?

# MBr CUE Update

- Because of the initial leg work by Bill Carey and weekly contacts by Tom Starkey to the various southern Plant Boards; Alabama, Arkansas, Georgia, Louisiana, Mississippi, Oklahoma, Mississippi, and Texas have specific language on their plant protection rules that mention the preferred use of MBr to ensure pest-free planting material and certification process.
- The various states' rules were forwarded to EPA for use in negotiations with MeBTOC.

# Risk Mitigation Options to Address Bystander and Occupational Exposures from Soil Fumigant Applications

## Fumigant Mitigation

### ➤ Fumigant Risk Mitigation

- Methyl Bromide
- 1,3-Dichloropropene (telone)
- Metam-sodium/potassium
- Dazomet/Basamid
- Chloropicrin
- Iodomethane



# Fumigant Risk Mitigation

- November 2006 EPA released Preliminary Draft Risk Assessment to Public for comments.
- Sixty-one page document that covered just about every crop and every possible fumigant combination.
- Two items that stuck out
  - 1400 **meter** buffer zones for fumigant use
  - Chloropicrin causes eye irritation
- Deadline for comments end of February – request for buffer zone data from each nursery.
- Crop Protection Coalition asked of USDA that they request a meeting with EPA to address the issues.
- Nursery Cooperative was invited to attend the EPA meeting in Washington DC
- I had 15 minutes to give EPA a history of seedling production & the effects of a 1400 m
- 5 growers and 34 EPA officials
- Culpepper Report – Tift County, GA



# Fumigant Risk Mitigation

- EPA Took comments from public, the private meeting in Washington, online comments and then released Phase 6 of Fumigant Mitigation in April 2007
- Items that stuck out
  - 100-2600 ft buffer zones for fumigant use
  - Moving neighbors
  - Notifying neighbors
  - Rate Reduction
  - Field Size Limits
- EPA had two public comment periods; Washington State the other in Ft. Myers, FL
- Nursery Cooperative attended, along with two representatives from Nursery Coop.
- Had 4 minutes to comment to EPA about the proposed rules.
- Attendees' Perceptions?

•Please estimate the quantitative impacts of requiring buffer zones set at the following distances: 100 feet, 100 to 300 feet, 300 to 500 feet, 500 to 1,000 feet, ¼ to ½ mile, and greater than ½ mile.

EPA Distance	Number of Nurseries	Percent of Nurseries	Number of seedlings affected	Loss of revenue	Percent of Southern US Production
100 ft	3	9%	82.5 MM	\$3.7 MM	7%
300 ft	9	35%	330.0 MM	\$14.9 MM	28%
500 ft	7	55%	522.5 MM	\$23.5 MM	44%
1000 ft	5	69%	660.0 MM	\$29.7 MM	55%
2640 ft	6	86%	825.0 MM	\$37.5 MM	69%
> 2640 ft	5	100%	962.5 MM	\$43.3 MM	80%

# Fumigant Risk Mitigation

- Everyone has been e-mailed EPA's proposed fumigant mitigation rules.
- Everyone needs to read what EPA is suggesting and know how this will affect your operations
- Everyone was e-mailed a "sample" letter that address what we believe was the most important issues to address
- Deadline for comments was July 3, extended to September 3, 2007
- Absolutely need everyone here to comment to EPA with respect to what they are proposing.
  - Buffer zones, 100-2600 ft from an occupied building (this includes nursery structures).
  - Limiting field application sizes
  - Paying for moving neighbors while you fumigate
  - Notifying neighbors days in advance of fumigation
  - Lowering application rates