



Letter to Council on Environmental Quality to comment on proposed Draft Executive Order on Toxic Chemical Reductions

February 17, 2000

George T. Frampton, Jr., Acting Chair
Council on Environmental Quality
Old Executive Office Building, Room 360
Washington DC, 20502

Dear Mr. Frampton:

The Issues and Evaluations Committee of the American Association of Pesticide Safety Educators (AAPSE), would like the opportunity to comment on the proposed Draft Executive Order on Toxic Chemical Reductions. AAPSE (see <http://aapse.ext.vt.edu>) is the professional organization of leaders in pesticide safety education, training, and certification. Our members include Cooperative Extension pesticide education program coordinators from nearly all of the land-grant universities in the U.S.; and representatives from tribal, state, commonwealths, and federal agencies offering pesticide training and certification. Our clientele include commercial pesticide applicators, private applicators (farmers), and the general public.

AAPSE strongly supports the concept of reduction of exposure to toxic chemicals. This concept, being the basis of risk reduction efforts, is a central theme in our educational programs, and is closely allied with Integrated Pest Management (IPM) programs. IPM is a planned, systematic approach to the control of pests (weeds, insects, diseases, etc.) involving the use of economic thresholds and multiple control strategies. Pesticide applications form only one of several strategies employed to control pests under IPM guidelines. Under terms of the Food Quality Protection Act (FQPA), federal agencies are required to use IPM.

We also recognize the importance of having federal agencies serve as role models in the toxics arena. However, we believe the Draft Executive Order, as written, would have unintended impacts which need to be considered before finalization. AAPSE offers the following comments on specific sections of the Draft Order as indicated.

Part 5 - EMERGENCY PLANNING, COMMUNITY RIGHT-TO-KNOW, AND POLLUTION PREVENTION

Sec. 503: Reduction: Toxic Chemicals, Hazardous Substances, and Other Pollutants

This section of the Order would require agencies to develop lists of chemicals to target for reduction by 50%. "The baseline for purposes of achieving the 50% reduction goal...is the first calendar year following the development of the list..." This broad statement does not take into account that some agencies have already significantly reduced their use of toxic chemicals. For instance, the Department of Defense (DoD) announced five years ago that they would reduce their use of pesticides by 50% within five years. This year they achieved that goal in part because of the Base Realignment and Closure Act. Since the baseline figure they used included these now closed facilities, they would have had a significant reduction even without the directive. Partly as a result, DoD included funding to find alternatives to chemicals, focused on using pesticides only within a defined IPM program, and began out-sourcing pest management. They also reduced the amount of herbicides used on firing ranges and within rights-of-way.

Part 6 - LANDSCAPING AND MANAGEMENT PRACTICES

Sec. 601: Implementation

This section requires agencies to eliminate the use of organophosphate and carbamate pesticides by no later than the end of this year. The U.S. Environmental Protection Agency (EPA) is currently reviewing the use of

organophosphates and carbamates under FQPA. This Act, signed by President Clinton on August 3, 1996, amended the federal pesticide law (FIFRA) and initiated a review process of over 9,700 pesticide tolerances by EPA. FQPA requirements include a new safety standard: a reasonable certainty of no harm that must be applied to all pesticides used on foods. These pesticides are also those that are used by federal agencies at their facilities. We expect broad changes to result from the reregistration review. At this time, however, currently registered uses of these pesticides are, of course, legal. If the Administration calls for a total ban by federal agencies on a certain group of pesticides, it falsely presents the clear impression that the scientific data warrant the ban. Consumers would naturally believe that, if the federal government has ceased its use of these products, this action follows a determination of imminent hazard to human health. EPA has not, in fact, arrived at such a conclusion. EPA is tasked with the continuing reevaluation of all registered pesticides, and must consider human and environmental safety in that process. The Draft Executive Order, as written, bypasses decisions based on sound science.

AAPSE has identified three additional potential impacts of implementing this part of the policy as written. 1.) Many agencies would have a difficult time eliminating organophosphates and carbamates entirely, as some are important in the control of vector-borne disease, and many are essential parts of IPM plans. Alternating classes of effective pesticides is a key principal of resistance management. As EPA has recognized in its review of these chemicals, the loss of the entire class of organophosphates/carbamates would endanger IPM programs and, in some cases, speed the development of pest resistance to other classes of pesticides. 2.) This order could also have an effect on military readiness. DoD and the White House are very concerned about the possibility of bioterrorism, and have considered the possibility that the appearance of West Nile-like virus in New York was not accidental. 3.) Finally, the continued availability of some products may depend on government purchases. The loss of that market may affect agricultural, structural, and vector pest management programs.

We urge you to allow the FQPA mechanisms to continue to function. The draft executive order would circumvent the purpose of FQPA. Vice President Al Gore emphasized the value of FQPA in his April 8, 1998 directive to USDA and EPA. Mr. Gore demanded decisions on pesticide registrations be based on sound science and that the FQPA processes be transparent. We support his directive.

Programs aimed at educating those who use pesticides (commercial pesticide applicators, producers of agricultural commodities, consumers, federal and state agencies, etc.) are the most effective means to achieve reduction of exposure to pesticides. Our members have many educational programs in place, some mandated by FIFRA and other federal and state laws and regulations. AAPSE members can cite many additional programs developed voluntarily to address this issue, such as in-service education programs for Master Gardener volunteers, who, in turn, promote IPM and pesticide exposure reduction among their clientele. We are continually developing new risk reduction programs, and updating established ones, in line with new policies, goals, and technological feasibility. Our members have been able to show an increase in risk reduction practices adopted as a result of these programs, including less reliance on scheduled pesticide applications; reductions in rates applied and/or number of applications; and switching, where feasible, to classes of pesticides other than organophosphates and carbamates.

In short, AAPSE believes effective training is the first line of risk mitigation. Educational programs are effective. We urge you to allow FQPA, as enacted by President Clinton, to serve our citizens, especially infants and children, as intended. Let the reregistration evaluations conducted under FQPA provide the basis for policy decisions, in line with Vice President Gore's directive for sound science. In addition, we ask your support for pesticide education programs to aid in attaining the goal of reducing exposure to all pesticides, including organophosphates and carbamates, to the minimum level achievable.

Sincerely,

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