



Structural Fumigation Committee Report April 1, 2019

Chair, Derrick Lastinger (GA)

Members: John Scott (CO), Kelly Friend (FL), Linda Johns (MT), Bonnie Rabe (Rollins), Dale Dubberly (FL), Ken Kendall (Ensystem), Norman Goldenberg (Namron Business Associates), Jim Fredericks (NPMA), Chris Gorecki (Rollins), Michael Kelly (TX), Allen Fugler (Capitol Risk), Ryan Okey (SC), Rick Bell (Arrow Exterminators), John McHugh (HI), Jesse Cuevas (CA), Tim McPherson, (Douglas Products), Cindy Fulton (WY), Chuck Tindol (Rentokil)

The ASPCRO Structural Fumigation committee submits the following report for the 2019 Board of Directors mid-year board meeting.

The purpose of the ASPCRO Structural Fumigation Committee was established in 2014 to be a resource for US EPA as the non-soil fumigants go through registration review. The committee will maintain open communication and dialogue with other associations to most efficiently and effectively coordinate and collaborate on committee work.

Activities

Membership

The committee webpage needs to be updated with the 2018 annual committee report and committee membership changes. A request was sent to the ASPCRO executive secretary to make these changes. Cindy Fulton (WY) and Chuck Tindol (Rentokil) are new members.

Meetings

On August 20th, the committee met before the annual board meeting and conference in San Antonio, Texas. Jim Fredericks with NPMA provided an update regarding their activities and recognized RPS/Ecolab for their assistance and professionalism with the recent commodity fumigation workshop held for U.S. EPA in Wilmington, Delaware. Kelly Friend discussed a SFIREG White Paper regarding Methyl Bromide. Kaci Buhl discussed PERC activities including a project to develop certification materials for non-soil fumigation. Victor Lennon (NC) discussed some recent concerns regarding the use of methyl bromide at NC ports and Clean Air Permits. The meeting was attended by 28 state officials and representatives from the regulated community.

Fumigation Management Plans

On April 12, U.S. EPA requested SLA review and input on the NPMA *Site-specific Fumigation Safety and Compliance Plan (FSCP)* and EPA related comments. A workgroup of state officials representing Hawaii, Florida, Texas, Georgia and California reviewed this information and provided comments to U.S. EPA. The workgroup held a conference call on May 1st to discuss the draft FSCP and EPA related comments. The workgroup compiled a list of current state record keeping requirements for structural fumigation. In General, the workgroup does not support the need to require a Fumigation Management Plan (FMP) for structural fumigations in states with state specific regulations. The workgroup reported that a FMP would be redundant and burdensome on the industry and regulatory agencies. Some states require a notice of fumigation to the SLA in advance of the fumigation. These notices include information such as the location of the structure, fumigant name and emergency contact information. Some states also require additional recordkeeping requirements often referred to as a fumigation log. If a state meets the FMP requirement with current state specific regulations, then these requirements should be acceptable and recognized as equivalent.

U.S. EPA

The agency was contacted to submit an update to ASPCRO prior to the mid-year meeting. U.S. EPA PRD reported the following to the committee:

OPP is currently evaluating gaps in the data base for the structural/commodity fumigants as some of the data requested for quantitative risk assessment are still pending submission. All registration review decisions are required to be completed by September of 2022. The draft risk assessments are therefore planned to be completed no later than September 2021 may be moved up in the schedule if OPP identifies opportunities for streamlining.

OPP has continued to make progress on OIG's recommendations for structural fumigants. OPP's Biological and Economic Analysis Division (BEAD) lab has started preliminary testing of the clearance devices. A preliminary evaluation of the sulfuryl fluoride devices is expected to be completed by mid-2019. Revised stewardship and fumigant management plan requirements will be incorporated during the decision phase of registration review.

Since December 2016, the structural fumigant action team has continued to meet to make progress on the OIG's recommendations from their report titled, "Additional Measures Can Be Taken to Prevent Deaths and Serious Injuries from Residential Fumigations." EPA has been working with NPMA, ASPCRO and the registrant on developing fumigant management plans for sulfuryl fluoride. EPA's BEAD Lab in Ft. Meade is planning to conduct an independent validation of the devices used to clear structures fumigated with sulfuryl fluoride.

There is a related recommendation in the draft FY18 National Program Manager Guidance and FY18-21 FIFRA Cooperative Agreement Guidance. The recommendation in the NPM states, "Encourage states and tribes to undertake

special compliance initiatives related to certification requirements that may focus on sale and distribution of restricted use pesticides (RUPs) to applicators in fumigation sector(s) of concern due to the high potential for severe, acute incidents from exposure.”

Future activities

The committee plans to have a meeting on April 1st at 9:00 A.M. at the mid-year meeting in Minneapolis, Minnesota and will discuss the following items:

Agenda

- a. Committee report & membership
- b. U.S. EPA Update
- c. NPMA Update – Jim Fredericks
- d. Draft FSCP/FMP
- e. State clean air permitting concerns
- f. PERC survey
- g. U.S. EPA testing of SF Clearance devices
- h. Spray foam insulation
- i. Spray Foam Insulation Survey
- j. Endangered Species – Kelly Friend
- k. Future activities and meetings

Respectfully submitted,



Derrick Lastinger, Chair