

AGRICULTURAL CHEMICALS SUBCOMMITTEE MEETING RECORD

TIME AND DATE:

10:30 AM, January 18, 2012

LOCATION:

TCEQ, Park 35, Building F, Room 2210, Austin, Texas

PURPOSE OF MEETING:

The FY12 Second Quarter Meeting of the Agricultural Chemicals Subcommittee of the Texas Groundwater Protection Committee

ATTENDEES:

AGENCIES

Texas Commission on Environmental Quality [TCEQ]
Texas Department of Agriculture [TDA]
Texas AgriLife Research [TAR]
Texas AgriLife Extension Service [TAES]
Texas Water Development Board [TWDB]

REPRESENTATIVES

Joseph L. Peters	Chair, Member, TCEQ, Austin
Richard Eyster	Member, TDA, Austin
Kevin Wagner	Member, TAR, College Station
Mark Matocha	Member, TAES, College Station
Janie Hopkins	Member, TWDB, Austin

AGENCY STAFF

Alan Cherepon	TCEQ, Austin
Joy Tegbe	TCEQ, Austin
David Villarreal	TDA, Austin

INTERESTED PARTIES

None in attendance for this meeting

MEETING SUMMARY:

I. Opening Remarks

The Chairman of the Agricultural Chemicals Subcommittee, Dr. Joseph Peters (TCEQ), called the meeting to order. Subcommittee members Mr. David Van Dresar (TAGD) and Mr. Richard Egg (TSSWCB) were not in attendance. Dr. Peters welcomed everyone to the meeting and had the Subcommittee members introduce themselves. The meeting proceeded to the Task Force Reports.

II Task Force Reports

Site Selection Task Force: Ms. Hopkins (TWDB), the Task Force Chair, provided an update on the TWDB's completed and planned sampling activities. The TWDB sampled just over 400 wells in 2011 and plans on monitoring approximately 350 wells in the spring and summer of 2012. Most monitoring will be in the High Plains, and aquifers scheduled to be sampled include:

- Ogallala Aquifer
- Dockum Aquifer
- Edwards-Trinity (High Plains) Aquifer

Additionally, Mr. Cherepon added that the 2012 Proposed Groundwater Pesticide Monitoring Plan will be presented to subcommittee members for approval later in the meeting. He added that TCEQ will be sampling only in the Panhandle in 2012.

Education Task Force: Mr. Cherepon (TCEQ), a co-chair of this Task Force, reported that the Public Outreach and Education Task Force had no items related to pesticides. Dr. Matocha (TAES) the other co-chair had several items to report. The Texas AgriLife Extension Service conducted a number of educational programs on the Pesticides General Permit (PGP). Also, training events were conducted on the Spill Prevention, Control and Countermeasure (SPCC) program in several counties, including Brazos, Nueces, Live Oak, Brazoria, and Harris. The PGP and SPCC mostly pertain to surface water. Also, the SPCC is primarily concerned with fuels such as oil, gasoline, and diesel, more so than pesticides, except for ag-oils related to pesticide emulsifier agents.

PMP Task Force: Mr. Cherepon (TCEQ), a co-chair of this Task Force, reported that in 2011 he, assisted by the Texas Department of Agriculture, completed assessments of the five remaining pesticides from the original list of 57, using EPA's **Pesticides Of Interest Tracking System (POINTS)** application and database. Since there were little to no laboratory analyses on which to base these assessments, they were based solely on chemical characteristics, use, and toxicity. TDA staff provided much of this information. The five pesticides or groups included copper pesticides, dimethenamid, MSMA and other arsenical herbicides, pendamethalin, and the phenoxy herbicide group. Since the list of required assessments is completed there are no plans on further assessments unless new pesticide issues surface. Dr. Villarreal (TDA) asked if EPA had ever

commented on these assessments, and how does Texas stand with this work in comparison to the other Region 6 states. Mr. Cherepon responded that EPA had never commented on the assessments, but that EPA Region 6 personnel had reported that Texas is ahead of all other Region 6 states in these assessments, with Oklahoma closely behind Texas. Only atrazine has scored as a pesticide of concern, primarily in the Panhandle region. Nationally, EPA is still re-evaluating atrazine as a potential endocrine disruptor, or as possibly being harmful to micro-organisms and small plant and insect life important in the food chain. No conclusive results on these studies have been reported.

The other task forces were inactive and had nothing to report.

III. Pesticides General Permit Update

Doctor Joy Tegbe (TCEQ), Project Manager for the Texas Pesticide General Permit (PGP) within the Texas Pollution Discharge Elimination System (TPDES) program, provided a Power Point presentation update on Texas' PGP permit. The major areas addressed included:

- Background and history of the permit
- The permit as legal protection for applicators
- Permit contents
- Who and when to apply for a permit (various levels)
- Permit summary, flow chart, and contacts for further information

The PGP history has been addressed before in previous meetings and is not detailed in these minutes, but can be read in the attached Power Point handout. Some major points are protecting and defining "Waters of the US", determination of permit classification level, and determination of who is the responsible party. The person responsible for applying for the permit is the one who is legally responsible for pest management activities that result in a discharge. Legally responsible means the person who controls the timing, location, and method of pest management. Employees, agents, and for-hire applicators are not permittees. Initially, permittees are given 90 days from November 2011 until February to prepare and submit their permit Notice Of Intent (NOI). There are three levels of permits, dependent on whether the acreage treated will be above or below certain threshold limits which are determined by several factors such as the acreage to be treated and whether or not the pesticides to be used are restricted use or general use pesticides. Threshold acreages are not cumulative by considering repeat applications or multiple application areas. The single largest application area is used in determining the threshold area.

There was a question from one of the attendees as to whether the major river basins are included as "Waters of the US", and Dr. Tegbe replied in the affirmative. Another question was how long are records required to be kept. While TDA requires only two years, the PGP requires that records be kept for five years by the permittee.

The PGP is available on the following TCEQ website.
<http://www.tceq.texas.gov/permitting/stormwater/pestgpair>

IV. Business Items

2012 Proposed Groundwater Pesticide Monitoring Plan

Mr. Cherepon presented a brief overview of the 2012 Proposed Groundwater Pesticide Monitoring Plan to the Subcommittee. The proposed monitoring plan had been presented at the previous meeting and all the subcommittee members had previously received copies. The plan includes the following three tasks:

- Continuation of Cooperative Monitoring, with atrazine analysis by immunoassay
- On-Going monitoring of Public Water Supply systems in the Panhandle region, of wells with a history of elevated atrazine concentrations in the past
- Follow-up monitoring of several Superfund program sites with high atrazine concentrations in the Panhandle region (Lubbock and Dimmitt areas)

Since the plan was provided to the Subcommittee at the last meeting to review, the Chair asked the members if there were any further questions. There being none, a vote was taken, and the plan was approved.

V. Information Exchange – Status Updates

Mr. Cherepon gave a brief Power Point on propazine and atrazine monitoring in Texas. A map showing locations of surface water monitoring areas targeted for propazine monitoring by Albaugh, Inc., was provided. The map was based on information Mr. Ed Baker provided at the last meeting. The sampling took place from 2007 to 2010, and was part of an agreement between Albaugh, Inc and EPA to fulfill re-registration requirements for the use of propazine on sorghum. Mr. Cherepon then presented propazine monitoring results since 2003 and provided three graphs showing how there is good correlation between propazine and atrazine in the panhandle region samples but not in urban areas of the state. This was likely due to the amount of sorghum grown and propazine and atrazine applied in the Panhandle region versus other regions of the state. Maps showing where sorghum is grown in Texas were also provided. These areas were in the Panhandle, South Texas, and a smaller area in Central Texas. Finally, Mr. Cherepon asked some questions and presented some discussion items about the data. The first was why did Albaugh and EPA agree to only surface water monitoring, since he was under the impression that groundwater issues were of most concern with propazine. Nobody present could answer the question since they did not recall the details of the requirements. Also, if most of the propazine detects are in the Panhandle region, why are most of Albaugh's sampling locations outside this area? Previous groundwater monitoring by TCEQ indicated that the highest propazine concentrations were in the Plainview area, possibly indicating that this is where most of the propazine applications had been. Nobody could provide any further insight into this matter, so Mr. Cherepon went on to other issues.

Next, Mr. Cherepon mentioned a recent arsenic monitoring study conducted in the Lubbock area by Texas Tech University, the results of which revealed several wells with high arsenic levels. He contacted the research people involved, who said that one of the reasons for the study was to make use of some leftover funds near the end of the year. Since TCEQ had sampled the same area for arsenic in 2010 without getting and detections, Mr. Cherepon had asked Texas Tech researchers what method they used. It turned out the Texas Tech study had used a slightly different analytical method, and the researchers had indicated that they would be glad to discuss the study further when TCEQ will be passing through Lubbock, traveling to the Panhandle in the spring to monitor. However, since laboratory money is limited, Mr. Cherepon doubts there will be any arsenic monitoring in 2012. Finally, he asked anyone with suggestions for presentations at future meetings of the Agricultural Chemicals Subcommittee to please contact him. With no further information exchange, the Subcommittee moved on to the next item on the agenda.

VI. Announcements

Mr. Cherepon announced that the TCEQ Environmental Trade Fair will be on May 1st and 2nd, in Austin. Mr. Eyster mentioned that Dr. Villarreal has been working on a citrus green quarantine in the San Juan area of the Lower Rio Grande region. This is some sort of disease brought in by a beetle, and is nothing new to the region. Mr. Cherepon asked if there was anything new on the Crazy Ants front since he had heard that there were two areas in Williamson County where they had been found. He also asked about the spread of bed bugs, but nobody had any new information.

VII. Public Comments

There were no public comments made at this meeting.

VIII. Adjournment

With no further announcements or public comment, the meeting was adjourned.

Recorded and transcribed by Alan Cherepon.

In their afternoon meeting, the decision was made by the Texas Groundwater Protection Committee that its FY12 third quarter meeting would take place on 4/18/12 at 1:00 P.M., in TCEQ Building F, Conference Room 2210. The Agricultural Chemicals Subcommittee meeting will, therefore, take place on the same date and in the same room at 10:30 A.M.

Attachments

Texas PGP Update Power Point Presentation
Finalized FY12 Groundwater Pesticide Monitoring Plan
Propazine and Atrazine Monitoring in Texas Power Point Presentation