Transcript of Meeting of

Pesticide Program Dialogue Committee

May 26, 2004

For The Record, Inc.
Waldorf, Maryland
(301)870-8025

ATTENDANCE LIST

Director, OPPTS	Jim Jones
Chairperson, OPP	Margie Fehrenbach
User/Grower Groups	Dr. Lori Berger
	Daniel Botts
	Robert Rosenberg
	Bill Tracy
Food Processors	Dr. Steve Balling
Environmental/Public Interest	Carolyn Brickey
	Carol Stroebel
	Dr. Richard Liroff
	Erik Olson
	Patti Bright
	Caroline A. Kennedy
Farmworker	Amy Liebman
	Erik Nicholson
Animal Welfare	Troy Seidle
Chemical Industry/Trade Assoc	Dr. N. Beth Carroll
	Frank Gaspirini
	Stephen Kellner
	Mary Ellen Setting
	Lori (Hardner) McKinnon

ATTENDANCE LIST (cont'd)

Academia/Education/Public Of.	Dr. Jose Amador
	Amy Brown
	Larry Elworth
	Dr. Robert Holm
	Dr. Lannell Ogden
Consultant/Private Sector	Patrick Quinn
	Jan Donow
	Dr. Hasmukh Shah
	Julie Spagnoli
	Dr. Warren Stickle
	Jay Vroom
Biopesticide Industry	Gary Libman
Public Health/Nutrition	Alan H. Lockwood, MD
	Dr. Nancy Lewis
State/Tribal Government	Dennis Howard
	John Vickery
Federal Agencies	Dr. Terry Troxell
	Allen Jennings
	Dr. Melody Kawamoto
	Nancy Golden
EPA Lead Region	Diane Synel

ATTENDANCE LIST (cont'd)

CSPA	Phil Kline
PRMA	Kelly Butler
	John Worden
World Wildlife Fund	Rich Leroff
Also present:	Bill Diamond
	Jay Ellenberg
	Lois Rossi
	Debbie Edwards
	Mary Francis Lowe
	Lynn Noos
	Paula (from Scotts)
	Marty Manell, deputy director for management

P R O C E E D I N G S

- - - - -

Day Two

May 26, 2004

MR. JONES: Thanks. A couple of housekeeping things: Well, hopefully everyone had a restful night despite all of the craziness in the skies over part of the area last night. It was quite a show.

We have a few individuals joining us today who weren't able to be with us yesterday. I thought I'd take a minute to recognize them. Phil Kline (phonetic) is here from -- representing CSPA, and Rich Leroff (phonetic) from the World Wildlife Fund has joined us. Erik Olson -- where is Erik?

UNIDENTIFIED FEMALE: Right there.

UNIDENTIFIED FEMALE: He's behind --

MR. JONES: Ah, there's Erik Olson from NRDC, and Hasmukh Shah, I saw a minute ago, is with us today. Hasmukh will be sitting right over there. I think those are the new faces with us today.

Anyone else? Okay. One thing I -- a clarification from yesterday, Julie Spagnoli from Bayer

mentioned this to me, that a number of -- amongst you in discussions with her last night apparently were under the impression that coming out of her presentation, where she talked a fair amount about consumer research, that is part of what we refer to as the CLI or Consumer Labeling Initiative, was Bayer's work.

It was actually EPA work. The consumer labeling on the Initiative was an EPA effort that involved a fair amount of research about consumer behavior associated with pesticide labels, and we'll think about how we can make available to you all probably electronically some of the results of that work, but Julie reported accurately, I believe, some of the results from that effort.

So, I just thought I'd make that clarification. Okay. This morning, the -- there are two areas where I think we're going to have a fair amount of, hopefully, some dialogue around: The first one being around registration fees, PRIA, and that's the session we're about to get into, and then at 10:45 we'll give you some ideas about future topics for the PPDC at our next meeting, and I'd like to hear back from you your reaction to that and some ideas you might have, and then in

between those sessions will be some programmatic updates that we think are important for you all -- you all to have.

So, with that, I think I'm ready to turn it over. Marty Manell (phonetic), who I hope many of you, if not most of you, already know or are beginning to know, is the deputy director for management, is going to lead the discussion on PRIA. Marty.

MS. MANELL: Good morning, everyone. We -- we're going to take a little bit of time this morning to talk about one aspect of a statute which hopefully you're familiar with, but in case you aren't, I'm going to give you just a brief overview, and I think it's particularly helpful for those of you that are new to the PPDC.

The Pesticides Registration Improvement Act of 2003, fondly known as PRIA in our office, was passed as a result of 10 years of discussions between public interest groups, registrant community represented by their trade associations, and some technical assistance from EPA. The resulting statute was passed in January of 2004 as part of the omnibus appropriations bill, and it became effective in March of 2004.

Essentially, the Act provides for three or four different -- covers three or four different areas of import. It provides for accountability in all of EPA's registration decisions regarding pesticide matters. The fees that are paid under this statute are associated with specific time-frames for many of the different actions for which decisions are required.

There is also a provision that provides us with additional resources which will enable us to meet our FQPA deadlines and our re-registration deadlines, and then there are a couple of provisions for set-asides, one for inerts, registration of new inert ingredients, and one for worker protection activities, and Bill Diamond, following me, will be talking about our efforts in the worker protection area.

My focus this morning is going to be on a particular aspect of the time-frames that was contemplated in the statute, and before I go to the specifics, I will tell you that we have four principles that are guiding us in our implementation efforts. We worked on these early on because we felt that it was very important to establish sort of a framework of principles

by which we would make our decisions and conduct our implementation activities. First and foremost, we must be consistent with a statute.

When in doubt, look at the letter of the law, and it's pretty -- it's pretty straight-forward. We may not always like it, and we come to realize in a couple of areas that we missed some points, and that is the law, and that is what we will follow.

Secondly, is this notion of fairness in our decision-making. In some instances -- I don't know how this got by the lawyers, but the verbiage says May, which gives EPA some discretion, and so our paramount principle in going forward in those areas where we can exercise discretion is that we be fair in that.

Third, we have ease of implementation issues, and this is not only for EPA staff but also for -- for the constituencies and stakeholders that are impacted by these provisions, and then last transparency, I think this is maybe as important as following the -- the letter of the law because it's really important for Federal Government to conduct it's functions with as much transparency as possible so that you know what we're

doing, what the underlying reasons were behind it and can provide some feedback into what we're doing.

Now I'll get to the actual provision that we're going to be discussing today, and I'm going to try to read this because it's really important. There are two very key parts of this passage.

I'm going to try to read it without taking a breath because there's no punctuation in this --

(Laughter)

MS. MANELL: -- and clearly four different lawyers representing five different interests put this piece together, but --

(Laughter)

MS. MANELL: -- "To the maximum extent practicable, consistent with the degrees of risk presented by pesticides and the type of review appropriate to evaluate risks, the administrator shall identify and evaluate reforms to the pesticide registration process under this Act with the goal of reducing decision review periods in effect on the effective date of the Pesticide Registration Improvement Act of 2003 for pesticide registration actions for

covered pesticide registration applications, including reduced risk applications."

What that really means is that Congress has instructed us to look at all of our registration activities and processes and see if we can come up with areas that conduct themselves towards improvement, process improvements, and at the same time, we must maintain our high level of sound science.

So, that's the purpose of my -- my discussion this morning is that I want to engage this group in a discussion about some process improvements and how we might get there.

I'll tell you a few of the things that we've done already in-house. We have an information management system that we call open, and we've already implemented some enhancements to that -- that information management system that enables us to get our invoices within 48 hours of decisions being made on what type of category an application falls into.

We've also enhanced the system that will enable us to -- to sort through all of the documentation that's associated with our various waiver requests and to

ultimately produce the decision once the -- once all of the review mechanisms have kicked in.

It -- the open system is now able to produce a waiver document -- decision document, and then, of course, the tracking of all of the submissions that come in-house, those are all being done now through our open system.

Secondly, we have enhanced our front-end screening procedures. We've implemented some procedures that we've never had before. In particular, we have the three registering decisions that the BPD, AD, and RD meeting on a regular basis, if not daily, groups of individuals coming down looking at all of the applications that are receive, and making determinations as to which category -- which of the 90 different categories the particular application will fall in, and this is -- this is really important because not only do you need to get the right category decided, but it also forces decisions to be made and -- around the application, it's completeness and so forth.

So, this is really an important streamlining event. It also enables our staff, because we rotate

various members through this process, to really develop an appreciation not only of their own groups of actions but also those of the other registering divisions.

We're also conducting some scoping activities, and what this boils down to is taking a look at each application early on, if not immediately, upon its -- its coming into a division but shortly thereafter and determining exactly what needs to be done, where it needs to go in -- in our process.

Oftentimes in the past this has waited until an action rises up into its place in the cue. Now it is -- the scoping activities take place early on and it's done both in the science divisions and the registering divisions.

Management reports is another area that we're really paying a lot of attention to, and these involve not only just tracking various actions and activities for purposes of accountability but also to identify areas where -- where there may be some redundancies, where there may be snags in our system, and so this -- these kinds of management reports will help us identify these issues and then move -- move beyond them or adjust the

process to -- to improve it.

And then lastly, we have consistency issues, and I'm sure you all have your -- your -- your point-of-view on our consistency or lack thereof. What we are trying to do is wherever appropriate to -- to really enhance the consistency across our program.

We have sort of three levels of this that we're attaching -- attacking right now: One is intradivisional, and that means each -- each division, each registering division twice a week has meetings with -- at the senior management staff level to talk about actions that have come in, what decisions were made about which bucket they belong in, if you will, within their -- within their area of responsibility and resolving any disputes within the division, making -- making those ultimate judgement calls of what should -- what action that should be classified as.

We then move on to the interdivisional, if you will. Once a month we have meetings with senior management in the whole program, and we talk about issues that have arisen -- consistency issues that have arisen within the divisions, and an example of this was when we

were faced with having to figure out an appropriate percentage of work completed and work yet to be done on the voluntary -- the vol-pays, if you will, the voluntary payment situations, we -- we wanted to, to the extent that it was appropriate, we wanted to have a consistent percentage, if you will -- consistent approach to making those kinds of determinations.

So, that was made at the senior level -- senior program level -- senior management program level and subsequently has been posted on the web. By the way, all -- our website is absolutely chocked full of information, if you haven't gone on to look at.

Particularly with regard to implementation activities, I encourage you to do so. It is just -- can give you much more information than I ever could in a month.

And the third area that we have -- we're beginning is a notion called hot sheets, and these are sort of statements -- consistency statements for staff, and again, we thought that it would be appropriate to have something for staff to look at to sort of get a sense of what the -- the program's position is on any

given kind of issue.

One, again, that comes to mind is the voluntary payment issue. In those instances, there are certain actions that were in-house before the effective date of PRIA and -- for which a fee can be paid if a registrant so decides, and if they so decide, they get a time-frame commensurate with that, but if they decide they don't want to pay, they don't have to pay, but that doesn't mean that we're not going to do work on it, that -- what -- and staff was very confused about that particular issue.

You know, on the one hand, we're -- we're getting these fees, and we're supposed to be doing things according to a time-frame, then their -- we have all of these actions for which no fee has been paid, nor are they required to pay. Why should we work on those?

Well, the program's position is that we will work on those. There -- there are work plans being developed for those that are not already on a work plan, and we needed to really get that word out to our staff in a consistent manner.

So, what do we do? What do we want from you?

You heard yesterday about the results of a work group that had been put together from -- out of membership of the PPDC, and that was regarding registration review.

So, you have a little bit of an idea of what a work group entails, and I guess our first question of you is do you think that helping EPA develop some recommendations around process improvements is the type of work group activity that you would be interested in pursuing, and I guess the charge to this work group would be, at the threshold, identify areas that you believe need to be addressed and then come up with some recommendations for how we could address those.

So, any sense of whether or not this is the kind of activity that would be appropriate for a work group? Yes.

MR. HOLM: Yes, Marty, this is Bob Holm. IR-4 would be very interested in participating. We have a very unique position, as you well know, in that we are exempt from fees; yet, we partner very much with the agency in trying to get specialty use registrations through and also working with registrants, and -- and we've been very effective in dove-tailing our petitions

with registrant petitions, but we have some uncertainties about the process and -- and really want to help the agency make it a smooth transition.

So, we would be very anxious and willing to participate in a work group.

MS. MANELL: Thank you. Anyone else have a strong feeling one way or the other about even having a work group to -- to work on these issues?

MR. ELWORTH: (Inaudible).

MS. MANELL: Oh, sorry, Larry. You're too close to me.

MR. ELWORTH: I think the idea of having -- getting some feedback from people on how the process works will be really useful, but I -- it would seem to me that there's a set of people who are going to be very much the customers for those and the people who are involved in it and -- who may or may not be a part of this group, and I'd be interested in -- I mean, I would think that you'd want to really consult with them and have some way of getting feedback from them in a very, very detailed and maybe focused way through their experiences in the process.

I think that would be very valuable, and that's a little -- I mean, in Bob's case, that would be an important part of it, but I'm not sure that -- that, at least initially, people in PPDC, unless they're with companies who are going through the process and experiencing this, are going to have a whole lot of recommendations on process improvements that would be of immediate use to you in running the program.

I think -- I -- personally, I think PPDC would be interested in keeping in touch with the agency on the product -- progress that you make and problems you run into to the extent that it has more of a public value, but in terms of just kind of the specifics, I think you'd have to get a -- spend a lot of time getting us up to speed -- any work group up to speed, and I think you already are going to have a group of people who are up to speed, are going to be the people participating directly in the process.

So, maybe you'd do it in two stages, convene a group of -- you know, kind of a focus group to say how is this going? What do you think? What process

improvements do you need? And then report back to us on how it works.

MS. MANELL: Um-hum. Um-hum.

UNIDENTIFIED MALE: I kind of like that idea, Larry, that we -- we vet it with people who are very engaged in the process, and they know what it is, and they know what ideas they have, but then we vet them with the PPDC or a work group of the PPDC to make sure that there is transparency around it.

MR. ELWORTH: Um-hum. Um-hum. Um-hum.

MS. MANELL: Julie.

MS. SPAGNOLI: Yeah, and I think further on that, I think that -- there's been work groups in the past that have been kind of very focused on a specific issue and the people that were very interested in that issue, and some even outside the immediate committee then participated in those work groups, and then it was reported back to the full committee.

I would say for the purposes of this work group, I think that to be the most effective work group to look at process improvements, the -- the scope of it and the mission of it needs to be very clearly defined that

you're looking at the -- you know, the registration process, not necessarily criteria for decisions, but it's more looking at process improvement.

So, I would say if -- you know, making sure that it's clearly defined what the focus and what the mission of the work group is, I think that would be an effective approach.

MS. MANELL: Yes, Gary.

MR. LIBMAN: I actually mirror what Julie and Larry said on this thing. It seems like we have -- we have groups that work within the -- the divisions that we're interested in with -- you know, in like, for example, BPPD, within the agency, and -- and we do -- we do funnel a lot of information through that thing.

So, I think it would be helpful to find out on this interdivisional thing how -- how -- how we're doing compared to the other divisions. So, that would be very useful from a PPD perspective.

MS. MANELL: Um-hum. Okay. Thank you. Erik.

MR. OLSON: I -- I'm not entirely clear on what the scope of this is intended to be, and I understand -- I understand it is triggered by the PRIA requirement, but

we have a lot of concerns about ongoing current process for re-registration, and for tolerance re-assessments and so on, particularly sort of the closed-door meeting aspects of -- of those processes, and I'm wondering if that set of issues is part of what we're talking about discussing because I think that is a serious issue that we continue to have concerns about, and we would like a forum in which we can talk about those, whether that is -- you know, I am not -- I'm the last person to urge another work group, but I -- I'm wondering if you're thinking that if you're going to be reaching out to groups that have a lot of experience with the process, we certainly would like to have discussions, and if you bring things back to this committee, we think that it would be useful to put those issues on the agenda.

MS. MANELL: Yes.

UNIDENTIFIED MALE: Can I -- can I raise one other issue, and I think I'd raise this generically about the PPDC, I mean, we're all here very intensively for three or four days.

Some people are a couple days, and a lot of us have interactions with the agency at other times, but I'm

also real sensitive about staff-time issues as you're trying to roll this out, also convening a work group.

So, I would encourage you to feel free to make decisions that also make efficient and effective use of your staff time.

MS. MANELL: Thank you. Anyone else? Okay. Do you want to do this as a follow-up on the wrap-up?

MR. JONES: Yes. Why don't we do that.

MS. MANELL: All right. At this point, I'll turn it over to Bill Diamond.

MR. DIAMOND: (Inaudible).

MS. MANELL: Okay.

MR. DIAMOND: This is my first PPDC meeting. This is my third presentation on (inaudible). So, I already feel like an old hand, which means it's time for a good news story, and I'm going to talk about a good news story that comes out of the (inaudible) legislation (inaudible) my presentation.

UNIDENTIFIED MALE: (Inaudible).

MR. DIAMOND: I've got somebody to tell me what to do. All right. The (inaudible) Service Bill is primarily about increased efficiency. It's about

increased timeliness, but it's also about increased public health protection and ecological protection, and that's most clear in the provision that we're talking about this morning on worker safety and the -- set aside in the bill for that provision here.

The worker safety provision -- I think you've got a hand-out on it -- that is overheads or the slides, I'll be talking about -- about a dozen of those, and then there's an attachment that goes into some more detail to explain some of the areas that I'm going to be referring to quickly in this summary.

Marty read the provision in terms of the law. You know, this is the statutory basis for the (inaudible) Service increase and set-aside, and this runs for the five year term of the legislation. Two critical aspects here that we've got: The notion that this explicit money that's identified for this activity and the notice that it's an enhancement of current work in our area of worker protection.

So, it's not -- it's not something new but built on the areas that we already have and fill in the gaps. If you look at the program objectives as we see it of the

division are pretty straight-forward.

We think that the enhance of the existing efforts to reduce risks with work in and around pesticides is explicitly clear and part of the underlying objectives.

The base funding is increasing. Base funding means there's a provision here that applies as another part to the fee for service that we cannot cut the base funding we already have devoted to this activity.

It tells us not only that about the money but the notion that what we should do is fill this in with our other strategic activities for worker safety, and then you think some of the areas that are important here are the notion in terms of -- to target that money effectively.

We've got to characterize what those needs and risks are and to generate some improved data progress (inaudible) information is going to be important in terms of how we move ahead with it also and whether or not we're accountable for this progress.

We think that there's four basic provisions in our strategic approach to worker safety, that's incident

prevention for protection and develop effective risk prevention activities; incident response, which is once you have an incident, how do you get the workers to have a better ability to effectively respond to those things one a one-to-one basis and also an institutional basis in terms of who they'll be contacting; collection of good information, having good information not only in terms of improving the usefulness of identifying the scope of the nature of our issues here but also feeding back into our mechanisms to improve that risk management, which is the last one, the effective use of that information in addition to the effective collection of information so we can narrow the uncertainty (inaudible) around the areas in terms of what's going on with worker protection overall.

The principles that we're using in terms of trying to allocate this money, where we're going to spend it, what we should target it for, which steps are the most important clearly follows, as Marty said, the strict statutory language.

We're going to build on existing programs. We're not going to try and start anything new or

different here with a significant amount of money, particularly in the period of reduction of money, but it's not unlimited.

We want to maximum the marginal return on that investment. The areas that we think are most important are the risk reduction aspects of those things. Having good information for good decisions is important.

It's less important than the direct risk reduction, we believe. So, that's one of the principles in terms of making decisions. We think that all of those key aspects of our strategic approach are critical. So, we're not going to try and complete over-emphasize one at the expense of the other.

We think there's work that's important that can be done in all those areas, and then the other thing is try and move for near-term results. In talking to some of the stakeholders, some of the advocates, this is not something that we want to spend a lot of money or time planning on.

There's a lot of thought that's gone into worker protection activities and in terms of the fee for service negotiations on this provision, itself. If we can get

some near-term results that (inaudible) future, we think that's critically important.

This is basically our strategic framework for pesticide worker framework safety. We've got the agricultural protection regulation. We've got the certified pesticide applicator regulations. They build the structural framework for the program within which we operate, and then we've got the healthcare provider initiative that we started a number of years ago to try and enhance and support those activities.

If you look at the overlay between the four corners of what we're trying to achieve here in terms of the structure to be laid out with the actual work, we can start to get the framework for where we can target our resources and our activities.

Clearly, again, at the top, you've got the workers who were exposed to pesticide, that's the core of what we're trying to address and manage. We've got some information about that that will help us make our plans. EPA and others can take some of those activities and try to move some risk management safety measures and then complete the loop in terms of trying to improve that

overall.

You look at more details in terms of where we can actually spend some of the money for specific activities under that same framework, you've got the notion in terms of prevention of incidence.

We think a lot of these types of activities here will help us decide where we can effectively inform people better, things like effective hazard communicate, training, and technical materials, labeling, and regulatory decisions, those all go into the notion in terms of not having those incidents, in the first place.

You get over to the incidents occurring, the first part of it is the response, to try to be effective in that, things like better contact places, single point of entry, multi-lingual responders in terms of being able to hear what some of those complaints are to help direct people.

In terms of moving on from that, we get in terms of what is the information that we can get, information, again, to try and improve this process, to try and improve this process but also to try and get a sense of the nature and the extent to what the problem is that

we're dealing with here.

So, effective data collection, how large of a problem is it? What is the nature of the problem? So, you go broadly in terms of what's an incident? How many incidents are out there? What is the type of incident you've got?

So, you've got to drill down a little in terms of just another (inaudible) collection exercise in trying to characterize what some of those problems are. EPA would then try and do some analysis so the data is just not broad data out there subject to interpretation not only to fulfill our public communication aspects, public very broadly (inaudible) from Congress, the decision-makers on allocation and policy decisions but also the general public, as well, and then use of that information back into the process, particularly in terms of these areas here.

When we make a pesticide decision, a labeling decision, what does the information about incidence tell us in terms of (inaudible) in those areas? If you look in terms of the four areas again, some of these types of areas that we just talked about, candidates for increased

funding, we've got activities under way in a number of these different areas to a greater or lesser extent, but these are the types of areas in no particular order that, when we're looking at the additional $750,000.00, potentially one million dollars a year, these are the types of target areas that build upon the statutory requirement that it be existing programs, not starting new things that we're building on, and which ones of these should we pick in terms of our priority-setting principles we laid out a little bit before?

If you move to the incident response, these are other areas -- I mentioned some of them -- centralized, well-publicized field data entry point, who you should call, bi-lingual staffing, better hours in terms of the -- recognizing that these workers are in the field in many cases and are not going to be in there in a nine to five type of situation; when they're at home, how can you call and have people respond not only in their native language but in a time that they will be more comfortable to inform them, to make these incident reports so that they can respond so that we can be aware and we can respond institutionally; collection of sound data so

we've got some good data to make good decisions on -- we've got information -- there's (inaudible) around some of this information in terms of numbers and types of incidence. We think that this is critical to sound decision-making.

Collection of the data (inaudible) one of the areas that's in the attachment in terms of trying to get information in-depth on some of these things. Poison control centers, we've got some existing (inaudible) requirements for incident reporting, as well, that we're going to try and take advantage of.

Where possible, we're going to try and not reinvent the wheel here. One of our challenges is not just where we invest in some of these areas or alternatives that might be suggested, but how do we build on existing things so that we can use that information not only for our purposes but not to start from scratch and have parallel threats in our information systems.

We would like it all integrated all together at one point in easy, useful form, easy to communicate, as well, and then the use of that information I've touched on already in terms of both communication and analysis to

complete the loop in terms of our risk management decisions.

If you look at our straw man for where we think this money will be using. This is using the $750,000.00 as an assumed base the first year to see what the amount of money is, that's what we're operating on, particularly where we are in this first fiscal year.

You could always expand it in terms of this year if there's more money that comes in --

(Break in tape.)

MR. DIAMOND: -- around the minimum or maximum amount here, this is where we think in terms of trying -- in the first year, try and invest to get some of those (inaudible) results and, you know, fill some of those critical gaps.

What I'll note here is that if you look at what we're talking about here, there's a heavy emphasis on the protection aspect in terms of the focus that we talked about on incidence avoidance up-front, and we think that that's an important way to do it.

Improving framing and training materials, we've had some work groups over the last couple of years in

terms of our base activities that made some suggestions of necessary gaps, necessary improvements. We think that's something that we could move fairly quickly on.

There's been a work group that talks about hazard communication pilots. What's the most effective way to get that information out? We've got some anecdotal information we were going to try and do in conjunction with several other states and stakeholders is to try and (inaudible), is it paper hand-outs? Is it postings? Is it some other means to get that information effectively in the hands and the minds of the people who (inaudible).

We've also got some areas in terms of trying to reach people through means that they're going to be listening to. In terms of the target audience that we're talking about, (inaudible) radio network has high demographics to communicate in terms of the people who are in the field, you're at home, to listen to those types of messages when we get them out there, and that's an area where we think it's worth trying to -- you've also got some notion here in terms of the data collection aspects to try and give us some more information.

This seems like a large amount of money. What it is we've got sensory data, which is a data collection in terms of incidence and activities in a dozen different states.

It costs about $100,000.00 to add a state to that database, the initial start-up cost, and what that would do is give us some information. We've got some good west coast data states represented. We've got some east coast data states represented.

The middle corridor, the Mississippi corridor, upper mid-west, is an area where (inaudible), we think that's an important thing to try and give us a more natural, national representative sample of the information that we've got out there.

One of the things that I want to point out here is that one of the things we added on when we talked about one of the principles of trying to add all four of those different corners of our strategy here, just because we're not putting money in it in the first year doesn't mean we don't think it's important that we're not going to -- this is going to be an (inaudible) to try and get the data out there, to try and communicate better

with the data that we've got out. So, it's not solely a money type of situation here.

The last slide here is the next steps. Again, what we're trying to do is coordinate with internal and external participants and stakeholders who've spent the spring, since we've got the legislation firmed up and found out what the target level of money is to try and develop the straw man, to work -- to talk at different stakeholder meetings with the states with some of the extension service people, with others.

It's one of the reasons we're talking to you people to get, one, the information that we're conveying to you but any reactions or suggestions -- we had a meeting a couple weeks ago to present this straw man to some of the critical actors that got this provision into the legislation.

We bounced these ideas off them, charged them to go back, talk to their membership, and then come back and talk to us if they've got any suggestions. Some of the initial reactions were broadly we think it makes sense, might want to talk a little bit more about the specifics, and we've been explaining to them some of the ideas in

terms of some of the specific areas where we think we might target the money or the barriers.

The other point I would note is that, again, with seeing this five year cycle here, we want to get it up and running, but these activities hopefully are the base upon which we build upon, and that initial investment balance that we talked about may change over time.

As we get the better information in place, then we might want to shift to the use of that data and obviously some of the risk management activities, as well.

The other principle that is not noted but just basic good management is if it doesn't work, we're willing to change these types of things. This is not locked in. We'll have a feedback mechanism.

It's one of the reasons why we're focusing on the hazard communication part of it is to get some information, do it right, and then get it out there.

If we get some information that it's not working and we put an 800 telephone number out there nobody's calling, that's not an effective mechanism to respond to

people.

We'll give it a try, try something else. The goal is too important to pursue something just because of inertia there. So, we're open to suggestions, questions here, comments through your associations, and then our target schedule, as we say, is to try to get some initial reactions and endorsements, try to start to describe the plan in more detail, which means move some of the money.

We think some of those are more ready to go than others in terms of things like some of the pilots that have had a lot of information in collection already and then start implementing the plan components as soon as possible, moving the money in terms of achieving our principle of good results.

Let me just note again the attachment that I'm not going to run through, but if you've got some questions there in terms of some of the acronyms, the (inaudible), we've got slides that explain in a little bit more details those things, and then we can, during the break or afterwards, talk to people and get some other suggestions or ideas (inaudible).

UNIDENTIFIED FEMALE: Yeah. I just wanted to

say that given the amount of -- I guess I want to say a couple things: One is I want to point out -- point out to the group, in case you're not completely aware of it, that this money is coming from fees from the industry, and I certainly want to commend the industry and the folks that we've worked with on this legislation for their support for this program.

Secondly, I think that given the amount of money involved and the great need that there is out there that this is a smart way to spend the money and it makes sense, and I'm sure people will have comments at some point about the specifics of it, but I think it's a good thing, and I support the way you're doing it.

MR. DIAMOND: Erik.

MR. OLSON: I guess I'm going to take a different track. I think there are some major holes in the proposal. Most fundamentally, and you know, I've been working on WPS since it was initiated, I think you're looking right past the fundamental problem of the WPS, which is the poor enforcement of the (inaudible).

The (inaudible) is only as good as your state agents, your lead agencies who are enforcing it, and

we're seeing more and more -- instead of more aggressive enforcement, states backing off, and there's got to be increased accountability.

There's accountability for the industry of getting the products registered, of getting section 18s through in a timely fashion. There's almost no internal accountability for state agencies that are not doing full inspections using supervisors, or labor contractors, or interpreters, and I can go on and on about that poor enforcement.

So, I think there needs to be some accountability mechanism used in terms of looking at an annual report, WPS inspection report, the number of full inspections, fines, how many states are doing how many inspections so there's some internal accountability within the farmworker community.

Building off of that, my experience, especially out west, is the state agencies have a -- and the EPA has a huge credibility problem with the farmworker community. I don't see workers calling your 1-800 number.

As I'm out talking to the farmworker community and I'm talking about a 1-800 number, the first thing

there going to say is so what are they going to do? And, you know, chances are that if any action is taken whatsoever, that worker's job is going to be put in jeopardy.

The worker is probably going to be fired or somehow retaliated against, and there is minimal penalties against employers that violate the -- the provisions of WPS.

So, I see the 1-800 number, unfortunately, as a waste of money. One of the fundamental issues that we've been trying to get fully implemented in the WPS, as we all know, if workers do not know the specifics of what chemicals they're being exposed to in the workplace, all of these other super-structures (inaudible) because we don't know if the given symptoms are due to pesticide exposure or not.

We know there's problems with the central posting. We've been talking about that for years. We need to get an effective right to know, an effective chemical specific information in the hands of farmworkers, and I think that's something I would strongly encourage the agency to fast-track.

UNIDENTIFIED MALE: Just a note on that, I think on the pilots, one of the issues there is the mechanism but also the depth of information that has been suggested, as you've said, that the more chemical-specific information that people have in their hands, the better, but other people would suggest that too much information is detrimental, that people just don't follow it, and I think that's one of the premisses we're going to try and test on these pilots.

UNIDENTIFIED MALE: But I think for the -- the point of looking at gathering data, of establishing whether or not workers are being overexposed to pesticides, we have to have chemical-specific. Other than that, it's pure speculation of what is the -- the impact of a given pesticide on worker health.

Without that, I mean, we're right where we are now, just kind of thinking or guessing, or we have further, you know, public health studies looking into this. When we have the means to get that information to workers, workers can then take it to the medical providers, and we can figure out yay or nay is that symptom due to pesticide exposure.

UNIDENTIFIED MALE: Amy.

AMY: Hi. I just want to speak in terms of the clinician's role in this, and we've been trying for years to train, to raise the clinician's index of suspicion regarding environmental exposures and the health consequences, and working with them to recognize, manage, and treat pesticide exposures.

I think the clinician can really play a key role in the reporting, but as we all know, it's a haphazard system that's out there. Some states have a system, some states don't. Some states require it, some states don't.

And one of the things that we've been really pushing for in all of our environmental and occupational health efforts is to just -- to simplify it. You know, the clinicians are seeing workers with numerous problems, and we want to make their job as easy as possible and not have reporting go on the back burner.

So, I really encourage that 800 number. I echo some of Erik's concerns, but I think the 800 number could really be something with training for clinicians that they use in terms of reporting and making it easier, and also, there needs to be some coordination so that the

clinician doesn't have to call the county, doesn't have to call the state, and doesn't have to call the EPA number.

You know, we need some sort of centralized location that they called the 800 number that would trickle down to the states, and so I really encourage you to -- to look closely at the clinician in that we've developed a GIS-based, you know, data resource for clinicians that can click in their zip code and have all the reporting information come up, more linking with the pesticide action networks database, but that is -- just feels like it's very weak in terms of we need a centralized location.

So, I think the clinician can play an important role, and I encourage you to include them beyond your healthcare provider initiative in this aspect of it so that we can help with some of the data collection.

UNIDENTIFIED MALE: Thank you.

UNIDENTIFIED MALE: To follow on Carolyn's comment about this being money that comes from the registrant fee-base, Bill, I'd like to commend you for putting together a very clear, straight-forward, and

business-like outline and presentation.

I think the basis of that we can use then to go forward, and the registrant community can feel good about the fact that we know where the money is going, and obviously, you know, there are always opportunities for improvement that you could build off of this as opposed to the more haphazard approach that felt like was in evidence of the past.

So, we're very supportive and appreciate the framework that you built here. To the point of whether or not the 800 number is a waste of money, I -- I would just make the observation if that line is ringing, then it's not a waste of money, but you'll give us feedback with regard to who's on the other end and what kind of calls are coming in as you're moving forward and adding the other language dynamic and so on, and you'll know what kind of value it's providing.

It may have nothing to do with worker protection, but if the phone is ringing, surely it's of value.

MR. DIAMOND: Right, and again, it's one of those areas that has multiple purposes that you want to

try and make clear but also find (inaudible) the most important ones. One is in terms of the (inaudible) point of contact that people can get information of where they should go for an incident response, themselves.

It's also at areas you suggested that can either (inaudible) conduit for a collection of good information; right? In my mind, that's a secondary thing to try and provide the workers, themselves, with some protection notion that was suggested by Erik and feed that into compliance enforcement.

Compliance enforcement is an important to everything else, but it should be not the initial drive in our mind -- there to strengthen, but it's not the primary needs for -- for that mechanism, we don't think.

UNIDENTIFIED MALE: Wouldn't -- would there be a --

MR. DIAMOND: We have to weight that, I think, in terms of trying to --

UNIDENTIFIED MALE: -- okay --

MR. DIAMOND: -- balance those.

UNIDENTIFIED MALE: -- a reluctance on the part of some people to call if they thought it immediately

tripped compliance enforcement response? That would be something that I think you'd need to balance; right?

MR. DIAMOND: Right. Okay.

UNIDENTIFIED MALE: Well, the first comment (inaudible) made, and you know, I think (inaudible) needs to be commended for making this money available, providing the resources to do this work, but one thing that (inaudible) presentation, it seems that all this work is going to be going -- going on at EPA, and I didn't hear much about the connection with the state -- and the local universities and colleges do a lot of this training.

Maybe this is not intentional where this money's supposed to go, but I think a lot of decrease in the activity of a lot of the things that we did -- you know, when we first started out, some of this work in protection programs and writing a lot of things, there were a lot of things -- I don't see very much of that, and I think that's -- needs to be done at the local level, and this is why -- in your presentation I don't hear what plans are being made to bring in the state and the university to follow-up on this good work. What good

is it going to do if we generate all this information when it doesn't get down to the people that need to put it out?

And also, somebody mentioned the credibility -- I mean, not the credibility but the accountability, is this information being used where it's supposed to be used by the state and -- and -- and local agencies?

Again, I remember the day where we started out in this program. I just don't see the (inaudible) or even the State Department doing this much work and getting them to work in a location -- part of it -- so, I don't know -- I didn't hear much in your presentation of how you're going to tie into to the state and into the university to get this information out.

MR. DIAMOND: Let me clarify it. (Inaudible) one of the areas that I'm trying to do here is to build upon existing good work that's already out there, as opposed to anything -- I think the hazard communication part of it is a good example.

We've been working in some of these areas both on the incident information collection (inaudible) hazard communication. We've been working closely to try and

identify things we already know that some of the states are doing.

So, people have suggested some of the work that the state of California is doing, the state of Washington is doing. They're very good in terms of a starting point for both incident identification, depth of information on incidence, and quality of information overall.

So, we're working in terms of trying to work closely with them to build on their examples in terms of some of the (inaudible) to have them elaborate on some of those pilots.

I think, as we get down to the specifics of where this money is going, it's not intended to be a sole EPA-type (inaudible). That being said, I think EPA does play a unique role in terms of some of the components that I talked about up there, the information, and collection, and analysis that certainly feeds back into our risk management system, and we're going to be at a focal point to try and gather that, but it's not going to be gathered directly by us, it's going to be in conjunction with our state and local departments.

UNIDENTIFIED MALE: There seems to be a lot of

disparity in how the different states implement some of these programs, that's -- that's what I get out of out --

MR. DIAMOND: I think that -- I think that's clearly the case. I'm not very deep into the program. (Inaudible) already said that. I think that's one of the issues we're going to have to address. I think it's an issue we have to address and not necessarily to a regulation (inaudible) although, that's a possibility for (inaudible) education.

We now know the situation, the resources that are available to the states and other people out there. Some of the areas that we're going to be trying to do here is look at the quality (inaudible).

Somebody suggested that if you can make it simple for the people who already have a (inaudible) schedule, they're going to do it more. It's in their self-interest in terms of carrying out their objectives and goals for public health protection. They can (inaudible) that's going to be better because they're going to be more willing to do it because they get some return on investment as opposed to a report that goes to the EPA or the feds just because the feds want it.

So, we're going to try and practice those principles. It's not easy, but you're also, when you start talking about these types of things, it makes a lot of new money seem very small, which puts a premium on doing it right, and again, we hope over a period of time, four or five that we're anticipating this money will exist, we can build to get some of those more important things.

The reactions that we're trying to get here is does a framework make sense, and are we spending the initial money on the right building blocks? And that's something that we hope to -- to build on, and obviously, I mentioned feedback in terms of whether or not we're successful, but we're going to be engaging with a lot of people who want to engage on that over a period of time, as well, to see if we're continuing to do it in the right direction.

And Larry.

MR. ELWORTH: Two quick things: One is the thing I didn't -- a piece that I didn't see in here that I think is real important is making sure that -- that people -- physicians at the local level, where they're

likely to encounter farmworkers or agricultural exposures, actually know well enough and -- and look at that kind of exposure as a potential cause for whatever symptoms they're seeking.

Maybe the physicians' community does this really well. In my experience, it hasn't been the case that, you know, you come in, you've got the flu. Well, suddenly everybody in the orchard has the flu this week, I don't think that's necessarily the fault of a reporting system but just making sure that physicians on the ground know how -- think of this as one of the many things they -- they think about.

The other thing that I think would be real important, I know that this part of -- of work protection -- a lot of these worker protection things have been underfunded.

So, I understand the need to make sure that you're adding funding to a lot of existing things, but I want to actually encourage you to look at ways of evaluating whether these things are successful or effective.

It may be that some of these things we just

don't need to do anymore because they're not effective, and I don't -- I'm not picking on 800 numbers, but establish maybe some benchmarks and some ways of determining how you're going to decide whether this is effective or not, both in terms of your measurement but also in terms of how you're going to go about doing that.

I don't want to spend all your money evaluating what you've been doing so there's a balance here. I think that would be really helpful.

MR. DIAMOND: That's helpful, and I think, as I mentioned, just coming back to the pilot because I think it's a good example, that's one of the areas that we're trying to do, suggesting these different ways. Let's figure out which ways for a little money up-front that really works, then (inaudible) states, healthcare providers and others and say we've got some good documented efforts of why this works, not that that's the last time we're going to evaluate it (inaudible) doing your money and your activities focused on something which you think it has maximum return.

The other aspect I'll hit on here is that we're feeling assured and it makes sense to have the same type

of performance accountability in the long run for this program designed in as you would for any of the other programs.

We're going to have to demonstrate that. That's a collective we, all of us, and as we're starting to try to more fully implement the strategy, we're thinking how do you measure success?

How do you measure success in the individual progress -- project but also collectively, overall? So, that would be something that we've got to -- if people have some suggestions or ideas, we would certainly love to hear them, as well.

Erik.

MR. OLSON: Thanks, Bill. A couple -- I guess it was several -- a few weeks ago you held a helpful session to put this out for registrants, and us, and at least one farmworker representative, which we appreciated, and I think it would be useful to also try to do some outreach -- more aggressive outreach to some of the farmworker groups that weren't able to make it, including Erik's group and others, to solicit their response to your proposal.

I think the four identified goals that you've put forward: Protect, respond, collect sound data, and inform are useful, and I agree that the allocation of money to try to focus on protection as much as possible is a useful priority.

The question is where to put the money and exactly what the projects are, and there -- there was -- I think we would benefit from some more specifics on exactly where that money might go and some robust discussion of -- of that issue to the extent that in this very limited time-frame there is time for that, I think it would be useful to do that.

So, I guess I'm suggesting a little bit more work for you, which would be a little bit of outreach, but I think the time would be well-spent in the short period that we have before the dollars are starting to go out the door.

So, we appreciate your initial outreach, and I think a little bit more might be useful all around.

MR. DIAMOND: Yeah. We -- we believe a little planning pays off in the long-run. If you've got some other named people, Erik, you've got some other ones, we

would be glad to meet with them in terms of either here or on the phone, and that goes to everybody here. So, if you'd be interested, we'd love to hear from you. We're not the sole repository of expertise here. Again, I think it's important to make sure that everybody's got some input.

UNIDENTIFIED MALE: Hi. My brain just re-engaged for today, and I -- I -- I realized that I had something I wanted to offer to -- to Marty. So, if -- if -- Amy, if you've got a worker protection comment, maybe you can go ahead, and I just wanted to talk about the first, if I'm still allowed --

MR. DIAMOND: We're one big family here. Marty's just eager to ask some of these questions.

(Laughter)

UNIDENTIFIED MALE: It -- it occurs to me that there really is something to go to school on here within OPP when you look at streamlining processes that are encouraged by the language in the -- in the new bill.

In fact, the language has its roots in the '96 amendments. It's a bit more open-ended than the language that was in the antimicrobial amendments of -- that were

contained in -- in 1996, but it's very similar structurally, and Frank, whose in the room, Sanders, did I think a very good job of responding to that by setting up a very open stakeholder-driven process where we met regularly.

It was available to everyone, and we -- we did a pretty good job of putting ideas on the table that were about process-efficiency and reform. What we didn't do very well was a couple of things: One was we didn't have the right people in the room all the time talk about reforms that made sense and that would achieve efficiency, and I think Larry's comments earlier are well-taken.

It's -- it's probably not this group of people in the room with a few exceptions, and second, it was sort of ships passing in the night. You had the industry list of process reforms they thought were important, and you had the agency list of process reforms that they were undertaking that they were sure what -- what was -- Congress had in mind, and the two didn't meet very well, and I think my advice would be to try and really narrow a list to things which seemed to have a mutual interest in

benefit to -- to the stakeholders involved and try and keep it focused, but I think it's -- it's potentially an area where, you know, you can eliminate a lot of non-value-added labor and really move toward a -- you know, a more efficient system.

UNIDENTIFIED FEMALE: Um-hum. Thank you.

MR. DIAMOND: We have time for just a couple more questions (inaudible).

UNIDENTIFIED FEMALE: This is going to build a little bit on what Larry already introduced about evaluation. This is sort of mid-course correction in building on a program that already exists. So, if -- if you said it this morning, it's kind of early for me.

I was out late at the losing Orioles ball game last night and maybe my brain wasn't --

(Laughter)

UNIDENTIFIED FEMALE: -- functioning, but are there evaluations and impacts available from the processes that have been in place for the last several years in the outreach programs that have been going on in the states that you can take advantage of here? Is there no information from them is the first question, and then

the second is just another comment to support the end pick 800 number. It may not be workers who are calling it.

I would like to think that clinicians will call it. We are doing more and more to education healthcare providers. Many of us in the state healthcare -- state pesticide safety education programs are -- are directly working on that to update those folks, too, but this is a program where I see that end pick 800 number is certainly not just to serve workers but everybody who either uses or is exposed perhaps to a pesticide.

So, if it comes out of this money, I support that program whatever way you can bolster.

MR. DIAMOND: Yes. In terms of the existing information, obviously in terms of trying to design these things, we've taken advantage of the information and the expertise we've got out there. I think it's more best professional judgement than hard documented evidence, which is one of the reasons why we're trying to get some harder evidence that people can all say, okay, let's argue over what it means as opposed to having different information on the table.

That being said, my experience in terms of the programs I've worked in, you're never going to get full or perfect exact information on the number of instances (inaudible).

Somebody suggested in terms of potential things for symptoms -- symptoms can be caused by a whole bunch of things. There's going to be some range of -- I think we need some better information to get the (inaudible) narrowed down a little bit so we've got a sense is it 100 incidents? Is it a thousand? Is it 100,000? And that gives us a better ball park so we can all make judgements on those things.

We also need some information in terms of the depth of what those incidences are, which is one of those things -- which types of things are showing up so we can determine whether or not there are (inaudible) that would feed back into our risk management decisions, our education, training activities, and those types of things.

Those are in conflict in terms of trying to get information, and for all of you who have run data systems know very well. We are going to try and pursue both of

those types of goals.

The 1-800 number, to the extent it can serve multiple purposes, clearly that's what we're going to try and go after, and it also gets back to the intention of what we're trying to achieve.

If we're trying to achieve too many things with one tool, it often doesn't become an effective tool for anything. What we're going to try and do is obviously get any multiple benefits that don't get away from the core responsibilities.

You want to follow up, and then we'll finish here?

UNIDENTIFIED FEMALE: Just one quick follow-up on -- on the impacts and using incidence as perhaps an indicator, I think you want to be really careful there because while certainly you do want to see any incidence go down overall, as you said, it's important to look for trends and patterns but not individual cases.

You will have exposures where somebody may have been well-informed, well-trained, where the program may have been well-delivered and effective, and you will still have accidental over-exposures and incidents, but

you're looking for are trends and patterns.

MR. DIAMOND: Exactly. That gets, again, to the tension between things, to the extent you try and get a better sense of numeral numbers for the incidents that you -- narrow it down and try and get a better sense of what those are so you can get some magnitude types of things, which is important in any program.

Then, for any particular incident, you don't get a lot of depth because you just don't have the money to try and get it all Nationwide. On the other hand, which is one of the reasons we find extensive data in terms of targeted states, it does allow you to spend some more time, get some more information in terms of having questions.

So, if you get to the trends information, you can (inaudible) it a lot more. We're going to try and do, obviously, both of those, or at least in the initial type of area, and then, as people said, see if it works, see what we can get out of it and then pursue the ones that we think are more important. Last question.

UNIDENTIFIED FEMALE: I'll be quick. I just wanted to follow up on something that Larry said, and I

think one of the issues when you're dealing with conditions in pesticide exposure is they are wilfully under-prepared, and the migrant clinician has the same kind of training that any other clinician in this country has, and environmental health and pesticide training is generally not a part of that.

I want to commend the EPA on their -- their pesticide initiative and their healthcare provider initiative. I think you've made great strides with that, but I really would like to see more focus on the migrant clinician when we're looking at the worker protection standard and -- and ways to protect the worker, it would be -- I -- MCN welcomes the opportunity to partner more closely with you to help you reach the migrant clinician, and I think we could really help out in that way.

MR. DIAMOND: Thanks. We'll take you up on that offer. I'll just conclude by thanking Kevin Keeny (phonetic) and his staff. Kevin has been working on this program for a long time, and a lot of these ideas are a result of his networking and his contacts with people. The other thing is to restate the offer that if you're interested, please give us some ideas. We'll follow up

on some of the things in terms of meeting with some of you.

This is not going to be a one time thing, and I'm not sure we need to engage deeply in terms of some of these activities, but certain things we're going to bounce off of you, particularly when we start to see trends, or results, or information in terms of whether or not we're being effective.

So, we'll welcome the opportunity to talk to you about this in the future. Thanks.

MR. JONES: All right. Well, I think that that -- we got some -- I'm sorry?

MS. KAWAMOTO: Melody.

MR. JONES: Oh, Melody, do you have a comment that you wanted to --

MS. KAWAMOTO: Yes, I did.

MR. JONES: Sorry.

MS. KAWAMOTO: I --

MR. JONES: Go ahead.

MS. KAWAMOTO: -- I wanted to make a comment that basically integrated a lot of the comments because if the clinicians aren't necessarily well-trained, then

the incident data may not be accurate, and as we all acknowledge, there is under-reporting.

So, some of the things that need to be considered are what aren't we looking at, and what are the gaps because we -- yes, we can evaluate the things that are going on now, but are there other areas that we should be looking at, and you may have to, you know, take a step back and take a broader look at the system, and how they're interrelated, and how lack of something in one area may be affecting the -- the needs of another area, but if you don't -- if you don't take that step back, you're not going to see where the problems are and where you really can make differences.

MR. DIAMOND: Thanks, and that's an area that we'd like to talk to you if you've got some suggestions. It does make a point, and someone suggested earlier in terms of learning from the lessons of the state people, one of the things we've had conversations with on the -- the state of California on is to try and find out what we're missing by -- instead of just doing a comprehensive evaluation, try to kind of do a one time spot check, and I think it's their worker compensation program that they

rely upon to get into this to try and see how much that is catching.

Are they missing certain things by going in-depth in terms of trying to come up with, well, we're getting five percent, 10 percent, 50 percent of the incidents, but all --

(Break in tape.)

UNIDENTIFIED FEMALE: -- something.

MR. DIAMOND: Right. Thanks.

MR. JONES: Well, thank you very much. I think we got some very sound advice from the committee that we'll be taking back and following up on. So, thank you very much.

We're going to now do some, we're calling them updates. Two of them really are follow-up reporting to some activities, one to the track which was the carriage predecessor on our public participation process for old chemicals and other follow-up activities as it relates to alternative -- to animal testing, which is an issue that this group has -- has focused on, and Debbie Edwards, who is the director of the special review and re-registration division is going to give us these updates.

MS. EDWARDS: Okay. Thank you. You can see here that there are three brief topics in this session described in this first slide. We're going to talk -- I'm going to talk very briefly about the schedule that was recently posted on the internet, public participation, and alternative non-animal testing.

So, the -- the schedule that has been published takes us from now through 2008, and I'm going to divide it into two types of actions, one of those being the food use chemicals, which we plan to have evaluated by August 3rd of 2006 and then the remaining non-food-use chemicals, which we would complete by October 3rd of 2008. These are the dates that are described in the PRIA bill that was recently passed.

What the schedule does -- and also, it's out here on the table, as well, and you see there there's a website, but what it does provide are the anticipated completion dates by month for each of these chemicals, as well as contact information for the chemical review manager in the pesticide program.

I think it gives the person's telephone number and e-mail address, and we intend to update this

annually. Obviously, by listing months out through 2008, there will be some changes as we go through the years, but we don't intend to be constantly updating it, and we're planning right now to update it annually.

So, moving on to the public process, the second topic, as you know, the agency has a commitment to a very public process. We think it's an important part of decision-making, and we have actually worked closely with our sister agency, USDA, to develop a -- a fairly rigorous public process, and we recently published that on May 14th in the Federal Register. So, that formalizes that commitment.

This public process is based on experience that we had with the organophosphate public process pilot, and what it does is it provides this framework for involvement in REDS, I-REDS, and also TREDs, which TREDs, for those of you that don't know, are tolerance re-assessments, those are the chemicals that we are re-assessing that were registered between 1984 and 1996.

So, you don't do a full re-registration eligibility decision for those chemicals, you evaluate

the tolerances, taking into account drinking water and residential exposures, and an I-RED is simply a -- a registration eligibility decision that's interim because we're working toward a cumulative assessment for that group of chemicals. For example, and organophosphate is typically an I-RED or a carbonate.

Some of the features of the public process that you'll see FR notice that we think are important is that we intend to begin or we are beginning communicate very early.

We have smart meetings, and it's a pre-phase one we call that, and smart simply means that we're being smart by pulling people together to determine how the pesticide is used. This typically includes the registrants, but also, USDA is invited to all of those meetings, as well as often grower organizations that give us really solid information on how the pesticide is actually used.

That information then is posted on the website often in the docket. There will be links to that information, and we welcome additional public comment on that use information as we move forward.

The public process isn't just public comment periods. We do have conference calls and meetings with stakeholders throughout the process as needed. We try to keep those as open as possible.

We involve all of our sister agencies that need to be involved, including frequently that's USDA. Often, however, it's also FDA. It may be the centers for disease control if it's a public health pesticide. Maybe the Department of Defense, it's an important chemical to them, and obviously it would be interior when we're dealing with endangered species issues and other concerns.

Another feature is that we definitely now provide public comment on risk reduction options and/or solicit the public's comments on what risk reduction options might be viable, and all of the key documents involved in these processes are posted in the docket and the E-docket. So, it's very easy to see where we are with a chemical.

We typically docket meetings, as well. So, if, for example, if we're in the public process and there is a request for a meeting by a registrant or another

organization, that -- that meeting will be documented, and will be summarized, and will be placed in the docket for everyone to see what -- what happened.

Okay. What we're trying to achieve here is some flexibility. There was a lot of talk about this yesterday in registration review that we want to have a process that's not one size fits all but that most effectively uses the resources of everyone, not just the agency.

So, what we're trying to do is avoid process where we feel that it's not needed. We think that helps meet everyone's goals in terms of meeting deadlines and doing the right thing in terms of use of Government resources.

So, what we have then is a tailored approach which is described again in the FR notice. We'll be having a full six-phase public process for pesticides that have complex uses, complex risk issues, and where we feel there may be a need to have a lot of conversation about what's appropriate for risk mitigation, and I'll describe in a minute what those six phases are.

A four phase modified process would be used for

pesticides that have more limited concerns. However, there might be some concerns, and we feel that some nominal risk -- risk mitigation would be needed, and finally, a low risk process, which is essentially going right to the decision but still allowing an opportunity for public comment at the end, and those are what, I think yesterday were described as the easy off-ramp for registration review.

So, we already actually have in place an easy off-ramp or what we view as low-risk pesticides. Okay. To describe briefly the full six phase process, I -- I just got through telling you a little bit about what happens in pre-phase one, that's basically the agency doing all of its work but involving some public participation certainly in getting ready in terms of what we are evaluating, how the pesticides are used is probably the most important part of the public participation in that pre-phase one.

The phase one is the part where we send the docu -- the risk assessments out to the registrants for what we call error only review. This is not intended to get into real substantive issues around the way we're doing

our risk assessment, but rather, often we run into situations where we use the wrong number for the vapor pressure, and we're informed of that, and so we make the changes in the document accordingly. So, that's what that part of the process is for.

Then, at phase two, we simply -- by the way, that phase one is a 30-day period for the registrant to have the error correction. At phase two, which takes up to 30 days but may be less, depending on the number of error -- error corrections we need to make, we look at those comments and just the risk assessments ready to go public.

So, phase three, which is the public comment on those risk assessments -- they're posted -- you can reach them through the internet along with some overview documents and summary documents -- will last between 60 and 90 days, typically.

Phase four is simply the agency taking those comments, revising the risk assessment as need be, and developing preliminary risk reduction proposals to vet for the public.

In some cases, we have, as you know, not done

that, but we will at least be asking the public in phase five to comment on what they think might be good risk reduction options if the agency hasn't actually taken the steps to develop the options. Our goal, though, is to go ahead and begin developing these options.

So, then that's phase five. What happens then is the risk assessment comes out. The revised risk assessment is based on public comment and the proposed risk mitigation options, and that's typically a 60-day comment period ending with then phase six, where we complete the RED, I-RED, or TRED, but it out for public viewing, and again, actually, there is another comment period on that -- on that piece, and we have, on occasions, continued to make changes post-RED publication.

I think recently we made some, for example, or diazanon (phonetic) that were relatively substantive following the publication of the I-RED. Okay. The four phase process is similar, but it's just a little bit more truncated.

You have the phase -- the pre-phase one. You have the phase one, but at phase two, we're actually

beginning to think about risk reduction options if there are any needed because, in this case, we think we probably -- we don't -- we don't need to go forward with the full six phase process.

It makes more sense to just keep it short. There's not a lot of mitigation needed. There are not a lot of stakeholders showing concern and so forth, and so at phase three, we vet all of that for public comment for a 60 to 90 day comment period, and again, we end the RED at phase four with an additional public comment period.

Okay, and finally, this is the easy off ramp. We've had a couple of those already this year. I think they were TREDs for nitrogen and carbon dioxide, where our initial screening shows that there is essentially no need for risk mitigation. This is a -- this is a database that's complete, at least for our purposes. We haven't identified any risk concerns that we think anyone would be concerned about.

So, we go straight to developing the decision, but just in case we were wrong, again, that goes public, and there is an opportunity, again, for public comment.

So, if someone disagrees with our -- our

decision about the easy off-ramp, there is an opportunity to comment and let us know. Okay. One of the things we're doing in releasing the schedules, and kind of it was nice that it happened at the same time pretty much is the FR notice went out describing in detail the public processes that we have now published, our -- our comment period schedule. This is where the agency is opening the public process or opening phase five.

So, it would be either a phase three or a phase five public comment opening for the next six months. This, we intend to update quarterly. So, if you can imagine right now I think it goes through October. At the beginning of July, we're planning to update it such that it would go through the end of December. So, we keep -- we keep updating it every three months so that you would always have in front of you a minimum of three and a maximum of six months of schedule on what public comment periods we're going to be opening.

Again, there's the website to see that. It's also out on the table, and the idea here is that people can plan and be looking for these FR notices as they come out seeking public comment. It tells you what chemical

it is so you can get started early.

So, I guess my message here on this is that participation is key, and that take a look at these schedules and get your stakeholders engaged and thinking and -- about the chemicals that are coming up, how they want to participate.

Call the chemical review managers, send them e-mails, and let them know that you're interested in participating fully in the process, these are just some in the hand-out. This hand-out, too, by the way, I think, is out on the table, and so these are just some -- I'm sure you all have these -- but some websites in case you want them -- ready to check them out. Okay. Okay. Yeah. Sure.

Any questions on this part? The third topic is a little bit different. So -- oh, Amy.

AMY: Debbie, one of my other hats at the university of Maryland is to try to provide information to people on stuff like this that they can comment on, and the OPP update has been very helpful because I don't read the Federal Register every day, but if you could just put in there -- it seems to me it used to be that

the OPP updates were including the URL for the actual place where the document was posted, not -- not the overall page for REDs, but that actual, particular document that you are asking for comment on, and if that could be put back into the OPP update, it would be really helpful because, otherwise, we have to go searching for it, and it takes me a couple of hours, let alone what it might take somebody else if I don't put it in for them.

MS. EDWARDS: Okay. That's a good idea. Okay.

Erik.

MR. OLSON: I think everything that you said sounds really good. Regarding the pre-phase one meeting when they're involving stakeholder groups, which stakeholder groups are you planning on inviting to the table, and the reason why I ask is just the recent experience that I had with a chemical that came out.

They were talking about some endangered species concerns and something that was very simple that evidently was a big deal to -- to one of the review managers, they were -- they were very concerned about a certain animal and -- in -- for -- for a cotton product,

and the cotton product was not only a seed treatment, but it also was not used -- the animal was in an area where no cotton was grown.

So, it was something that was very easily dissolved, but you know, had -- had I not called him and said, hey, are there are any problems with this, that probably might -- may not have gotten vetted out, and so I'm wondering if -- if (inaudible) will be asked to talk with commodity groups and -- and other such stakeholders to vet those things out early on.

MS. EDWARDS: Well, the smart meeting actually probably wouldn't be the place where that would be vetted because that part is simply how the pesticide is used.

We're trying to get really accurate use information, but that doesn't mean that -- I mean, obviously these things would be vetted. It may not be vetted, though, with the general public until phase three, but having said that, I think we're going to be doing a much more rigorous evaluation in the future on endangered species issues, and if -- if that -- you know, I think we're planning to refine our assessments as much as we possibly can before we go public, and so things

like that that probably aren't causing an endangered species concern wouldn't appear in the documents, hopefully.

MR. OLSON: Well, I wasn't -- I wasn't trying to bring us back to yesterday, where we were talking about endangered species. I was just using it as a -- as an example to illustrate --

MS. EDWARDS: Yeah.

MR. OLSON: -- how a five minute conversation --

MS. EDWARDS: Sure.

MR. OLSON: -- could probably alleviate, you know, a couple of weeks worth of work if it -- if it was that serious.

MS. EDWARDS: Right. Right. Well, you may -- you know, I think my biggest recommendation is that grower organizations, especially the large grower organizations that have the resources check out our websites.

If you see chemicals that you know are important to you, start calling the chemical review manager and make sure you're included. Now, we're -- we're also telling our chemical review managers to be looking at all

the sites -- the major sites -- in sites in particular that have any concerns at all or other major uses for these chemicals and -- and be calling -- be proactive in calling the stakeholders and being sure to get them involved. We've done a lot of that through USDA, and I think they're doing a great job, but we also want to reach out, ourselves.

So -- so, I guess that gets back to the original question, in the smart meeting, is that a registrant meeting, or is that bringing other stakeholders to the (inaudible) --

MS. EDWARDS: Bringing other stakeholders.

MS. OLSON: -- as well?

MS. EDWARDS: Bringing other stakeholders. So --

MS. OLSON: And in what context would a stakeholder group be brought to the table, and what -- what would you be asking of them?

MS. EDWARDS: We would be -- actually, they are all posted on the website. I can -- I can give you -- I wish I'd brought it today, but there's a -- all the questions that we ask and would like to get answered in

the smart meetings are actually posted on the web, and principally, they have to do with exactly how that pesticide is used on all the different crops for which it's registered, what kind of equipment, what kind of rates, you know, what geographic areas, how frequently it's used, what pest is it most important for? I mean, I could go on.

It's several pages. I think we recently gave it actually out also to the Minor Crop Farmers Alliance. So, Dan Botts has it, but again, it's posted on the web. So --

MR. OLSON: So, just to gain an understanding of how -- how the --

MS. EDWARDS: Exactly.

MR. OLSON: -- product is currently used?

MS. EDWARDS: Yeah, so that our risk assessment can reflect reality and not all just worst case, you know, situation.

MR. OLSON: That sounds really good. I look forward to seeing that.

MS. EDWARDS: Anyone else? Okay. Okay. Switching gears, you know that we have had several

sessions, as Jim mentioned, on alternative, non-animal testing. You know the agency's goals are to move away from animal testing where we possibly can, and what we've done, some of us that have involved in this recently, is actually try to bite off a small but possibly very important piece where we think we can achieve success in a relatively short order, and we think that would -- that would be a good way to get moving forward on this, set some examples, and just give us some experience with moving out on some of these non-animal tests.

So, our current focus, you can read here, is to develop a non-animal assessment approach for evaluating skin and eye irritation potential and labeling requirements for the antimicrobial cleaning product formulations.

These are often the products, the consumer products that you'll see in the stores that may say antibacterial on them. I don't -- I probably shouldn't mention any specific products, but I think you've seen them whenever you're in the grocery store. You probably have several of them in your homes.

So, that's -- that's the goal right now. Next

slide. The people have been involved so far -- well, actually, what I should say is we're planning toward a technical workshop around this issue, and there have been several people involved, obviously a lot of EPA staff and management.

We have all the divisions involved that actually review acute toxicity data. That's the antimicrobial division, biological, and pollution prevention division -- I forgot what it stood for -- anyway, registration division and special review and re-registration division.

We also have the Office of Science Coordination and Policy involved. They have some key role in validation and -- of non -- non-animal test methods. The person, though, that's involved is actually originally from the health effects division in the pesticide program, and that's Karen Hamernik (phonetic). So, she brings that perspective to the table, as well.

You have three PPDC members very actively involved is Troy Siedle from the People for the Ethical Treatment of Animals. We have Lynn Sauers (phonetics) from Proctor & Gamble and Pat Quinn, who is here today, from the Accord group working with us.

In addition, we have working with us the people from the Institute for In Vitro Sciences. This is a non-profit organization close by here -- I think they're in Maryland -- that are working toward validation and development of non-animal test methods in a number of areas.

We're working with S.C. Johnson, some scientists there who are also -- it's a company, as you know, that develops a lot of consumer -- consumer (inaudible) products, and also, obviously, the ICCVAM (phonetic), the Inter-agency Coordination Committee on the validation of alternative methods.

We have a work plan to get where we think we need to go. First of all, what's happening is we're collecting data from -- going to be collecting this summer data and information from a number of companies that generate these types of data.

The organization that is probably going to do a lot of that data collection is this Institute for In Vitro Sciences, along with some of the PPDC members. That's -- the plan is to have that happen this summer and to pre -- and to present not all the data, obviously, but

to -- to make a presentation at the fall PPDC meeting for holding a workshop around this issue. Presumably, that would go ahead and happen, and we would be able to open that workshop, and it would be an open -- it would be a public, you know, PPDC subcommittee-type workshop held early in 2005, maybe even in January. Next slide. Let's see, yeah.

Then, the workshop summary and the recommendations could be presented to the PPDC in spring of 2005. So, it would be hopefully a little less than a year from now, and here's kind of the key point is number five, based on the outcome of the workshop and the PPDC advice, we're going to consider setting an interim policy for exceptions of non-animal tests for skin and eye irritation labeling for anti-bac cleaning products.

So, hopefully, we could have that in place and start using it in spring of 2005 if all of this were successful. If the data support what we think it will, we should be able to move away from animal testing for these categories of products for those end-points, and finally -- then what we would do while we are using the interim policy is actually take that policy and the data

that were collected and run it through an ICCVAM technical review.

We've been working with the ICCVAM people to talk through what would be involved in that, and then pretty much as a perfunctory measure because we actually would want to revise our acute toxicity guidelines, take it to the SAP, that -- that's just a step we'd pretty much have to go through in order to change our guidelines, but that would allow us to put right in our -- I think they're eight/10 guidelines that -- for these classes of products, these types of in vitro tests can be used instead of animal tests, and then we'd have full implementation by fall of next year, so if there are any questions on that, comments?

UNIDENTIFIED FEMALE: Thank you, Debbie. I just want to thank the agency for making this an important issue and for really valuing the opinion of PITA, and Mr. Quinn and Mr. Sauers who I understand worked on this with Troy Seidle.

This -- this -- I really appreciate that the agency really seems -- at least this side of the agency really seems genuinely committed in working towards this

goal, which, of course, we regard as extremely important, and I just want to thank you all very much.

MS. EDWARDS: Thanks. Pat.

MR. QUINN: Well, I could see the disappointment on Larry's face growing as he -- as he realized -- as it became clear to him that we're no longer going to have two hour presentations on harvested eyeball substitute testing.

(Laughter)

MR. QUINN: But -- but I -- I do want, in all seriousness, to thank the leadership that -- that you've shown, and that Jim has shown, and others in putting this workshop together.

I also want to underline the fact that the reason it's limited in scope is only because there appear to be more robust data for that particular group of products and that we're closer to being able to both use those tests not only as screening tools but also as labeling tools that really get to the agency's work.

So, that's the reason for the particular focus of the workshop, and hopefully this will be the first step toward a more -- a broader consideration.

UNIDENTIFIED FEMALE: He answered my question.

MS. EDWARDS: He did? Okay. More comments? Okay.

MR. JONES: Thanks, Debbie. All right. It is time for a break. We're right on time. When we come back we'll talk about next meeting and topics for the next meeting. Thanks.

(Break in tape.)

MR. JONES: -- the potential for something that could be very difficult for you and very challenging for us. That's how we could get clarity and early notice on this meeting, and that's an option.

All right. Well, we'll try to get some early decisions on this and let you all know as soon as absolutely possible, and I may -- I may even just do it that way, Lori, just sort of we get our date in there and run the risk that they may be, too, in a short period of time.

Okay. Yes. That's right. Okay. So, potential future topics: The -- Bill's put up some of the ideas that have -- that we have, and I -- I do take seriously the advice that Dr. Balling always gives which is -- he's

not here, but -- he, in particular, and this is seconded by a number of PPDC members, want to work on issues where the agency wants advice, and here are four areas where some of the -- three of those we've had dialogue around already, but I think that we've all recognized the need for further dialogue, somewhat flushing it out a little further.

PSEP, we've already committed to having a further dialogue around, that being where we will come back in the next meeting and describe the -- the context within which that budget exists and the choices that are for the agency.

We'll also come back with the program review that we're doing on PSEP on that -- on that session. The second one I think we've also pretty much committed to. I think the work that's going on with the PPDC and the agency on registration review, I think really is a model for how we can do more effective program development in this -- in this office, and the next step that we talked about is the agency, OPP, pretty much is going to do a couple dozen case studies of here's how we would implement the framework that you all have helped us to

create around registration review, and it would be very specific, individual chemicals, and we would identify, well, here's where we see there's an early off-ramp. Here's -- here's what we think are the risk assessments that are inadequate and need to be redone.

Here is an example of where we think there is the need for additional data and why, and we would come to the work -- the PPDC workgroup, and show our work, and get your reactions to that.

I believe -- and I've talked with Bill Diamond and I think he agrees that that's probably a day long exercise for the PPDC workgroup on registration review.

So, I view that as a next step that will likely lead to some sort of engagement of the full committee. Perhaps individuals from various stakeholder groups could sort of give their reflections on that -- that exercise.

UNIDENTIFIED MALE: Are you thinking that would be in October time --

MR. JONES: That will be before the next PPDC meeting. If we can -- if we can pull that off, that would be the objective. If we can't, it would obviously have to wait one more -- one more meeting, but the plan

would be to try to do that before.

Our current schedule has us doing the actual work enough before that.

UNIDENTIFIED MALE: Um-hum.

MR. JONES: The third area -- and actually, Larry, this is something you brought up at the last meeting, and our agency just filled up with too many other issues of priority for us -- actually, this is a good time to recognize some of our colleagues from Canada, PRMA, who are with us today -- I'm looking for Kelly Butler and John Worden (phonetic), who are here -- you guys could raise your hands.

We have, in the last eight or nine years, developed a rather integrated and -- relationship with -- with our colleagues in Canada and -- as well as a little bit less so, but we're moving in that direction with our colleagues in the other OECD countries, and we have a rather strong relationship as it relates to sharing work that we'll do part of an assessment.

They'll do part of an assessment. We'll share our work. We'll peer review it and make decisions, and we've never brought those issues to the PPDC. The theory being

that we have other venues for discussing that work.

We have a NAFTA technical working group that has technical meetings, that has conference calls in between the public meetings. Although, I think we -- we have struggled in that public process that there is not the diversity of the stakeholders engaged in those forum that we have with the PPDC, and so one of our long-standing guidelines, operating guidelines is that if there's a different forum for an issue to be discussed, then we don't talk about it at the PPDC, and that's why there are certain issues that we just don't bring here because we think there's a different place for it, but I think in the recognition that the lack of breadth to stakeholder engagement in the forum that do exist around our international activities, both EOCD and NAFTA, may lead us to say we'll bring at least some -- give this group some sense of what kind of work we do in those -- in those areas.

So, that's a possible topic for a future discussion, and I -- the fourth area I think we signaled yesterday, we're pretty committed to continuing to engage this group on the many issues involving endangered

species.

I think that from -- yesterday's discussion is very clear that we need to spend more time as stakeholders talking about how we do our assessment, and we've thought about and talked about amongst ourselves and the agency that the -- the model that we used in old chemicals, in the OPS -- what was the term you guys used to work for those, technical workgroups or --

UNIDENTIFIED FEMALE: Technical briefings.

MR. JONES: Technical briefings that we -- we'd take a day, and we would come with some example and walk --

(Break in tape.)

UNIDENTIFIED FEMALE: -- that would be more on top of it.

MR. JONES: I think, Erik, in the -- in the PPSP update, the numbers are in here. Okay. Thanks, Janet. All right. Frank Sanders, who is the director of the antimicrobials division, is going to talk about a topic that's been of significant interest in -- in -- in and among the stakeholder community, a relatively narrow part of the stakeholder community, given the diversity of this

group, but we thought it worthwhile bringing to your attention. Frank.

FRANK: I'm going to talk about the CCA guidance document. Many of you may not know about this document. So, I'm going to spend a moment providing some background as to how we got to where we are with respect to the guidance document.

The antimicrobial division was formed in 1996, and at that time, we had a new responsibility that dealt with the REDs, and one of the major responsibilities was to re-evaluate and conduct re-registration assessment for the heavy duty wood preservatives, which include chromated copper arsenic, which is CCA, creates pentacholoric phenol, and as we were going through this process in the early -- I mean, the mid-90s, something very interesting began to happen in -- in Texas, and Florida, Maryland, Washington, D.C., and many other states began to discover elevated levels of arsenic in the soils, particularly in residential areas, and this was a major concern that needed to be addressed, and so as we were going through that process of developing a RED, we began to focus particularly on risk to children.

We met with the registrants to talk about ways in which to deal with this -- this issue, and we didn't have the kind of data we'd like to have. We didn't have the wipe studies. We didn't have the hand-to-mouth studies, and we didn't have protocols for -- for -- for conducting those kinds -- that kind of risk assessment.

So, as we talked with the registrar, as it became clearer to them, as well, that this was a serious -- serious -- very serious problems, and as a result of that discussion, the registrars in early 2002 voluntarily submitted a cancellation to the agency. That cancellation focused on resid -- on a chemical used in residential areas, playgrounds, decks, walkways, boardwalks, as well as picnic tables and a host of other residential uses for the chemical CCA.

After we received the voluntary cancellation, we published in the Federal Register February 22nd the -- the cancellation notice. One of the things that was very important about this cancellation notice was the phase-out period.

In other words, CCA could no longer be used to treat wood for residential use after December the 31st,

2003. However, existing stocks were allowed to be distributed. That was back in 2002/2003 and six months -- that's about six months now since we worked with the cancellation order.

Most of the existing stock has -- it's no longer being used. I think most of the existing stock has been exhausted, and I don't believe you can find CCA treated wood in Home Depot nor Lowe's at this time. If you can, it won't be very much.

And most of the chemicals that are now -- the chemicals that are now used -- the alternative chemicals that are now used to treat CCA -- I'm sorry -- to -- to treat wood is primarily ACQ or copper asol (phonetic), these are the two major chemicals that are now used to treat wood for residential uses.

After we published the -- after we published that announcement in the Federal Register of the cancellation of CCA, we got huge numbers of comments. We had 6,700 comments, about 8,500 pages, and then after looking at all those comments, we made a decision that the cancellation order would be signed on March 2002, which it was.

After -- after the cancellation order was signed, there was an awful lot of discussions surrounding what did that really mean in terms of the use sites, the use products, the wood, and some complicat -- complication need -- needed regarding the remaining usage of CCA treated wood in industrial settings, constructional docks, piers, permanent wood foundation, agricultural fence posts, it was not clear to the wood treaters or -- or the users of this wood exactly which could be treated with CCA and which could not be treated with CCA.

We draft a guidance document -- we issue it to a stakeholder for comment. Now, when I say draft a guidance document, the guidance document essentially is a document that clarifies where -- what products are in and what products are out.

The first guidance document we issued was in April of 2004, which was last, what, back in April a few months ago? We gave a period of 30 days for comments, and the reason why we gave a short period for comments, we had been working with the stakeholders, and they were very familiar with what's in that document. So, we

believe 30 days was an adequate period for comment, and then May 2004, which was still this month, the comment period was 15 days, and we received somewhere in the neighborhood of about 30 comments.

It wasn't a lot of comment because, again, we were working with the industry, working with the various environmental groups to make sure that they were aware of what we were changing and what we were not changing. We issued the -- we issued it to the treated wood cancel. We sent copies to the American Wood Preservative Association, the (inaudible) industrial tower industry, the National Frame Builders Association, EPA regional and state offices.

We also sent it to the environmental working group and helped it build a network, and we have received comments. The guidance which we -- they believe provides clear -- it's clear as to what uses are in and what out -- which ones are out.

We work with AWPA standards, which are approved by the agency. The AWPA standard is the American Wood Preservatives Association. That particular association had developed standards for the use of CCA treated wood.

Our major concerns was diversion of CCA treated wood from industrial uses to residential uses, particularly treated wood of the same dimensions.

Those folks that are familiar with this -- this industry realizes that many of the treated products use same dimensional wood, and some of that wood, like two by sixes or two by fours can be used in both industrial settings, as well as in residential settings, and our major goal was to prevent the wood from being diverted for use in residential areas where children would be exposed to that type of wood.

Another concern we had was enforceability, the guidance needed to be very clear as to which use sites could be treated with CCA and which could not be treated with CCA. In the guidance document you would see a notation that says in or out.

For the -- for the wood treaters, this is very, very important because it's very clear as to what wood can be treated with CCA and which woods cannot be treated with CCA.

After we -- after we sent the guidance document out for comments in early May, we've gotten the comments

back. We reviewed those comments. We made certain modifications to guidance, and now the guidance is ready for a follow-up publication, a distribution of the guidance.

The document would probably be distributed -- not distributed -- would probably be published in the Federal Register sometime in June. It also will be on our website.

I have copies here with me and copies, I believe, out on the table. If you would like to -- to get a copy of it, you're welcome to do so. The copy's about 10 pages long and is very detailed and comprehensive, and that is about where we are with respect to the guidance of the CCA document.

Are there any questions?

MR. JONES: Pat.

MR. QUINN: I -- just one, I'd commend Frank and his staff for bringing the closure of what's been a lengthy process. I think the guidance document, as someone who's been -- who has represented the three CCA registrants throughout this process, it's going to go a long way toward eliminating confusion in the field and

toward insuring that what's been a very good phase-out and transition to the new chemistry actually gets put into place without any gamesmanship out in the field.

I can also say that from the perspective of those three registrants, we would like to see OPP get some assistance from your brethren in OECA and from the regions and to do some sort of a modest enforcement effort out in the field to make sure that you can determine that, in fact, there is full compliance once this guidance is -- is out there and available to everyone.

FRANK: Pat, thank you for the comments. We are working with OECA. We are working with the regions. We have developed an enforcement compliance strategy. So, I think that what your comments are right on -- right on target, and we do intend to enforce in compliance with the guidance document.

UNIDENTIFIED FEMALE: The compliance strategy will actually be published with the --

FRANK: Right.

UNIDENTIFIED FEMALE: -- guidance document as a companion piece. So, everybody will be able to see it.

MR. JONES: Amy, Amy one -- Amy, your -- Brown's card is up first, follow that --

MS. BROWN: Mine is?

MR. JONES: Yeah.

MS. BROWN: So, what will be the distribution pattern of this. Will -- it says be a Federal Register in the website, but how will the individual treating facilities be --

FRANK: We -- we -- we also --

MS. BROWN: -- identified?

FRANK: -- said directly, too, the treating facilities, what they -- they are -- we've been in contact with the various associations, and normally what happens, we send it to the associations which represent most of the wood treaters, and they, in turn, distribute it to the wood treaters, and that has been a very, I believe, productive way of getting the documents out to the wood treating community.

MS. BROWN: And I'm assuming it also goes to the state lead agencies --

FRANK: Oh, yes.

MS. BROWN: -- and they can send it to the

people in their state --

FRANK: Yes, we will send it to the state lead agency. We have what we consider to be a communication strategy, as well, that would be a part of this distribution.

MR. JONES: Amy Liebman.

MS. LIEBMAN: I'm just curious, are you issuing guidelines for existing structures like what our consumers do with existing structures?

FRANK: Not at this point. I -- I know what you're trying -- I know what you're getting to as to -- you know, CCA has been out in the marketplace for a long time, and structures have been built with wood treated with CCA, and you want to know whether or not the agency is going to give guidance as to whether or not those treatment facilities are vulnerable.

We are working with a -- we are conducting risk assessment. The risk assessment has not been completed. Hopefully it will be completed sometime in late 2004.

MR. JONES: We're -- we're also doing research at our Office of Research Development on the effectiveness of sealants to seal arsenic that could

otherwise leak out, and when we have a better handle on what may be effective for longer periods of time, we may well be giving some consumer advice.

Erik.

MR. OLSON: I had two questions: One, is what kind of labeling would be required on things that are in to make sure that they aren't diverted, and secondly -- I assume that's part of your -- your thinking, and secondly, has the agency given any thought to what to do about the existing structures beyond guidance, whether to require the registrants to foot the bill for remedying this situation, assuming that your risk assessment, that the previous ones were pretty startling, the numbers, and I'm wondering what thought you're giving to what to do about existing playground equipment, or decks, or whatever else.

MR. JONES: Why don't I take that, Frank, on the first question, these products, once they're applied, the actual uses, the application, the treatment of the wood with the pesticide, at which point it becomes a treated article and is then exempted from different requirements such as labeling, and so to deal with the issue that you

described -- so, we don't have any labeling -- we have no ability to label the wood. To deal with that, we've had to a be little more overreaching than we otherwise would have.

If we think that the -- that the dimension of wood has the potential for -- a ser -- a meaningful potential, serious potential of getting into a residential setting, we have not allowed that dimension of wood to be treated, and so if you did have this ability to label because you hadn't exempted the mistreated articles, you could have been more focused in how you -- how you regulate it.

So, we had to be a little broader than we otherwise would have been because of this phenomenon. So, there is no labeling to the wood. We've just -- we've just allowed size wood that we don't think that there is a significant likelihood of that wood getting into a residential setting to be -- those are the kinds of woods that are allowed.

On the -- on the second question, again, the sealant work that we're doing, I think, will be instructive in informing the kinds of advice that we are

likely to be able to give to consumers about how they can -- if they're concerned about exposures, mitigate risk.

We've also -- have consistently said that it's not important to eat food off of CCA treated wood. It's important to -- for children to be washing their hands after playing outside whether it's on treated wood or not.

We're not recommending that people remove decks. I think that that -- that kind of guidance about when we have information on sealants, as well as behavioral changes, is -- is likely to be the kind of advice that we're going to be giving consumers or to users, homeowners, people with children.

UNIDENTIFIED MALE: Is there a registrant responsibility for sealants or for removal if you're risk assessments do find a serious problem?

MR. JONES: I don't think that we're seriously considering that as a potential mitigation option at this time.

UNIDENTIFIED MALE: Even if you determine that there is a serious problem?

MR. JONES: Serious is a pretty --

UNIDENTIFIED MALE: (Inaudible) risk.

MR. JONES: I don't think we'll be seeing risks in that range, given the prelim -- the work that we've done to date, but -- so, I don't want to speculate on what we do about something that I don't see has a high likelihood outcome.

Okay. We're going to do some -- our final two topics are basic updates around their registration program and our registration program.

Lois.

MS. ROSSI: First, the registration program, our program goal in our work plans this year was for -- as -- with regard to active ingredients, and this is for conventional biopesticides and antimicrobials, also, 26 new active ingredients was -- was the goal, and to date -- and we're two-thirds of the way through the third quarter, we've registered 12 new active ingredients, two of them are conventional, two antimicrobials, and eight biopesticides.

We're hoping in the registration for conventional pesticides that we have quite a few more issued during the month of June before the end of the

third quarter, and we're on track to make those decisions.

With regard to new uses, 27 new uses associated with 43 crops for previously registered active ingredients have been made decisions on, and as far as conventional goal, for conventional new uses it's 230.

So, we have a substantial way to go there, but I think we are probably going to have the same crunch the fourth quarter once again this year, but hopefully with the deadlines and the way PRIA is going to force the work, this will be the last fourth quarter crunch we have.

With regard to the section 18 activity -- next slide, Bill -- you can see the numbers there -- we've had 318 requests to date, and I'm told by Dan Rosenblatt that this is a little lower than we normally have had, and we do anticipate these requests to go down as we go through the section 18 -- the section three applications that have been pending and haven't been worked on.

So, we do intend -- we do think that the activity on 18s will go down, and you can see that we still have 165 of these pending. 210 have been

approved, 19 withdrawn, four denied, and 12 actually where the stated declared crisis.

So, we will be following these numbers pretty closely in the -- in the coming months to see the impact of -- as we go through our section threes and make decisions on our new uses what happens to that -- the trends in the 18 program.

Fast track and non-fast track decisions, fast track amendments so far, 2933. Non-fast track amendments, which mostly must be in BPPD and antimicrobial division because RD typically has not worked on non-fast track amendments, 266 fast track new products, 224, and non-fast track new products, 234.

So, that, again, is -- those are program-wide statistics. Additional -- new additional pesticide registrations, five reduced risk conventional pesticides. This is -- these are still on the work plan to remain -- five conventional non-reduced risk pesticides. Those are our candidates, the candidate pool for the '04 work plan for biopesticides and one antimicrobial pesticide, and I think as we've told people many times before since the enactment of PRIA, we are continuing to finish the '04

work plan for new chemical and new uses. So, that's where -- where we are.

Questions? Jose.

MR. AMADOR: Lois, would you review quickly when you deny a section 18 request, what are some of the main reasons why it's being denied?

MS. ROSSI: The ones that I've seen, which are the only ones that I really can comment right now, are the very reason that we've discussed earlier where either an emergency wasn't thought to exist primarily because there were adequate alternatives.

Those are the ones that -- that's what -- that's what I've seen in my short experience so far. (Inaudible).

UNIDENTIFIED FEMALE: Lois, these are the numbers for 2004 up until now; is that correct?

MS. ROSSI: Yes.

UNIDENTIFIED FEMALE: So, do you have any idea what is your typical section 18 -- do you have any idea what the average number is for when you get for a whole year --

MS. ROSSI: I don't know.

MR. JONES: About 500.

UNIDENTIFIED FEMALE: About 500.

UNIDENTIFIED FEMALE: About 500, and one other question, on the crisis declared for the states, how many years can a -- can a state do that? Is that a one -- once and then --

MS. ROSSI: One time.

UNIDENTIFIED FEMALE: One time, thank you.

UNIDENTIFIED FEMALE: For that year?

MS. ROSSI: Yeah.

MR. JONES: For a chemical, for -- for emergency.

(Laughter)

MS. ROSSI: If they thought there was a crisis. Rebecca.

REBECCA: I just wanted to say thank on behalf of the soybean and other folks in the nation for the work that USDA and EPA have done on (inaudible) section 18s out for soybean (inaudible).

MS. ROSSI: Oh.

REBECCA: We know it's coming, and you've been wonderful to work with and helped the states do what they

need to do and help them through the process. They're appreciating and so are the producers.

MS. ROSSI: Thanks.

MR. JONES: All right. Dennis, you don't want --

MR. HOWARD: Just a quick question, Lois, do you have any sense for the turnaround time on section 18s how -- how the agency is doing on meeting their --

MS. ROSSI: Well --

MR. HOWARD: -- (inaudible).

MS. ROSSI: -- yeah. It seems to be a little -- we did -- we didn't really calculate that for this presentation because I think it is a little longer than has been anticipated, and a lot of that has been the transition we've been going through with team leaders for the section 18 team, and branch chief in that branch, and staffing.

So, it -- it is a little longer, I believe. Some have gone through very quickly, and others, I think, are dragging the average out a little bit longer this year.

MR. JONES: Thanks, Lois. Okay. Debbie

Edwards, her final (inaudible).

MS. EDWARDS: Okay. We can just go to the next slide. I'm going to give you the overview of re-registration again. That's just for the entire program, not just conventional chemicals.

It's biopesticides and antimicrobials, as well. For the -- the plan for the year is to have 37 re-registration eligibility decisions, a little bit misleading here, but 17, actually, re-registration eligibility decisions, one interim, and that's for one carbonate, and 19 TREDs. Again, that's a tolerance re-assessment exercise. So, that takes you to the 37.

To date this year, we have completed what's on this slide. You can see there are -- I mentioned earlier today we had done TREDs, actually, for carbon dioxide and nitrogen.

We have done some inerts work, but obviously, as you can see, we're going to have a fourth quarter crunch, as well, I think. So, moving on there, these are the REDs that are scheduled for the rest of the year. There are a number of antimicrobials REDs you can see there.

I actually have anapholenacedic (phonetic) acid,

which is NAA, on my desk right now, and most of these are in various stages of public process or are considered to be low risk chemicals. Next slide.

This is the one I-RED that's scheduled. It's part of the N-methyl carbonate group, and that's scheduled for, I think, September, and again, here are the TREDs, the tolerance re-assessments that are scheduled.

You can see there are a number of, what I'd call big ticket chemicals, as well as some low risk chemicals, oil of lemon, oil of orange. We do have putrescent (phonetic) egg -- whole eggs, which is not a component of caesar salad.

(Laughter)

MS. EDWARDS: So -- I hope, anyway. The next slide here shows kind of some graphs overall of where we are. As I mentioned yesterday, we have 155 REDS left complete, which is about 25 percent.

A good percentage of what has actually been completed so far, 231 cases were completed through cancellations.

220-some were -- were actually completed through

the normal processes, and in the bar graphs you could see kind of where we are with respect to the tolerance re-assessment goals of meeting that by August 3rd of 2006.

I wanted to explain that one graph there next to the right almost where it says GPRA. That's the Government Performance Results Act goals for this year. So, you can see where we are with respect to that. It's an internal tracking system that we have for some of our goals.

The next slide. This is a -- something that we've been tracking, some tolerance re-assessment breakdowns for some chemicals that we thought people would have some interest in.

You can see that we organophosphates listed there, where we are with that, and carbonates. Some of the tolerances remaining there for both the carbonates and the organophosphates are from I-REDs. We're going to be able to count those tolerances when we're finished with the cumulative assessments, which I'll talk about in a minute.

You can see we've completed all of the

organochlorines, about two-thirds of what were considered to be carcinogens. The high hazard inerts should be done this year. Actually, the remaining two tolerances are for phenols, and that's being done through an active ingredient RED that's an antimicrobial.

So, those will be done this year. Next slide. Just briefly in the 2005 and six plans, 2005 plan, you can see we have 50 decisions scheduled. So, people have talked a lot during this meeting about us typically doing 20 decisions a year and 80 being a lot.

I think we're kind of gearing up now toward the 80 a year goal for registration review, needing to do 50 decisions in 2005, and then next slide you'll see 52 decisions in 2006.

I wanted to give you a little bit on the cumulative assessment schedules for the OPS. We still have three chemicals left to complete I-REDs for. Those are dimethylate (phonetic), DDBP, and malathion (phonetic), and we're still on track to complete the OP cumulative by -- during FY 2005.

The next group is the chloroacid annelids (phonetic), and that one, there is a chance that that

actually will drop out as a cumulative assessment, a reasonable chance of that. We're -- we're looking at some science and think that it was incorrectly placed in a cumulative category, in the first place. That will all be vetted and discussed in the first I-RED that comes out on that.

So, there will be plenty of opportunity for public comment on that. Let's see, the N-methyl carbonates, we're looking at finishing in FY 2006. There are a number of chemicals involved in that, albacarb (phonetic), carbofurin (phonetic), carbaryl.

I mentioned formetanate (phonetic), methymyl (phonetic), methiocarb (phonetic), oxymyl (phonetic), and thiodycarb, among others. So, that's a pretty big group we're looking at, and finally, the triazines (phonetic) in 2006, which is atrozine (phonetic), propazine (phonetic), and semozine (phonetic).

I did mention before that right now we have 548 tolerances that we're not counting but will be able to count once we finish these cumulative assessments, and finally, I don't like to talk about re-registration without mentioning where the rubber meets the road, and

that's product re-registration. It's where the products actually get to the growers.

You can see there that about 40 percent of (inaudible) were pending and completed of products are either finished, or re-registered, or close to being re-registered, about 60 percent still to go out of a total of nearly 23,000 products.

A big piece, though, of what's in that 60 percent are the 24D products and a lot of pyrethroids (phonetic), some chemicals that have a whole lot of products associated with them. So, that's a little bit misleading in terms of -- of where we are with re-registration.

I also wanted to mention that there are -- this is actually incorrect, there are 440 labels that, even though they haven't been officially re-registered, we've achieved a lot of risk mitigation through MOAs, memoranda of agreement with the registrants, and you can see the chemicals listed there, or the one that wasn't listed and why the actual number goes up is CCA, which frank was just talking about. We've had quite a bit of improvement in the CCA labels and some risk mitigation.

So, some of the things that have happened there are increased re-entry intervals, increased personal protective equipment, increased PHIs, closed cabs, residential -- a lot of the OPS, and in the CCA case, we've taken away a lot of uses from residential environments, and in terms of ecological assessments, we've lowered rates and reduced the number of application rates.

So, we're happy to be able to report that, as well, that's it. Any questions. Who have we got?

MR. JONES: Amy.

UNIDENTIFIED FEMALE: Amy.

MS. ROSSI: Amy, sorry.

AMY: There's obviously a lot going on there, and I'll be really interested to see how some of the final things come out here. I'm wondering, in view of what Bill Diamond said yesterday about impacts associated with programs and looking to make sure that we have impacts, I'm wondering if EPA is going to evaluate whether you actually -- you said the rubber meets the road because this is where the product gets to the user, and that's true.

So, are you going to be looking at whether these mitigation -- mitigating factors and processes put on the label actually had their affect from assessing whether the labels made them safer to use, or safer for the environment, or safer for the human health?

MS. EDWARDS: Yeah. We actually have -- Jim may want to say something about this, too, but there's a fairly significant number of people working within the program to design what we call indicators of -- of the success of our mitigation measures. As you probably can imagine, that's a little bit easier when you're dealing with acute effects and things like that rather than chronic and especially in the diet, but they're still looking to -- very aggressively, including people in nearly all divisions to try to --

AMY: Great. So, there will be --

MS. EDWARDS: -- find indicators --

AMY: -- data provided --

MS. EDWARDS: Yeah. Yeah.

AMY: -- on that?

MS. EDWARDS: Yeah.

AMY: And maybe the next time around when we

hear the report, we can see some of those indicators --

MR. JONES: We've gotten pushed pretty hard by ONB, and frankly, I've appreciated it, as I think we've under-invested in outcomes -- we're very good at outputs, and that's what we're always bringing to you guys, how many of what we've done.

They've pushed us very hard to get it to outcomes, and we started a year and a half ago. We had nothing, and we're getting better at identifying outcomes and measuring them. I think we need a little bit more time before we come to the PPDC to sort of say here's what we're doing, do you have any advice for us as to where we should be investing in outcomes more and also making it a routine part of our output reporting, but we're getting there, and I think soon we'll be able to bring something that fleshed out enough to get some advice on.

MS. EDWARDS: Patti.

MS. BRIGHT: Hi. Debbie, I had a quick question. It's maybe a little off-topic, but I'm hoping you can clarify it for me, is a pesticide use is cancelled, what happens to the tolerance, is that taken

off the books, or is it left off the books for some period of time, or --

MS. EDWARDS: It's typically taken off. There is an opportunity through the public comment process to retain it for import. For example, if the use was cancelled principally for reasons other than dietary, you know, for worker risk concerns that we had, or some sort of ecological risk, or you know, ground water, whatever it is, but --

MS. BRIGHT: Um-hum.

MS. EDWARDS: -- if we can make a -- if someone wants to make a case to use that it could be retained for import tolerance purposes and without causing any unreasonable adverse affects on our population, then we might retain it in that way.

(Break in tape.)

MS. BRIGHT: Otherwise, it's an automatic cancellation or --

MS. EDWARDS: No. We have to -- we -- we make a proposal around it, and then we actually revoke it. You -- you should see several of those coming out this year, actually. That's -- some of the tolerance re-assessments

that we're reporting will be done this year have to do with we count it as re-assessed when it's taken away. So --

MS. BRIGHT: Okay. Great. Thank you.

MR. JONES: Okay. Thanks, Debbie. Marty, as of right now, no public comment? Okay. Very good. No --

MR. OLSON: Can I -- I just wanted to ask one quick --

MR. JONES: Oh, sure, Erik.

MR. OLSON: Could I take from the presentation that you're going to meet the deadline in August of 2006?

MR. JONES: Yes, absolutely, unequivocally.

UNIDENTIFIED MALE: You have good people working for you.

MR. JONES: I have very good people working for me, that's the only way we're going to do it. Okay. I have a few summary items I want to go over, but I'd start with I feel as if this has been a very productive meeting for us.

I -- I felt that the agency got a lot of very thoughtful, useful advice, and I'm going to report out on how we're using some of that advice already because I

think some of it was -- there was enough consensus around and it was clear enough that I didn't need to do much consultation with my colleagues before we decided, you know what, we're just going to do this, and then some of it we'll -- we'll report back in future sessions, but I thought it was a very good day and a half, and I attribute that to a couple of factors: One is that the agency is investing more and more in working these issues between the meetings and not just when we get here, and that you all are working -- helping us work these issues in between meetings and not just coming to the meeting and giving us your thoughts off the top of your heads, and I think that that combination is giving us -- is leading to better meetings and getting us better advice, and as the chair of a Federal Advisory Committee Act, it's not just an acronym to me.

It is -- it is about getting advice, and that's what we're here for is for us to get advice, and I think that this last day and a half we got some very good and thoughtful advice.

Why don't I just sort of summarize what I see as specific known take-aways for us. There are a lot of

things that are not going to be on this list that we just need to do more internal discussion and dialogue within OPP before we decide what track we're going to follow, but again, there were a number of things where I think it's pretty clear what we're going to do next.

First, on the registration review work group, which I've said a number of times I'm very pleased with the effort we're getting from that group. The PPDC accepted the recommendations of the -- of the work group and have forwarded those onto the agency, which we are very inclined to accept. I think that they -- they define sort of the framework of registration review, and the next step, as I've described already, is for us to do a couple dozen case studies, which we're going to, as I've mentioned, bring back to that workgroup for their consideration and advice, and PSEP funding, there was a consensus recommendation with somewhat of a small dissenting view that EPA should pursue line item for PSEP funding in future appropriations.

I will certainly take that back to my management and we'll let you know what we choose to do with that recommendation, and as a subsequent follow-up, we'll

present at the next meeting the budget context within which PSEP funding exists and also the results of our program review around that.

ESA, general sense of the PPDC that integrating ESA into registration review, registration, and re-registration is an appropriate strategy for getting into full compliance with ESA.

Clearly, there was some concern by some -- a few members of the PPDC that that -- that, in and of itself, may not get us out of a litigation track, which is definitely one of our objectives. Although, the main objective is to get into compliance.

We certainly want to try to do that without encouraging a lot of litigation, and we take that minority concern, we'll take that into consideration into how we go forward. The next step for the PPDC is for OPP to do a case study.

It's not actually a case study. We -- we're doing an assessment right now on a particular chemical -- a number of chemicals, actually, where that will last showcase, highlight, demonstrate, be transparent to members of the PPDC who are interested in it, how we do

an endangered species assessment, and we talked a fair amount about that about an hour ago, and we'll be following up with some information about when, how we're going to be doing that.

The topic of -- I think I can now say it's a misnamed topic, environmental marketing claims. I think that the general sense I get of the PPDC is that EPA should explore revising label language on consumer products in a manner that links user behavior with safe use in a standardized manner.

We need to talk internally as to how and if we want to move forward in that area and what role the PPDC would have. I certainly don't want to move forward without having a diverse group of stakeholders engaged, whether we use a PPDC workgroup, or maybe an electronic workgroup amongst you, or some mechanism to get input into that, we will let you know.

As it relates to PRIA, the -- we -- a number of you said that you really thought we should vet the process improvements with the PPDC, and I think that that -- that -- we will pursue with stakeholders who are more directly involved a discussion around process

improvements, but as we, at the agency, get serious about pursuing any of them, we'll vet them here so that we at least get the benefit of a broad group of stakeholders advice on any of the process improvements. In particular, if the -- we realize there could be some controversy around them.

And one of -- one of my former supervisors used to say do I really need to pay -- tell you to pay taxes on April 15th? So, if we have improvements that are along the lines of, you know, you got to pay your taxes on April 15th, we won't bother you with those, but those that may be a little bit more pushing the envelope will make sure that PPDC has some opportunity to give us advice on that.

And we certainly have -- we heard and we'll -- we'll follow up without further internal dialogue the need for more outreach on the worker protection, the proposal that you all got today, and we will be following up on that.

Again, the -- these items do not capture the range of all of the advice that we got to -- today and yesterday, but I -- they represent the advice that we're

already ready to move forward in some way on, and I just wanted to make -- let you know sort of where -- which areas those encompassed, and we will take back all of the input that we got, and sort it through at the agency, and take appropriate steps as -- as we choose to take, or sometimes modify or leave behind some of that advice.

UNIDENTIFIED MALE: Jim --

MR. JONES: Yes.

UNIDENTIFIED MALE: -- is it possible -- I mean, I'm not desperate for this, but is it possible to get that summary so we can --

MR. JONES: This summary? Yeah. We can -- we can have this written up and sent around to the -- that's a good idea. Okay. Well, we are going to close about nine minutes early.

I want to thank all of you for your time, and your energy, and your effort, and look forward to future work together. Thank you.

(The meeting was concluded.)

CERTIFICATE OF TRANSCRIPTIONIST

I, Paula Leidig, do hereby certify that the foregoing transcription was reduced to typewriting via audiotapes provided to me; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were transcribed; that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

PAULA LEIDIG

Transcriptionist

For The Record, Inc.
Waldorf, Maryland
(301)870-8025