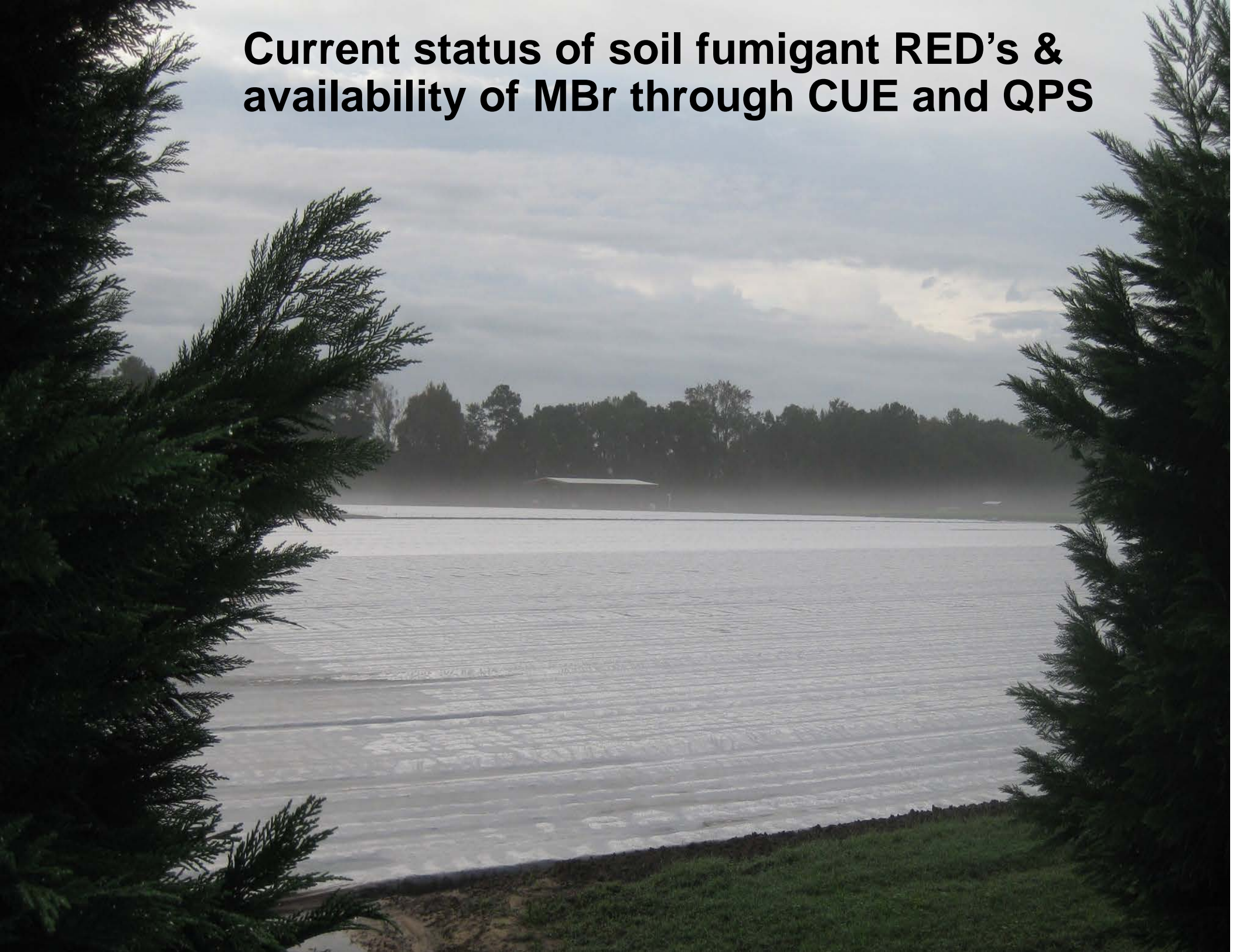


Current status of soil fumigant RED's & availability of MBr through CUE and QPS



Risk Mitigation Measure		2011	2012
Restricted Use (methyl bromide and chloropicrin only)	∅	•	•
New Good Agricultural Practices		•	•
Rate reductions		•	•
Use site limitations		•	•
New handler protections		•	•
Tarp cutting and removal restrictions		•	•
Extended worker reentry restrictions		•	•
Training information for workers		•	•
Fumigant Management Plans		◦	•
First responder and community outreach		◦	•
Applicator training		◦	•
Compliance assistance and assurance measures		◦	•
Restrictions on applications near sensitive areas			•
Buffer zones around all occupied sites			•
Buffer credits for best practices			•
Buffer posting			•
Buffer overlap prohibitions			•
Emergency preparedness measures			•

∅ = applies to some chemicals ◦ = under development • = adopt completely

RED's – EPA's Deadline & New Labels

- The 2011 labels were scheduled to come in force mid-summer, June.
- The 2011 labels would supersede the 2010 labels that came in force on December 1 2010.
- 2011 Rules will include all aspects of the soil RED's; Buffer zones, FMP's, Notifications, etc
- Problems & Un-resolved Issues

RED's – EPA's Deadline & New Labels

- Problems & Un-resolved Issues
 - Public Notification: EPA vs Registrant/Applicators
 - Training: State(s) vs Federal Requirements
 - State approval of labels after Federal approval of labels
 - Logistics of printing, distributing, posting 2011 labels
 - Realistically, 2011 labels will not be ready before January 2012
 - Will not affect fall 2011 fumigation.
 - Might be ready for spring 2012 fumigation.
 - Will be ready for fall 2012 fumigation.

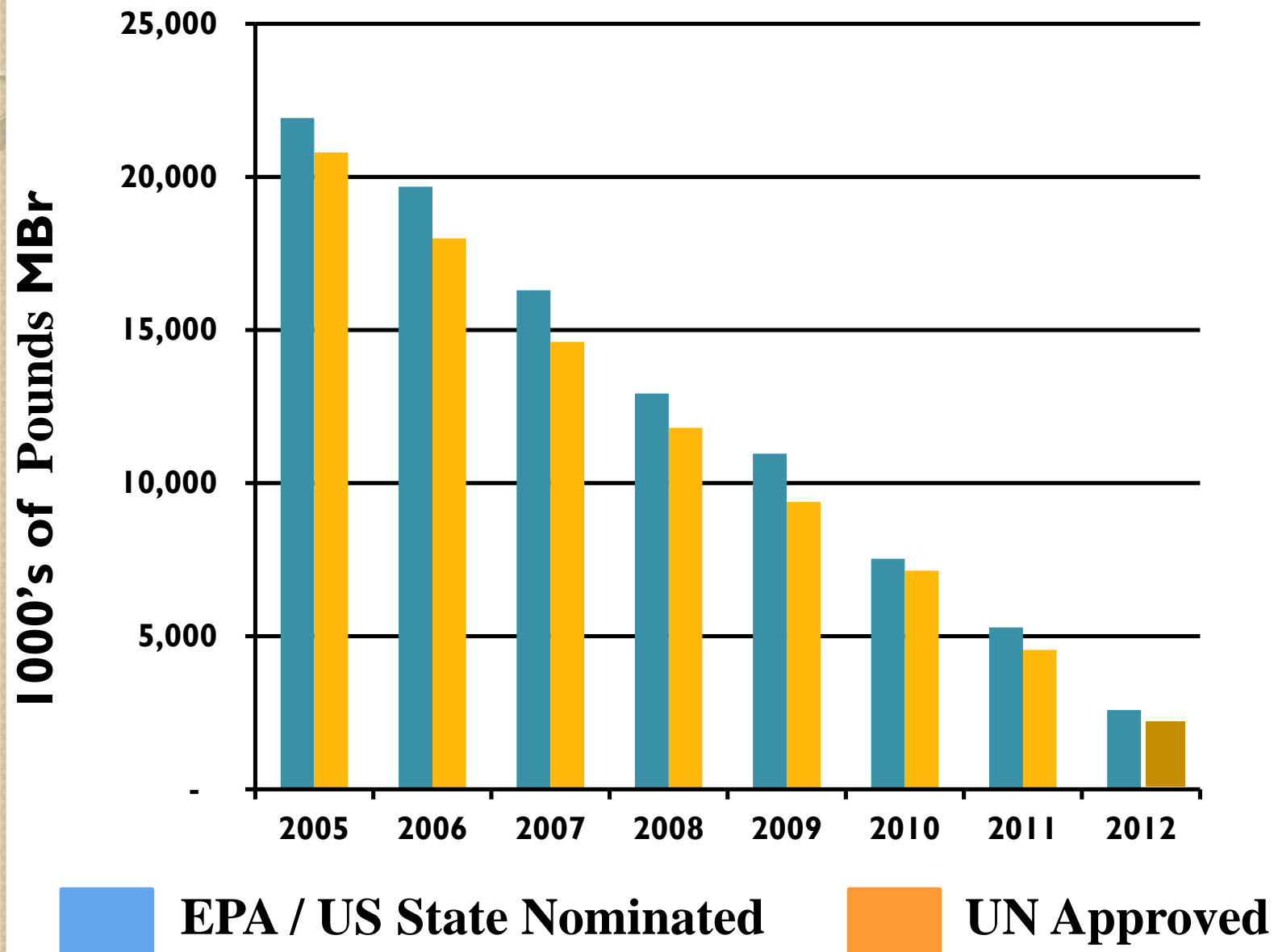
Fumigant Management Plans (FMP's)

- Available on EPA's website for you to download and begin the process of developing a plan for your nursery.
- First time through these documents will be time consuming and difficult.
- Search "EPA Fumigant Management Plan"
- http://www.epa.gov/opp00001/reregistration/soil_fumigants/fmps/pic-fmp-template.pdf
- http://www.epa.gov/opp00001/reregistration/soil_fumigants/fmps/mebr-fmp-template.pdf

CUE: How much longer will EPA and US State Department continue to offer this source of MBr?

- In 2011, some discussion about ending 2013 CUE, however, CUE application for 2014 was just issued.
- Deadline is August 15, 2011. So, it is possible that MBr will continue beyond 2013.
- ~~Nursery Cooperative will continue to file CUE application for all southern nurseries that use/need MBr until someone tells us to stop or denies our annual request.~~
 - ~~Shows EPA, State Department & UN that MBr is needed~~
 - ~~Increases the availability of MBr across the sectors; decreasing costs.~~
 - ~~Continues to keep Forest Nursery Industry up front with respect to other pesticide issues within EPA~~

U.S. CUE End-User Applications



U.S. CUE End-User Applications

“The U.S. did not put forward any of the forest seedling CUE requests for use in 2013 because our assessment indicated that there were technical and economic feasible alternatives.

We looked at alternatives such as the 3-Way Mixture (1,3-D plus chloropicrin plus metam sodium), 1,3-D plus chloropicrin, and iodomethane plus chloropicrin.

In addition, DMDS (Paladin) will be available starting in 2011 and provide an additional technically and economically feasible option. Methyl bromide will still be available as a quarantine treatment in many states.”

Bill Chism, MBr CUE Program
US EPA Office of Pesticide Programs
Biological and Economic Analysis Division

2010 - U.S. CUE Forest Nursery Application Denied for 2013

What this means

- 1) EPA will not consider any new CUE applications from the forest nursery sector; 7 applications.
- 2) Unless you have QPS rules in place in your state, MBr cannot be used in 2013 in any forest-tree nursery in the United States.
- 3) Those nurseries in States without QPS rules can use MBr CUE in 2011 and 2012.
- 4) Quarantine Pre-shipment MBr (QPS) will come under more scrutiny than before by EPA, State Department & Parties of the Montreal Protocol.

QPS: Preplant use of MBr for Intra- and Inter-state movement of seedlings.

- Forest-Tree Nurseries are allowed to use MBr through Montreal Protocol Exemption (so far).
- In 2010 I was asked to clarify the 2009 CUE application and forest tree seedling QPS use to USDA, APHIS, EPA and the State Department.
- Forwarded copies of 11+ state plant pest requirements to Washington, DC for their use in negotiating with European Union and the Methyl Bromide Technical Options Committee.
- At the CUE meeting in November 2010, QPS usage came up with the Parties and the discussion of “control/limits” was pushed back by US State Department; harshly.

Future MBr Sources

- **Critical use exemption - CUE**
- **Inventory / Stock piles**
 - **pre MBr phase out**
- **Quarantine pre-shipment - QPS**

Soil Fumigants – In Summary

- The availability and use of MBr is limited to those who have access to either the CUE or fall under the QPS Rules.
- ~~Both CUE & QPS are limited and~~ is under scrutiny by a number of US governmental and International organizations.
- It is entirely possible that QPS MBr could be taken away at the next meeting of the parties in November 2011.
- A number of soil fumigants have been examined as alternatives to MBr, none as drop-in replacements, each with its own unique properties and challenges
- Each alternative will need to be tweaked by individual nursery managers under their own production systems.
- The new soil fumigant REDs will require a concerted effort by producers, applicators and users to ensure the safety of bystanders and document each application of soil fumigant.
- The costs to fumigate under the REDs will increase, but at least the new rules allow the continued use of soil fumigants in forest tree nurseries.

