

AGRICULTURAL CHEMICALS SUBCOMMITTEE MEETING RECORD

TIME AND DATE:

10:00 AM, April 18, 2007

LOCATION:

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

PURPOSE OF MEETING:

The FY07 Third 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 Water Development Board [TWDB]
Texas State Soil and Water Conservation Board [TSSWCB]
Texas Cooperative Extension [TCE]
Texas Alliance of Groundwater Districts [TAGD]
Texas Structural Pest Control Board [TSPCB]

REPRESENTATIVES

Steve Musick	Chair, Member, TCEQ, Austin
Ambrose Charles	Member, TDA, Austin
Janie Hopkins	Member, TWDB, Austin
Richard Egg	Member, TSSWCB, Austin
Bruce Lesikar	Member, TCE, College Station
Barry Miller	Member, TAGD, Gonzales
Jeff Isler	Member, TSPCB, Austin

AGENCY STAFF

Alan Cherepon	TCEQ, Austin
Joseph L. Peters	TCEQ, Austin
Ed Gage	TDA, Austin

INTERESTED PARTIES

Ed Baker	Syngenta Crop Protection, Mineola
Danelle Farmer	Syngenta Crop Protection, Austin

MEETING SUMMARY:

I. Opening Remarks

The Chairman of the Agricultural Chemicals Subcommittee, Mr. Steve Musick (TCEQ), called the meeting to order. One Subcommittee member was not in attendance; C. Allan Jones (TAES). Bruce Lesikar (TCE) and Barry Miller (TAGD) came in shortly after the task force reports. Mr. Musick welcomed everyone to the meeting and proceeded to the Task Force Reports.

II Task Force Reports

Site Selection Task Force: Janie Hopkins (TWDB), the Task Force Chair, provided a brief summary of groundwater monitoring the TWDB began in March. The monitoring will include the Edwards-Trinity plateau area, and additional samples from the Pecos Valley and other aquifers. Due to limited funds this year, there will be no sampling for the TWDB by the High Plains Underground Water Conservation District #1. Alan Cherepon (TCEQ) added that TCEQ has already analyzed 54 TWDB-collected samples for atrazine, plus one additional sample analyzed for atrazine, from a study well at the Northridge Campus of Austin Community College.

Education Task Force: Bruce Lesikar (TCE), the Task Force Chair, provided a brief summary of activities in the past quarter later in the program. The material briefly mentioned some ten educational events that Dana Porter has or will provide, to prevent groundwater contamination by pesticides.

The charge for the SMPTF was addressed under Business Items of the agenda discussed below. None of the other attending task force chairs had anything new to report.

III. Business Items

State Management Plan Task Force Charge – Review and Discussion

Alan Cherepon (TCEQ) prepared a draft charge for the SMPTF to review and discuss. Steve Musick began by summarizing that EPA wants each state and tribe to determine what set of pesticides are of specific interest and concern to them instead of requiring all to address the same set.

Mr. Cherepon provided a handout of the draft charge addressing the EPA pesticide program changes and how they may affect activities of the SMP Task Force. Mr. Musick summarized various issues, resulting from the OMB PART review. Changes were made to the EPA National Strategy, Program Activity Measures (PAMs), with states being required to provide the information that will enable EPA to report on the PAMs, and how the PMP fits in.

Mr. Cherepon went over the charge, saying it was based on the 2004 Subcommittee Charge. The Pesticides of Interest (POIs) will need to be identified in 2007, and Pesticides of Concern (POCs) will need to be addressed in 2008. 2007 is considered a transitional year for the program, with

additional changes taking place in the coming years. In general, the EPA would like to see the generic PMPs take a less important role in the program. Texas will also have to address and coordinate with the surface water programs, especially regarding their monitoring data reporting. Most surface water pesticides are legacy pesticides, but they acknowledge not monitoring for most of the urban pesticides. Other items identified by EPA include identifying new issues, which will likely include replacement pesticides.

The main headings of the charge were examined, including the Expected Results, Scope and Boundary, and rough schedule of deliverables. Mr. Musick had the Subcommittee revisit specifics of the draft charge, identifying items requiring revision before the charge could be decided upon by the ACS. Revisions include the following:

Purpose

- Bullet 1, focus on pesticides, both groundwater **and surface water**, downplay management by ACS, instead, the ACS will provide a forum to coordinate management activities (Mr. Cherepon commented that EPA will require Texas to identify active management practices for POCs).
- Bullet 2, Need to coordinate and educate members and interested stakeholders by educating and bringing on board everyone relative to POIs/POCs, for management and coordination with agencies that have regulatory responsibilities so as to present a unified and coordinated response when responding to EPA on pesticides and water quality.
- Bullet 4, come to appreciate that groundwater and surface water quality monitoring are very different, requiring a surface water program liaison from TCEQ, with TCEQ responsible for arranging for one in the agency.

On a more general note, Ambrose Charles (TDA) suggested a name change from the SMPTF to the Pesticide Management Plan Task Force (PMPTF).

Expected Results

- Bullet 1, Decide whether there will be a requirement to submit a revised PMP or develop a program plan for which the PMP will be a part. The task force will be responsible for these items, and will submit them to the ACS for approval.
- Deliver of the list of POIs will be required in 2007 (only a list for groundwater may be feasible, and possibly a draft list for surface water, while the POCs will not be identified until 2008. These lists will be based upon science (pesticide characteristics that determine whether these pesticides can potentially impact groundwater and surface water, and whether they are sufficiently used to warrant an assessment).
- Reporting of water quality monitoring data may or may not be feasible, but the ACS should be able to report on groundwater results through the Interagency Pesticide Database. Efforts will be made to see if the surface water programs can prepare pesticide data in database format from existing databases (Mr. Cherepon added that since Texas prepared reports from the TRACS and Public Drinking Water databases and submitted these to EPA last year, they may be able to repeat this again for upcoming years as well).

Mr. Musick suggested that the Task Force have co-chairs from TDA and TCEQ, and suggested Ambrose Charles (TDA) and Alan Cherepon (TCEQ). Dr. Charles said he would have to get this

approved through his agency administration. Other agencies representatives on the ACS should temporarily consider themselves as Task Force members, at least until decisions can be finalized on this. Others will also be considered for Task Force membership and participation, such as the USGS, and possibly others. Mr. Musick requested the charge be revised and sent to the ACS members for review and any further revisions prior to the next quarterly meeting, so it can be voted on at that time.

Mr. Cherepon said that the ACS is still required to identify the POIs in 2007, and that task should be temporarily undertaken by the whole ACS until all the members of the Task Force are identified.. The ACS will also need to identify the process and mechanisms used to determine the POI list. Mr. Musick said that we examined the spreadsheet Mr. Cherepon constructed for determining POIs at the last meeting. The ACS had previously identified the top 10 pesticides in Texas, and that would also be a good starting place. Some of the newer pesticides may also need to be included in this list, and the ACS should try and identify a tentative list for surface water as well. The tasks the ACS should complete by the next meeting will include the following:

- Identify POIs for groundwater, a tentative list for surface water, and how these were determined
- Finalize the co-chairs and representative members to serve on the Task Force
- Have a revised charge to approve by next meeting.

A question was raised for defining the difference between POIs and a POC. Mr. Cherepon said the POIs are pesticides having physical characteristics by which they could potentially migrate into water bodies or groundwater, and may also include a high use component, and a number of detections in that medium. POCs are a smaller sub-list of the former, comprised of those pesticides with detects approaching or exceeding a benchmark (Maximum Contaminant Level, etc.). Mr. Musick added that POCs would include those pesticides already being managed. A follow-up question inquired as to what if there were no actual health impacts for the POI or POC pesticides. Mr. Cherepon replied that the pesticides are not limited to human impact, but also include wildlife and habitat or environmental impact, such as endangered species. These are especially important for surface water. Mr. Musick reminded everyone how different surface water issues are from groundwater, and that he would provide a surface water program liaison at TCEQ, someone who would also have an understanding of, and access to monitoring data. The surface water programs are large, fragmented, and have different outlooks and goals. TCEQ does have a water quality coordination team, from which Mr. Musick will seek a liaison for the ACS.

It was agreed that the second item under Business had been sufficiently covered in the charge discussion, therefore the chair moved on to the Information Exchange segment of the meeting.

IV. Information Exchange - Status Update

Ed Gage (TDA) provided an overview of the recent re-registration of propazine in Texas. There were several handouts for this, mostly showing the most likely crop it would be used for; sorghum. Propazine was last registered in 1997. The registration was allowed to lapse at that time. Propazine was conditionally re-registered for limited use by EPA on 3/7/07, and in Texas

by TDA on 3/21/07. It can only be registered until 3/7/10, or for a three year period, which is typical for these types of registrations. Several requirements exist, including;

- That the manufacturer participate in or develop a monitoring program to determine areas in the state where it shouldn't be used due to water quality impacts
- That it cannot be used on sandy or sandy loam soils
- That it be used as a pre-plant or pre-emergent pesticide limited to one application per season, and not be applied within 70-90m days of harvest
- That it can only be applied aerially or on the ground (no chemigation)

Some additional information of interest included a map indicating areas of probable concentrated use, mostly where sorghum production is concentrated. These areas include the Lower Rio Grande Valley, Corpus Christi area, the Winter Garden, and the East Texas Blackland Prairie region, as well as scattered counties in the Panhandle. One handout had a listing of the weeds for which it is effective, and another included the product label. Someone asked why anyone would want propazine rather than atrazine, which does basically the same thing. Mr. Gage said that if a crop was damaged and sorghum was planted in its stead, due to the shortened growing season, propazine would be the better choice, because it has less carryover. A question was also raised as to whether we are seeing propazine in groundwater. Mr. Cherepon said we have had several detects in the Panhandle, but at very low concentrations. The source may be due to the presence of some propazine in atrazine formulations as an impurity from the manufacturing process.

IPD Summary Report

Joe Peters (TCEQ) provided a short summary and handout on the draft Interagency Pesticide Database (IPD) report. Dr. Peters had provided, by email, draft copies to members of the full Committee and Subcommittee, but had not received any comments back. TCEQ will proceed with the report as is.

V. Public Comment

VI. Announcements

Alan Cherepon said that EPA had released a notice for comments in the Federal Register, on "The Affects of Atrazine on Gonadol Development in Amphibians". Anyone interested in this should see Mr. Cherepon after the meeting.

Mr. Cherepon also had a handout from the City of Austin, from their Grow Green program, on Weed & Feed, to be handed out or made available at the TGPC table at the TCEQ Environmental Trade Fair in early May. Mr. Musick added that last year, the TGPC had acquired table space at the ETF, which has developed a display of some of the activities the Committee and Subcommittees are conducting. The booth this year will also include some of the tri-fold brochures the TCE (Dana Porter and Bruce Lesikar) put together at the end of 2006 and early 2007, on pesticide BMPs and how to protect groundwater from pesticides.

Jeff Isler (TSPCB) requested assistance from any agency with someone knowledgeable about the potential use of salt as a termite inhibitor/pesticide. He said that a company in Arizona is selling

it there for that purpose, and they are presenting information on the “product” to the TSPCB on 4/24/07. Ambrose Charles (TDA) said the TDA will have someone there to help. The TSPCB won’t make any decision at this meeting, but is using it to gather more information and ask questions about the use of salt as a termiticide. Someone added that the climate and soils are very different in Arizona than in Texas, and doubts it would be as effective, and could end up causing greater problems in Texas soils and climate. Mr. Isler said that this is the type of feedback he needs.

With no further comments or announcements, the meeting was adjourned.

VII. Adjournment

Recorded and transcribed by Alan Cherepon.

Attachments

Draft SMP Task Force Charge
Propazine Registration Supporting Documents
IPD Summary Report
City of Austin Grow Green Weed & Feed Handout for the Environmental Trade Fair

In their afternoon meeting, the decision was made by the Texas Groundwater Protection Committee that the FY07 fourth quarter meeting of the Agricultural Chemicals Subcommittee will take place on 8/8/07 at 10:30 a.m., in TCEQ Building F, Conference Room 2210. It should be noted that this date is a Wednesday, due to the difficulty in securing a conference room on a Thursday. Future meetings are anticipated to be scheduled for Wednesdays, unless noted otherwise.