

## Proposal to Revoke Chlorpyrifos Food Residue Tolerances

### Related Information

- [Basic information on chlorpyrifos uses and EPA actions](#)
- [Revised chlorpyrifos human health risk assessment](#)
- [Learn more about food residue tolerances](#)

In October 2015, EPA proposed to revoke all food residue tolerances for the insecticide chlorpyrifos. At this time, EPA is unable to make a safety finding as required under the Federal Food, Drug, and Cosmetic Act (FFDCA). We will respond to all comments received on the proposal and make a final decision by March 31, 2017.

In November 2016, we revised our human health risk assessment. This revised analysis shows risks from dietary exposure (i.e., residues of chlorpyrifos on food crops) and drinking water. It does not result in a change to our proposal, but after considering the advice of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel (SAP), we are modifying the methods used to support that finding.

[Learn more about the revised human health risk assessment and opportunity to comment on the assessment.](#)

[Read the proposed tolerance revocation rule.](#)

On this page:

1. [Why is EPA proposing to revoke all tolerances for chlorpyrifos?](#)
2. [What uses of chlorpyrifos are affected by this proposed tolerance revocation?](#)
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1. **Why is EPA proposing to revoke all tolerances for chlorpyrifos?**

In June 2015 EPA indicated its intention to issue a proposed rule revoking tolerances by April 15, 2016, to address previously identified drinking water concerns and in response to a petition from the Natural Resources Defense Council (NRDC) and Pesticide Action Network North America (PANNA). This schedule would have allowed time for EPA to complete its additional analysis, taking into consideration the public comments received on its December 2014 human health risk assessment.

On August 10, the 9<sup>th</sup> Circuit Court rejected EPA's time line, instead ordering EPA by October 31, 2015, to: deny the petition, issue a proposed revocation, or issue a final revocation rule. At that time, EPA did not deny the petition because we were unable to make a safety finding based on the science as it stood. At that time, EPA did not issue a final revocation rule because we had not completed our revised human health assessment and refined drinking water assessment, so certain science issues were still unresolved.

Based on the 2014 analysis, EPA could not conclude that the risk from aggregate exposure met the Federal Food, Drug, and Cosmetic Act (FFDCA) safety standard. EPA has determined that safe levels of chlorpyrifos may be exceeded in parts of the United States for people whose drinking water is derived from some small vulnerable watersheds where chlorpyrifos is heavily used.

We informed the court, we proposed to revoke all chlorpyrifos tolerances based on the science as it stood. Issuing a proposed revocation provides an opportunity for public input prior to any final decision. The court also required EPA to provide the timeline for a final rule should EPA issue a proposed revocation. The court has extended the deadline for issuing a final rule to March 31, 2017.

In November 2016, we [revised our human health risk assessment and drinking water exposure assessment](#) for chlorpyrifos that supported our October 2015 proposal to revoke all food residue tolerances for chlorpyrifos. The revised analysis shows risks from dietary exposure (i.e. residues of chlorpyrifos on food crops) and drinking water.

## 2. **What uses of chlorpyrifos are affected by this proposed tolerance revocation?**

Because tolerances are the maximum residue of a pesticide that can be in or on food, this proposed rule revoking all chlorpyrifos tolerances means that if this approach is finalized, all agricultural uses of chlorpyrifos would cease. [Learn more about tolerances.](#)

According to USDA data there are approximately 1.2 million crop producing farms in the U.S. EPA estimates that more than 40,000 crop producing farms currently use chlorpyrifos to control a wide range of insect pests. Cost effective alternatives are available to control many of the pests targeted by chlorpyrifos. Some farms growing certain crops (e.g., broccoli, cauliflower, cabbage, citrus, etc.) may be affected more than others by the loss of the use of chlorpyrifos.

[Learn more about the uses of chlorpyrifos.](#)

### **3. What are the specific concerns associated with drinking water?**

EPA's 2014 revised human health risk assessment showed the potential for risks in small watersheds with high concentrations of farming where chlorpyrifos may be widely used. The 2014 assessment included a refined drinking water assessment for the Pacific Northwest and the Southeast, but not the entire country. EPA determined that safe levels of chlorpyrifos may be exceeded for people whose drinking water is derived from certain vulnerable watersheds in parts of the United States.

EPA completed its refined drinking water assessment in 2016. While this drinking water assessment is more refined than the previous assessments, the results did not identify many areas where potential exposures of concern to drinking water can be ruled out. As a result, this assessment does not significantly alter the conclusions in the proposed rule regarding drinking water exposure and continues to indicate potential exposure to chlorpyrifos.

While EPA completes the final rule, anyone who has concerns about contaminants in their public drinking water system should check with their local water utility or state. Local authorities are not required by EPA to test for chlorpyrifos, since EPA has no federal drinking water regulation for chlorpyrifos. However, some local authorities do test for contaminants beyond federal drinking water regulations.

### **4. What are EPA's next steps?**

EPA plans to issue a final rule on chlorpyrifos tolerances by the court-ordered deadline of March 31, 2017, after considering comments received on the revised analyses.

# American Agriculture Speaks Out in Support of Chlorpyrifos

(Jan 16, 2017)

The attached petitions with **2300** signatures in support of chlorpyrifos, represent American growers, farmers and others from across the U.S. who are involved in producing the food American consumers rely on and the crops that are important exports supporting U.S. trade. Signees have a simple, common message to EPA:

**We ask you, the US EPA to retain the current crop tolerances and the continued registration and availability of use of the chlorpyrifos-containing products we need.**

Those involved with production of citrus, corn & soybean, cotton, wheat and sugar beets have petitions specific to their crop so they could emphasize the critical importance of chlorpyrifos to their operations. Crop-specific petitions were signed by;

**199** for citrus

**619** for corn & soybean

**187** for cotton

**399** for wheat

**224** for sugar beets

For other crops, **672**, representing the full range of crops on labels for chlorpyrifos products, signed the petition.

Petitions were signed during EPA's public comment period for EPA's Chlorpyrifos: Tolerance Revocations; Notice of Data Availability and Request [EPA-HQ-2015-0653] from November 17, 2016 to January 16, 2017. Signatures were collected by Dow AgroSciences and are being submitted by Dow AgroSciences with the understanding and agreement of those who signed the petitions.

Submitted on January 16, 2017 by:

Dow AgroSciences, LLC  
9330 Zionsville Rd  
Indianapolis, IN 46268



## Chlorpyrifos is a critical tool for American crop production

In the United States, growers of more than 50 different types of crops, including cereal, oil, forage, fruit, nut and vegetable crops count on chlorpyrifos as a critical tool. Farmers rely on chlorpyrifos because of its efficacy, broad-spectrum control, low cost, and tank mix compatibility. For many important pests, growers face limited or no viable alternatives to chlorpyrifos. And, when an outbreak of a new pest occurs, growers look to chlorpyrifos as a proven first-line of defense. Growers also look to chlorpyrifos for the ease of implementation into existing Integrated Pest Management and Integrated Resistance Management programs, and the minimal impact on beneficial insects compared to alternative chemistries.

**We ask you, the US EPA to retain the current crop tolerances and the continued registration and availability of use of the chlorpyrifos-containing products we need.**

First Name	Last Name	State	Yes I have read and understand that this petition will be submitted into official public comment dockets and any personal information included may be publicly viewable Indicate yes by checking here
Manfred	Schosnig	OR	1
KENNETH	TAMURA	IDAHO	1
Jimmy	Wood	Ga.	1
mark	hawke	GA	1
Don	Tolmie	Idaho	1
Katherine	Blanchard	WA	1
Joe	Weitz	ID	1
Leland	Tiegs	Idaho	1
Matthew	Ray	GA	1
Keith	Kubik	California	1
Gary	Lucas	Idaho	1
Gene	Schmitt	Idaho	1
Leslie	Dean	ID	1
Richard	Matteson	North Dakota	1
Justin	Lynch	Washington	1
Kevin	Marshall	Oregon	1
Sidney	Naito	ID	1
Grady	Whiddon	Ga	1
Matthew	Hamilton	OR	1
Austin	Purvis	Georgia	1

Talley	Brim	Ga	1
Joel	Horn	CO	1
Harold	Mckay	Oregon	1
Josh	White	GA	1
Darin	Garland	GA	1
Donna	Cowart	GA	1
Matt	Taylor	GA	1
Chase	Floyd	GA	1
Willie	Wiggins	GA	1
Jimmy	Wiggins	GA	1
Greg	Howard	Ga	1
Jeffrey	Howard	GA	1
Lamar	White	GA	1
Rebecca	White	GA	1
McKinley	White	GA	1
June	Howard	GA	1
Aaron	Wolff	KS	1
Kenneth	Tucker	KS	1
Michael	Bahr	Kansas	1
Cole	McCurry	KS	1
Ryan	Mcbride	Oklahoma	1
Shawn	Thornton	Ks	1
Travis	Kolm	Kansas	1
Keith	Hulteen	Colorado	1
Brett	Despain	Idaho	1
Julie	Gordon	MI	1
Brent	Sutton	DE	1
russell	byerley	washington	1
Josh	Prow	WA	1
Kevin	Schwertfeger	Kansas	1
Timothy	Guttridge	OREGON	1
Thomas	Egan	Oregon	1
jeff	Newton	Oregon	1
Justin	Jones	Georgia	1
Matt	Storlie	Idaho	1
Willis	Connell	NC	1
Tim	Semler	ND	1
shawn	knudson	north dakota	1
JP Tom	Bodderij	Arizona	1
Jason	Richter	North Dakota	1
Wayne	Christ	North Dakota	1
Ben	Lee	ND	1
Andy	Grundstad	North Dakota	1
William	McMullin	UT	1

Damon	Christensen	Washington	1
Alan	Gilbert	WASHINGTON	1
Brett	Lolley	Idaho	1
Lynn	Register	NC	1
Scott	Ginn	NC	1
Robbie	Whitfield	NC	1
Marvin	Sutton	NC	1
Brock	Leonard	WA	1
MERLE	BLOCK	ND	1
Douglas	Duerst	Oregon	1
Nancy	Aerni	OR	1
Kyle	Gilbert	WA	1
Marty	Coble	WA	1
James	Cadwallader	NM	1
Wyatt	Smith	Oregon	1
Brian	Dugo	California	1
Nicholas	Martin	KS	1
David	George	SC	1
Sarah	Cassel	North Dakota	1
Jerry	Domes	Oregon	1
Sam	Krautscheid	WA	1
James	Boyles	Georgia	1
Tamara	Duchsherer	ND	1
Angela	Behler	WA	1
Steven	Thonney	Washington	1
Todd	Crosby	Oregon	1
Mark	Millard	Oregon	1
Wally D	Huppert	Washington	1
Michael	McKoen	Oregon	1
Craig	St. Hilaire	WA	1
John	Meeks	Georgia	1
Neal	Braswell	GA	1
Jay	Hendley	Georgia	1
William	Ward	N C	1
Joseph	Brincks	ND	1
Lily	Hyman	NC	1
Ross	Greene	GA	1
Brian	Walsh	North Dakota	1
Galen	scheresky	ND	1
Greg	Schultheis	WA	1
Justin	Krieg	ND	1
James	Freeman	Georgia	1
Crystal	Gaillard	Georgia	1
Ronald	Juris	Washington	1

**To:** Benton, Donald[benton.donald@epa.gov]  
**Cc:** Bangerter, Layne[bangerter.layne@epa.gov]; Davis, Patrick[davis.patrick@epa.gov]  
**From:** Ferris, Lena  
**Sent:** Thur 3/2/2017 8:01:50 PM  
**Subject:** RE: Farm Bureau  
[Meeting with WA State Members of the American Farm Bureau Federation.docx](#)

Don – here is the meeting summary from yesterday’s Farm Bureau Meeting. The synopsis of participant concerns is on page three so can act as a stand-a-lone document should you prefer that.

Happy to follow up on any of the issues or set up meetings for you on specific topics that you would like to know more about with the program office’s.

Lena Ferris

Special Assistant to the Agricultural Advisor

Office of the Administrator

**From:** Benton, Donald  
**Sent:** Wednesday, March 01, 2017 5:02 PM  
**To:** Ferris, Lena <Ferris.Lena@epa.gov>  
**Subject:** Farm Bureau

Lena,

Could you please provide me with a synopsis of the concerns from the group as we went around the table.

Thanks,

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711



**Meeting with WA State Members of the American Farm Bureau Federation  
Wednesday March 1 2017 Al Alm Conference Room EPA Headquarters**

**EPA Staff from the Office of the Administrator:**

Don Benton  
Layne Bangerter  
Patrick Davis  
Lena Ferris

**WA State Farm Bureau Participants:**

First Name	Middle	Last Name
Michael	Glenn	LaPlant
Aaron	G	Golladay
Bradley	William	Haberman
John	Christopher	Stuhmiller
Sarah	Louise	Howard
Melodie	Janie	Kirk
Paula		McKay
Rosella	Zehnder	Mosby
Andrea	Dale	Vincent
Jon	Cordell	Wyss
Sam		Low

**Don Benton began the meeting with a series of opening remarks focused on the below themes:**

- The new Administration is committed to a transparent and inclusive way of moving forward.
- The new Administration recognizes that farmers are stewards and conservationists as their livelihood is based on a healthy environment and therefore farmers and ranchers already come with an understanding and an inherit desire to protect the environment.
- The new Administration is committed to developing new relationships between EPA and the agricultural community; a relationship based on partnerships not on regulations and enforcement.
- The new Administration will be appointing many new political appointees to help implement this new relationship between EPA and the agricultural community. 10 new RA's will be appointed and thousands of other positions across the Administration.
- Our goal is to help farmers comply with the law in a way that make sense.
- Discussed the role of EPA's Farm Ranch and Rural Communities FACA Committee and opportunities for new membership in the next few months.
- Don also indicated that he has already talked to the Dairy Federation regarding issues related to the Yakima Valley nitrates and understands this is a real concern for the WA State Dairies.

**Administrator Pruitt joined the group for brief remarks. His remarks focused on the following themes:**

- Stressed that this is a new day, a new future, for a common sense approach to environmental protection.
- President Trump signed Executive Order for EPA to reconsider and rewrite the WOTUS regulation and Administrator Pruitt wasted no time signing a FR Notice to begin implementation of that process.
- Regulations must be regular and provide the impacted communities with certainty about how to comply so that businesses can plan for necessary changes and resources.
- Regulations need to be written based on language specifically addressed within the environmental statutes and not have the statutes interrupted to meet broader goals they were not specifically designed to meet.
- The new Administration understands the tremendous economic impact agriculture plays in our economy and is looking forward to working closely with the agricultural community.

**The meeting then proceeded by allowing for each of the participants to go around the room and make an observation or raise a concern. Topics were not resolved rather it was designed as a listening session for EPA to hear the concerns of the participants.**

**Observations/Concerns raised by participating members of the WA State Farm Bureau:**

- *“What’s Upstream”*: All the participants raised concern regarding the “What’s Upstream” campaign that was funded through a subgrant awarded through EPA’s Region 10 Office.
- *Regulatory Overreach*: Members expressed concern that farmers and ranchers need for EPA to go back to what our statutes are designed to do. Farmers are trying to feed the world and EPA is making that mission harder and harder. EPA needs to be a partner in this mission not a barrier.
- *Conflicting Science*: Outstanding issues regarding conflicts between EPA science and NRCS science.
- *CWA Section 319 Grants*: The CWA 319 program has too many requirements that many farmers don’t even consider applying for the grants any longer; which is just another example of EPA making it so difficult for farmers to want to be involved in EPA programs.
- *Matrix of Regulations*: For small land owners and farmers it is usually the wife or a member of the family that is trying to navigate through the web of regulations and with more and more complicated requirements small farmers are being pushed out of business. The vulnerability of being prosecuted isn’t worth the risk to keep farming.
- *Pesticide Availability*: The huge reduction in the number of pesticides available is a large concern. When a pesticide is taken off the market farmers need more than one alternative to choose from. Farmers are always dealing with new invasive species and need more options not less for selecting pesticides to deal with those challenges.
- *Worker Protection Standards*: Concern regarding the 100-foot exclusion zone (buffer zone) around the application equipment for the spraying of pesticides.
- *EPA/FDA Conflicts*: Concern regarding the often conflicting and confusing and mounting requirements between EPA/FDA.
- *HFC’s Phase-Out*: Concern regarding the phase-out of HFC’s and the impact on smaller farms that use cold storage warehouses and difficulties/cost impacts to transitioning to other options.
- *Dairy Industry*: Concern that EPA does not understand enough about how the dairy industry works in real life and is hoping for better partnership with EPA in the coming months.
- *Chlorpyrifos*: Need a reasonable approach to regulating this pesticide and would like the farming community to be more involved in the process.
- *Opportunities for Change*: Members were excited about the new goals of the Administration, excited to be part of the change to WOTUS and expressed optimism and joy to have opportunities to partner with an EPA that is trying to help them succeed.



**To:** Dravis, Samantha[dravis.samantha@epa.gov]  
**Cc:** Kenny, Shannon[Kenny.Shannon@epa.gov]; Kime, Robin[Kime.Robin@epa.gov]  
**From:** Rees, Sarah  
**Sent:** Wed 3/1/2017 12:20:57 AM  
**Subject:** Regulatory actions - for discussion 3/1  
[\(Regulatory actions hot list March 1 2017.docx\)](#)

Hi Samantha – Robin asked that I put together a short list of “hot” regulatory actions on a daily basis so that you have these for your morning meeting with Administrator Pruitt. We may not have something every day, but I’ll certainly run the traps and make sure. What I have attached is a list of items that immediately require attention over the next month – to the extent they are currently in our system. I think we will soon need a focused discussion about expanding the scope of what we track so that we can more comprehensively manage the flow of regulations.

The action that I believe needs urgent focus and attention is Chlorpyrifos as we discussed yesterday. We have to take final action on revoking the tolerance for this insecticide (basically whether to ban it or not) by March 31. I know you said a briefing is already in the works to be scheduled, but I am very concerned that we are down to the wire, so have included it and added some substantive bullets.

## Ex. 5 - Deliberative Process

**To:**  
**Cc: From: Sent: Subject:**

Dravis, Samantha[dravis.samantha@epa.gov]  
Minoli, Kevin[Minoli.Kevin@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov] Jackson, Ryan  
Fri 3/3/2017 12:29:19 AM  
Re: Chlorpyrifos Meeting on Friday

I don't have anything on my calendar. Wendy has ask to talk to me about it and I've been involved with the Administrator all the time. I'm expecting to meet with Wendy tomorrow.

Ryan Jackson Chief  
of Staff  
U.S. EPA  
(202) 564-6999

On Mar 2, 2017, at 7:26 PM, Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)> wrote:

The meeting wasn't set up by me, it must have been Robin on my behalf after I suggested that this was a hot topic that required attention.

Ryan and I need a briefing with the appropriate parties as soon as is possible. Thanks,

Samantha

Sent from my iPhone

On Mar 2, 2017, at 6:49 PM, Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)> wrote:

Hi Samantha- I wanted to reach out to you and discuss a meeting request the one of OGC's attorney's received earlier today for a meeting on chlorpyrifos tomorrow.

While we are happy to meet with you and others on that subject, there were a couple points of concern I need to raise. I realize that you may not have actually set up the invitation (a ton of meetings get set up under my name), but as the senior person in OP I felt it was appropriate to write to you.

## **Ex. 5 - Deliberative Process, Attorney - Client Privilege**

**To: From: Sent: Subject:**

Dravis, Samantha[[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)] Minoli, Kevin

Fri 3/3/2017 1:52:35 AM

Re: Chlorpyrifos Meeting on Friday

Hi Samantha- That is nice of you to send this follow-up, but you do not need to sing Robin's praises to me -- I know she is great! I wasn't thinking of anything other than passing along word to combine the two meetings if you wanted as I didn't want to presume folks wanted me to do that. Happy to have you touch base with her instead, but please don't think I was upset at her or really anyone. Normally I would have called you rather than sent an email, but I had just heard about it at 6:00 and am out in the morning, so felt it was my only option.

I will send a note to my folks that that they will likely see a revised invite or at least that the invite was not meant to exclude folks, so unless you reschedule it so Ryan can attend they should be there at 10:00.

Hope you have a good night as well. Kevin.

Kevin S. Minoli

Acting General Counsel  
Office of General Counsel

US Environmental Protection  
Agency Main Office Line:  
202-564-8040

On Mar 2, 2017, at 8:33 PM, Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)> wrote:

Kevin, I also just wanted to make sure to say that I really don't think Robin intended to do any harm. She has gone above and beyond to help me this week, and has made me feel welcome here.

I hate to reprimand her for something when I think she was really just trying to help on an issue that I had indicated was a time pressing topic. Please bear with us as we learn routines and appropriate processes, etc. thanks and hope you have a great evening.

Sent from my iPhone

On Mar 2, 2017, at 8:07 PM, Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)> wrote:

Sounds like if we simply combine the two meetings we will have Ryan and Samantha, as well as OCSPP, OP, and OGC, which would be great. I am happy to email Sharnett and Robin tonight to ask them to work together to do that if that works for you. We definitely agree you both should be briefed as soon as possible, so this would be a great result if you are ok with it.

**To:**

**Cc: From: Sent: Subject:**

Dravis, Samantha[[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)]  
Jackson, Ryan[[ryan.jackson@epa.gov](mailto:ryan.jackson@epa.gov)]; Flynn, Mike[[Flynn.Mike@epa.gov](mailto:Flynn.Mike@epa.gov)] Minoli, Kevin  
Thur 3/2/2017 11:49:38 PM  
Chlorpyrifos Meeting on Friday

Hi Samantha- I wanted to reach out to you and discuss a meeting request the one of OGC's attorney's received earlier today for a meeting on chlorpyrifos tomorrow. While we are happy to meet with you and others on that subject, there were a couple points of concern I need to raise. I realize that you may not have actually set up the invitation (a ton of meetings get set up under my name), but as the senior person in OP I felt it was appropriate to write to you.

**From:** Microsoft Outlook  
**Location:** DCRoomARN3500/OPEI  
**Importance:** Normal  
**Subject:** Meeting Forward Notification: Chlorpyrifos  
**Start Date/Time:** Fri 3/3/2017 3:00:00 PM  
**End Date/Time:** Fri 3/3/2017 3:30:00 PM

### Your meeting was forwarded

Kime, Robin has forwarded your meeting request to additional recipients.

Meeting

Chlorpyrifos

Meeting Time

Friday, 03 March 2017 10:00-10:30.

Recipients

Brown, Byron

All times listed are in the following time zone: (UTC-03:00) Eastern Time (US & Canada)

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Sent by Microsoft Exchange Server

**From:** Microsoft Outlook  
**Location:** DCRoomARN3500/OPEI  
**Importance:** Normal  
**Subject:** Meeting Forward Notification: Chlorpyrifos  
**Start Date/Time:** Fri 3/3/2017 3:00:00 PM  
**End Date/Time:** Fri 3/3/2017 3:30:00 PM

**Your meeting was forwarded**

Inge, Carolyn has forwarded your meeting request to additional recipients.

~~Meeting~~  
 Chlorpyrifos

~~Meeting Time~~  
 Friday, 03 March 2017 10:00-10:30.

~~Recipients~~  
Reeb, Sarah  
Nickerson, William  
Kime, Robin  
Inge, Carolyn  
DCRoomARN3500/OPEI

All times listed are in the following time zone: (UTC-05:00) Eastern Time (US & Canada)

Sent by Microsoft Exchange Server

**From:** Dravis, Samantha  
**Location:** DCRoomARN3500/OPEI  
**Importance:** Normal  
**Subject:** Canceled: Chlorpyrifos - Invitees Only  
**Start Date/Time:** Fri 3/3/2017 3:00:00 PM  
**End Date/Time:** Fri 3/3/2017 3:30:00 PM

Contact Robin with questions 564-6587.

**To:** Schnare, David[schnare.david@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov];  
Brown, Byron[brown.byron@epa.gov]  
**Cc:** Flynn, Mike[Flynn.Mike@epa.gov]  
**From:** Connors, Sandra  
**Sent:** Tue 3/7/2017 9:16:50 PM  
**Subject:** As requested - for your further joint review and discussion: Compiled List of  
Briefings/Background Papers  
[Priority Briefings.docx](#)  
[Priority Background Papers.docx](#)

Sandra

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Sandra L. Connors  
Senior Advisor

Office of the Administrator  
US Environmental Protection Agency  
1200 Pennsylvania Avenue, Room 3317  
Washington, DC 20460  
(202)564-4231

connors.sandra@epa.gov

**From:** Dravis, Samantha  
**Sent:** Tuesday, March 07, 2017 8:38 PM  
**To:** Cleland-Hamnett, Wendy <[Cleland-Hamnett.Wendy@epa.gov](mailto:Cleland-Hamnett.Wendy@epa.gov)>  
**Cc:** Kenny, Shannon <[Kenny.Shannon@epa.gov](mailto:Kenny.Shannon@epa.gov)>; McGartland, Al <[McGartland.Al@epa.gov](mailto:McGartland.Al@epa.gov)>  
**Subject:** Re: Chlorpyrifos Options

Wendy, I'm not sure where things left off on getting on the Administrator's calendar. Can I help move that forward? Did you get that sorted out? Thanks for the briefing.

Sent from my iPhone

On Mar 7, 2017, at 8:31 PM, Cleland-Hamnett, Wendy <[Cleland-Hamnett.Wendy@epa.gov](mailto:Cleland-Hamnett.Wendy@epa.gov)> wrote:

We're still working on a short overall briefing which provides some background to this, and for which this would be the last slide. But here's what we've developed with OGC on options. We would talk about impacts of different options in the briefing.

## Ex. 5 - Deliberative Process

**To:** Dravis, Samantha[dravis.samantha@epa.gov]  
**From:** Benton, Donald  
**Sent:** Wed 3/8/2017 2:34:47 PM  
**Subject:** Re: Checking in

Weird, I was responding to your email about the 3pm. We meet everyday to boil down all the hot issues into what is most important for Scott to get decisions from him the next morning at the 8am. Love to have you instead of Shannon. She was asked yesterday to prepare a chronological list of issues based on deadline dates due to bring to each meeting. See you at 3 today.  
 Don

Sent from my iPad

> On Mar 8, 2017, at 9:22 AM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

>

> I didn't get a message here.

>

> -----Original Message-----

> From: Benton, Donald

> Sent: Wednesday, March 8, 2017 8:02 AM

> To: Dravis, Samantha <dravis.samantha@epa.gov>

> Subject: Re: Checking in

>

>

>

> Sent from my iPad

>

>> On Mar 8, 2017, at 6:55 AM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

>>

>> Good morning gentlemen!

>>

>> I'm not sure what the 3pm meeting Shannon is referring to is, but from now on I would like to attend that going forward instead of Shannon. Could you forward me calendar invitations?

>>

>> Thank you!

>>

>> -----Original Message-----

>> From: Kenny, Shannon

>> Sent: Tuesday, March 7, 2017 5:40 PM

>> To: Dravis, Samantha <dravis.samantha@epa.gov>

>> Cc: Rees, Sarah <rees.sarah@epa.gov>

>> Subject: Checking in

>>

## Ex. 5 - Deliberative Process

>> I attended the 3:00 daily meeting with David and Don today. We may want to talk more about that process and how to make it serve the Administrator better. It may also be good to chat about how to make it serve you better in your AA role.



**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**Cc:** Brown, Byron[brown.byron@epa.gov]  
**From:** Dravis, Samantha  
**Sent:** Wed 3/8/2017 6:38:53 PM  
**Subject:** Reg Reform Officer and Task Force - Approval Needed  
[Summary of Regulatory EOs.docx](#)  
[Interim guidance on Reducing Regulations EO - Final Version 2-2-17.docx](#)  
[EO 13777.pdf](#)  
[EO 13771.pdf](#)  
[Presidential Memorandum Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing.docx](#)

Ryan,

Per our discussion over the past few days, the Executive Order on *Enforcing the Regulatory Reform Agenda* requires EPA to implement and enforce regulatory reform and alleviate unnecessary regulatory burdens.

As part of this Executive Order, EPA needs to designate an agency official as its Regulatory Reform Officer. In past administrations, this person has typically been the OP director. We will also need to establish a “Regulatory Reform Task Force.” Below are my suggestions for what we should send over to OMB, notifying them of these designations. Nothing else is required. On your green light, we will email OMB with the following.

**Regulatory Reform Officer:** Samantha Dravis

**Regulatory Reform Task Force (subject to changes after new political appointees join):**

- Byron Brown
- Brittany Bolen
- Samantha Dravis
- Ryan Jackson (Chairman) (you could change this if you like)

**To:** Benton, Donald[benton.donald@epa.gov]; Schnare, David[schnare.david@epa.gov]  
**From:** Dravis, Samantha  
**Sent:** Wed 3/8/2017 11:55:32 AM  
**Subject:** FW: Checking in

Good morning gentlemen!

I'm not sure what the 3pm meeting Shannon is referring to is, but from now on I would like to attend that going forward instead of Shannon. Could you forward me calendar invitations?

Thank you!

-----Original Message-----

From: Kenny, Shannon  
Sent: Tuesday, March 7, 2017 5:40 PM  
To: Dravis, Samantha <dravis.samantha@epa.gov>  
Cc: Rees, Sarah <rees.sarah@epa.gov>  
Subject: Checking in

---

**To:** Dravis, Samantha[dravis.samantha@epa.gov]; Brown, Byron[brown.byron@epa.gov]  
**Cc:** Kenny, Shannon[Kenny.Shannon@epa.gov]; Kime, Robin[Kime.Robin@epa.gov]  
**From:** Rees, Sarah  
**Sent:** Mon 3/6/2017 11:36:44 PM  
**Subject:** Regulatory actions for discussion - 3/7

Hi Samantha – our “hot” regulatory items to discuss tomorrow are those we discussed at our 4pm – namely Chlorpyrifos and decision making regarding extension of the effective data for the Risk Management Plan rule, which is currently slated to become effective 3/21 if we take no further action.

## **Ex. 5 - Deliberative Process**

**To:** Dravis, Samantha[dravis.samantha@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Wed 3/8/2017 2:11:56 AM  
**Subject:** Re: Chlorpyrifos - Administrator Briefing

I'm kidding. Wendy is actually very helpful. I think I did scare them or surprise them Friday. They are getting us information from Friday but they know where this is headed and they are documenting it well.

Ryan Jackson  
 Chief of Staff  
 U.S. EPA  
 (202) 564-6999

On Mar 7, 2017, at 8:58 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

They are trying to strong arm us. I scared them Friday.

Ryan Jackson  
 Chief of Staff  
 U.S. EPA  
 (202) 564-6999

On Mar 7, 2017, at 8:48 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

I don't know what she's talking about. Did Shannon tell her the administrator needs a briefing??

Sent from my iPhone

Begin forwarded message:

**From:** "Cleland-Hamnett, Wendy" <Cleland-Hamnett.Wendy@epa.gov>  
**Date:** March 7, 2017 at 6:53:32 PM EST  
**To:** "Kenny, Shannon" <Kenny.Shannon@epa.gov>, "Dravis, Samantha" <dravis.samantha@epa.gov>  
**Cc:** "Flynn, Mike" <Flynn.Mike@epa.gov>  
**Subject:** Chlorpyrifos - Administrator Briefing

Can you let me know status? Are we still waiting to find out, or is it not happening tomorrow?

**To: From: Sent: Subject:**

## PROJECT ACTION NOTES

## PROJECT PLANNING NOTES

- 0 29 Chlorpyrifos w/ Ryan Jackson
- ⇒ 30 - Dec needed ASAP - ask for ext - new Admin
- 31 - Talk to Down re phase out - may allow
- 32 larger phase - ext pds - esp. for
- 33 some uses.
- 34 - Send draft rule to OMB?
- 35
- 36 - Ryan - forced into a box by a
- 37 petition.
- 38
- 39 - Phase-Out alternative
- 40 OGC - Negotiate w/drawl of
- 41 their regis (FIFRA) over a pd
- 42 of time. Deny pet
- 43

44

45 ~~the @~~ VM: W @ 9:16 AM Kevin fw'g mess fr.

46 Carolanne - Hd call fr. Sarah Rees

47 abt Chpy - what options are being

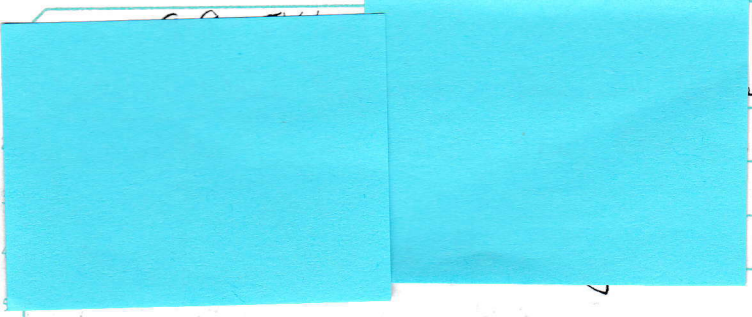
48 consid'd.

49

- 50 • Adm: Ryan both out.
- 51 ↓
- 52 Back
- 53 Wed. - Wants boy's paper he's asked
- 54 for
- 55 - April - I Information.
- 56



PROJECT ACTION NOTES



we only  
-

0  
6 Orig reg new. date was 2015 - Ad say 2021 -  
7 fr. last use.

8 ~~0~~ - 2015 Status Rpt. Dow may take.

9 DW - Intend to mitigate risk

Options

11 ~~Copy~~ - Grant - Negot. Phase-Out

12 - Partial phase-out. - Deny

13 • Denial - legalistic argo - New adu.

14 diff priorities - 2022 Stat'y deadline

15 - Patents wot file days - if they win

• Note to Ryan J. -  
Copy Minoli  
& others

17 TASKS

18 Papers re Hg & FW rules

19 New Chemis.



3/9/13

## PROJECT ACTION NOTES

## PROJECT PLANNING NOTES

✓ HU Ryan  
draft.

- 29 • Plan to publ. 1st list of unique IDs in  
30 June (1 x yr. draft) - they're consid'g  
31 that to be June. Publ. mtg ~ 2 wks earlier  
32 ★ Hope to sign in ~ 2 wks  
33 Comms to AD & Hill.

- 36 ○ CHPY w/ Ryan  
37 1) Bases for denial (PT - Refresh or go to  
38 2) Request for extension  
39 3) USDA - Substance & Form  
40 4) Next steps.

42 - Debrief; Draft end of next week.  
43 ★ I'll talk to OP re OMB briefing.

○ OPPT GEN:

- 46 • Scope briefings early April.

○ TASKS

- 49 ~~• New chems to Court & Chamwatch~~  
50 ~~• Budget - fr. OMB today? Close hold~~  
51 ~~• Hiring forms - sign & new version.~~  
52 ~~• CHPAC WPS ltr.~~  
53 ~~• Dates to Rebecca W.~~

○ Sr Staff

- 55 • Cong'l - PRIA #s for CSO today  
56 - New Chems to Jerry today.

Dravis, Samantha[dravis.samantha@epa.gov] Jackson, Ryan  
Wed 3/8/2017 1:58:05 AM  
Re: Chlorpyrifos - Administrator Briefing

They are trying to strong arm us. I scared them Friday.

Ryan Jackson Chief  
of Staff  
U.S. EPA  
(202) 564-6999

On Mar 7, 2017, at 8:48 PM, Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)> wrote:

I don't know what she's talking about. Did Shannon tell her the administrator needs a briefing??

Sent from my iPhone Begin

forwarded message:

**From:** "Cleland-Hamnett, Wendy"  
**Date:** March 7, 2017 at 6:53:32 PM EST

<[Cleland-Hamnett.Wendy@epa.gov](mailto:Cleland-Hamnett.Wendy@epa.gov)>

"Dravis, Samantha"

Cc: "Flynn, Mike"

**Subject: Chlorpyrifos - Administrator Briefing**

Can you let me know status? Are we still waiting to find out, or is it not happening tomorrow?

Thanks.

**Wendy Cleland-Hamnett**

Acting Assistant Administrator



i.....  
.....j

Sent from my iPhone

-----Original Message-----

From: Kenny, Shannon

Sent: Tuesday, March 7, 2017 5:40 PM

To: Dravis, Samantha <dravis.samantha@epa.gov>

Cc: Rees, Sarah <rees.sarah@epa.gov>

Subject: Checking in

## **Ex. 5 - Deliberative Process**

I attended the 3:00 daily meeting with David and Don today. We may want to talk more about that process and how to make it serve the Administrator better. It may also be good to chat about how to make it serve you better in your AA role.

Shannon

**To:** Minoli, Kevin[Minoli.Kevin@epa.gov]  
**From:** Brown, Byron  
**Sent:** Thur 3/9/2017 5:54:00 PM  
**Subject:** RE: question

Hi Kevin – the issue I wanted to chat about relates to chlorpyrifos. Ryan asked me to follow up on something that came up in a recent discussion he had with Wendy. She advised there were a

## Ex. 5 - Deliberative Process

**From:** Brown, Byron  
**Sent:** Thursday, March 9, 2017 11:31 AM  
**To:** Minoli, Kevin <Minoli.Kevin@epa.gov>  
**Subject:** question

Hi Kevin – I stopped by but you were in a meeting. Could you give me a call when you are next free? My number is 564-1456.

**From:** Willis, Sharnett  
**Location:** 3402 WJC-N  
**Importance:** Normal  
**Subject:** Discussion on Chlorpyrifos (pre-brief for the Administrator)  
**Start Date/Time:** Thur 3/9/2017 7:00:00 PM  
**End Date/Time:** Thur 3/9/2017 7:30:00 PM

**To:** Jackson, Ryan[jackson.ryan@epa.gov]; Konkus, John[konkus.john@epa.gov]  
**From:** Brown, Byron  
**Sent:** Fri 3/10/2017 11:08:52 PM  
**Subject:** Monday Agriculture Meeting  
[Agricultural Leaders Meeting.docx](#)

Basic info for meeting. Purpose is to reset relationship with ag leaders

Byron R. Brown

Deputy Chief of Staff for Policy

Office of the Administrator

U.S. Environmental Protection Agency

**On Mar 13, 2017, at 10:16 PM, Jackson, Ryan** <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>

**wrote: What's a full denial? You either do or you don't.**

**Ryan**

**Jackson**

**Chief of**

**Staff**

**U.S. EPA**

**(202) 564-6999**

**From:** Dravis, Samantha  
**Sent:** Thursday, March 16, 2017 10:31 AM  
**To:** Cleland-Hamnett, Wendy <[Cleland-Hamnett.Wendy@epa.gov](mailto:Cleland-Hamnett.Wendy@epa.gov)>  
**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Brown, Byron <[brown.byron@epa.gov](mailto:brown.byron@epa.gov)>  
**Subject:** Chloropyrifos

Wendy:

I'm checking in on the draft of the petition denial for Chloropyrifos. I know we still have a bit of time before the 3/31 deadline, but I'd like to know where this is in the process as well as take a look at how the denial has been drafted given the record, to make sure we have time to ask any last minute questions. Could you send over an update?

Thank you very much.

**From:** Cleland-Hamnett, Wendy  
**Sent:** Thursday, March 16, 2017 10:48 AM  
**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>  
**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Brown, Byron <[brown.byron@epa.gov](mailto:brown.byron@epa.gov)>  
**Subject:** RE: Chloropyrifos

Samantha,

I received the first draft late yesterday and am now working through the 40+ pages. Will meet with OGC and the pesticides program at 11:00. Will get back to you after that.

**Wendy Cleland-Hamnett**

Acting Assistant Administrator

Principal Deputy Assistant Administrator

Office of Chemical Safety & Pollution Prevention

**From:** Dravis, Samantha  
**Sent:** Thursday, March 16, 2017 11:04 AM  
**To:** Cleland-Hamnett, Wendy <Cleland-Hamnett.Wendy@epa.gov>  
**Cc:** Jackson, Ryan <jackson.ryan@epa.gov>; Brown, Byron <brown.byron@epa.gov>  
**Subject:** RE: Chloropyrifos

Great, thanks much!

**To:** Schwab, Justin[schwab.justin@epa.gov]; Minoli, Kevin[Minoli.Kevin@epa.gov]  
**Cc:** Brown, Byron[brown.byron@epa.gov]  
**From:** Dravis, Samantha  
**Sent:** Mon 3/20/2017 2:46:17 PM  
**Subject:** FW: Chloropyrifos  
[CPYFOS.Petition Response.md.3.16.17.doc](#)

Justin and Kevin,

I have reviewed this but in case you have not, could you review the draft and submit your edits/changes to Wendy? We need to get this completed and teed up for signature by the Administrator by the end of this week in order to stay on track for a 3/31 delivery.

Thanks to you both, and happy Monday.

**From:** Microsoft Outlook  
**Location:** Alm Conference Room  
**Importance:** Normal  
**Subject:** Meeting Forward Notification: Meeting Re: Chlorpyrifos  
**Start Date/Time:** Fri 3/17/2017 6:00:00 PM  
**End Date/Time:** Fri 3/17/2017 7:00:00 PM

### Your meeting was forwarded

Anderson, Denise has forwarded your meeting request to additional recipients.

#### Meeting

Meeting Re: Chlorpyrifos

#### Meeting Time

Friday, March 17, 2017 2:00 PM-3:00 PM.

#### Recipients

Cleland-Hamnett, Wendy

Wise, Louise

Mojica, Andrea

Keigwin, Richard

Guilaran, Yu-Ting

Vogel, Dana

Lowit, Anna

Friedman, Dana

Echeverria, Marietta

Mclean, Kevin

Perlis, Robert

Dyner, Mark

Minoli, Kevin

Davis, Patrick

Schwab, Justin

Burden, Susan

All times listed are in the following time zone: (UTC-05:00) Eastern Time (US & Canada)

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Sent by Microsoft Exchange Server

**To:** Dravis, Samantha[dravis.samantha@epa.gov]  
**Cc:** Jackson, Ryan[jackson.ryan@epa.gov]; Brown, Byron[brown.byron@epa.gov]  
**From:** Cleland-Hamnett, Wendy  
**Sent:** Thur 3/16/2017 6:57:21 PM  
**Subject:** RE: Chloropyrifos  
[CPYFOS.Petition Response.md.3.16.17.doc](#)

Samantha,

Attached is our first draft of the order denying the petition. As such, please be aware that we are still in the process of editing. If you see typos or citations, etc. to be filled in, folks are working on those. Also, it's been reviewed at the Associate General Counsel level (Kevin McLean) but Kevin Minoli and Justin Schwab haven't yet reviewed. But I think this version will allow you to see how we're describing the basis for the denial.

The most relevant sections, describing our basis for denying the petition at this time, are on pages 8-9 and 38-41. As you'll read in the notice, the Agency previously provided 2 interim responses. In 2012 we denied one claim completely and, in 2014, expressed an intent to deny 6 other claims. In this document, we're also finalizing the denial of those 6 claims to completely close out the petition response. The description of the bases for those earlier denials are cut & pasted from those earlier documents.

## **Ex. 5 - Deliberative Process**

In the meantime, we'll also work with OPA on communications. I've asked my coms people to hold off on preparing anything until we've settled on the substance.

Always happy to answer questions or come over to discuss.

**From:** "McLean, Kevin" <Mclean.Kevin@epa.gov>  
**Date:** March 21, 2017 at 5:12:01 PM EDT  
**To:** "Minoli, Kevin" <Minoli.Kevin@epa.gov>, "Schwab, Justin" <schwab.justin@epa.gov>  
**Cc:** "Cleland-Hamnett, Wendy" <Cleland-Hamnett.Wendy@epa.gov>, "Keigwin, Richard" <Keigwin.Richard@epa.gov>, "Dyner, Mark" <dyner.mark@epa.gov>, "Perlis, Robert" <Perlis.Robert@epa.gov>  
**Subject:** New draft chlorpyrifos petition response

Attached is the new draft of the chlorpyrifos petition response, reflecting input from OPP and DOJ, as well as additional work by Mark. (Thanks, Mark, for doing such great and quick work on this.) While some clean up remains, and Bob and I will be reviewing it as well, I think it's ready for you to look at.

Wendy—Were you able to connect with Samantha about the timing for how this should proceed, e.g., when does the finished product need to get to OP for signature by the Administrator?

Kevin and Justin—As I'm not sure what the date is for having a final package I'm not sure what to tell you in terms of review time for a precise date, so I'm afraid I just need to ask

that you review and send comments back to Mark, Bob and me as soon as possible.

The other Kevin

---



Thu Mar 23 09:22:18 EDT 2017  
Hope.Brian@epamail.epa.gov  
FW: Farmers need Chlorpyrifos  
To: CMS.OEX@epamail.epa.gov

---

Daily Reading File

**From:** Ex. 6 - Personal Privacy <mailto:> Ex. 6 - Personal Privacy  
**Sent:** Thursday, March 23, 2017 2:23 AM  
**To:** Pruitt, Scott <Pruitt.Scott@epa.gov>  
**Subject:** Farmers need Chlorpyrifos

Dear Administrator for the U.S. EPA Scott Pruitt,

The news that EPA plans to move forward with the Chlorpyrifos; Tolerance Revocation process is disappointing. As a Minnesota soybean farmer, there are fewer and fewer options for us to control soybean aphids and spider mites, two of the major pests threatening soybean yields in the state.

A major outbreak of soybean aphids can cut down my yield by 40 percent. A major outbreak of spider mites could do even more damage to soybean yields.

We used to rely on Organophosphates (Chlorpyrifos), Pyrethroids and Neonicotinoids. These days, we're seeing resistance to pyrethroids in our state, namely to bifenthrin and lambda-cyhalothrin. Additionally, neonicotinoids are also under attack in Minnesota, with Gov. Mark Dayton essentially banning the use of these chemicals due to concerns with its effect on pollinators. Additionally, Sufloxafloz was denied a label for use on soybeans due to pollinator concerns.

We're losing options to combat these pests, and there are a limited number of varieties available to plant in Minnesota. Currently, the University of Minnesota is developing multiple levels of genetic resistance to be used in all maturity groups grown in the state, but it will be several years before these will be available. Furthermore, biological control using insect diseases and insect predators is inconsistent at best.

The court-ordered deadline for the decision is March 31, leaving us insufficient time to adjust for this year's growing season. If the EPA recommends revocation of the Chlorpyrifos, Minnesota farmers will be left to battle soybean aphids and spider mites with little more than a feather. I urge you to keep Chlorpyrifos in our inventory and give farmers the best chance to protect our crops.

Regards,

Ex. 6 - Personal Privacy

**From:** Cleland-Hamnett, Wendy  
**Sent:** Friday, March 24, 2017 2:26 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; byron <brown@usepa.onmicrosoft.com>  
**Cc:** Burden, Susan <Burden.Susan@epa.gov>; Mojica, Andrea <Mojica.andrea@epa.gov>  
**Subject:** Fwd: New draft chlorpyrifos petition response

Ryan,

Here's the latest version I have. There are a few references, etc to be filled in. Clean copy ready for signature will go to OP on Monday.

Wendy Cleland-Hamnett

Acting Assistant Administrator

Principal Deputy Assistant Administrator

Office of Chemical Safety & Pollution Prevention

U.S. EPA

Begin forwarded message:

---

**From:** Hofmann, Angela  
**Sent:** Friday, March 24, 2017 5:09 PM  
**To:** Cleland-Hamnett, Wendy; Wise, Louise  
**Cc:** Mojica, Andrea; Friedman, Dana; Chun, Melissa; Keigwin, Richard; Dyer, Mark; Guilaran, Yu-Ting; Smith, Charles; Costello, Kevin; Strauss, Linda; Dunton, Cheryl  
**Subject:** Chlorpyrifos; Order Denying PANNA and NRDC's Petition to Revoke Tolerances - Electronic Copy of Final Versions

Hi Wendy,

I just dropped off the final signature package with Andrea. Attached is an electronic copy – in case you want another look or want to share it with others.

I have things lined up with OP to get the package to them in the morning on Monday, and they are ready to process it with deadline in mind. Susan is ready to track it once I get it to OP and will coordinate getting it signed on time and back to us promptly.

- Angela

\*\*\* Deliberative Internal Document – Do Not Cite, Quote or Release \*\*\*



UNITED STATES ENVIRONMENTAL PROTECTION  
AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

**MEMORANDUM**

**SUBJECT: Chlorpyrifos; Order Denying PANNA and NRDC's Petition to Revoke Tolerances  
- ACTION MEMORANDUM**

**FROM:** Wendy Cleland-Hamnett  
Acting Assistant Administrator (7101M)

**THRU:** Office of Policy (1804A)  
Office of Executive Secretariat (1105A)

**TO:** E. Scott Pruitt  
EPA Administrator (1101A)

## Ex. 5 - Deliberative Process

**From:** Dravis, Samantha

**Sent:** Sunday, March 26, 2017 5:21:14 PM

**To:** Rees, Sarah

**Subject:** FW: Chlorpyrifos; Order Denying PANNA and NRDC's Petition to Revoke Tolerances - Electronic Copy of Final Versions

Let's have OEX tee this up for SPs signature.

No autopen, I need to check with the White House on this because they may want to do something in conjunction with USDA on it and I don't want it executed before I have a chance to do that.  
Thanks!

**From:** Cleland-Hamnett, Wendy  
**Sent:** Friday, March 24, 2017 5:45 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Brown, Byron <brown.byron@epa.gov>  
**Subject:** Fw: Chlorpyrifos; Order Denying PANNA and NRDC's Petition to Revoke Tolerances - Electronic Copy of Final Versions

Status of the order below, and copy attached. Hope you all have a good weekend.

---

**From:** Hofmann, Angela  
**Sent:** Friday, March 24, 2017 5:09 PM  
**To:** Cleland-Hamnett, Wendy; Wise, Louise  
**Cc:** Mojica, Andrea; Friedman, Dana; Chun, Melissa; Keigwin, Richard; Dyner, Mark; Guilaran, Yu-Ting; Smith, Charles; Costello, Kevin; Strauss, Linda; Dunton, Cheryl  
**Subject:** Chlorpyrifos; Order Denying PANNA and NRDC's Petition to Revoke Tolerances - Electronic Copy of Final Versions

**To:** Samantha Dravis[Dravis.Samantha@epamail.epa.gov]  
**Cc:** Brittany Bolen[Bolen.Brittany@epamail.epa.gov]; George Sugiyama[Sugiyama.George@epamail.epa.gov]; Kenny, Shannon[Kenny.Shannon@epa.gov]; Kime, Robin[Kime.Robin@epa.gov]; Pritchard, Eileen[Pritchard.Eileen@epa.gov]; Nickerson, William[Nickerson.William@epa.gov]; Corrales, Mark[Corrales.Mark@epa.gov]; Curry, Bridgid[Curry.Bridgid@epa.gov]; Owens, Nicole[Owens.Nicole@epa.gov]; Peffers, Mel[Peffer.Mel@epa.gov]  
**From:** Sarah Rees  
**Sent:** Tue 3/28/2017 7:59:23 PM  
**Subject:** OP Policy Review - ORPM Office Director Approval Notification (SAN 5993 - Notice / Administrator's Signature / Review #1 / OCSP - 'Chlorpyrifos; Final Response to Petitions')

Approval for Administrator's Signature: Notice - 'Chlorpyrifos; Final Response to Petitions'

This Policy Review is ready for OP Associate Administrator Approval.

Link to Policy Review Document-> 

**From:** Dravis, Samantha  
**Sent:** Wednesday, March 29, 2017 10:08 AM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Freire, JP <Freire.JP@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:**

Headline is too hyperbolic, tone it down.

**From:** Bowman, Liz  
**Sent:** Wednesday, March 29, 2017 3:55 PM  
**To:** Freire, JP <[Freire.JP@epa.gov](mailto:Freire.JP@epa.gov)>  
**Cc:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>  
**Subject:** RE: For Ray Review: Updated Release w USDA Quote  
**Importance:** High

Updated with USDA Quote for joint release. Please let us know if you hear back from anyone reviewing. Do you think we could add "With Support from USDA, Admin..." into the headline, to show it's a joint release? Or is that too much? I considered a sub-head, but I think the quote speaks for itself...

## Ex. 5 - Deliberative Process

**From:** Burden, Susan  
**Sent:** Wednesday, March 29, 2017 3:15 PM  
**To:** Flynn, Mike <Flynn.Mike@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Cleland-Hamnett, Wendy <Cleland-Hamnett.Wendy@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>; Freire, JP <Freire.JP@epa.gov>  
**Cc:** Mojica, Andrea <Mojica.andrea@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Strauss, Linda <Strauss.Linda@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Kime, Robin <Kime.Robin@epa.gov>; Owens, Nicole <Owens.Nicole@epa.gov>; Jutras, Nathaniel <Jutras.Nathaniel@epa.gov>; Mojica, Andrea <Mojica.andrea@epa.gov>; Knapp, Kristien <Knapp.Kristien@epa.gov>; Threet, Derek <Threet.Derek@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>  
**Subject:** Signed - Chlorpyrifos; Order Denying PANNA and NRDC's Petition to Revoke Tolerances

This afternoon, Administrator Pruitt signed an order denying PANNA and NRDC's petition to revoke tolerances for chlorpyrifos. A copy of the signature page is attached. Please let me know if you have any questions.

Thanks,

Susan

**To:** Dravis, Samantha[dravis.samantha@epa.gov]  
**Cc:** Rees, Sarah[rees.sarah@epa.gov]; Owens, Nicole[Owens.Nicole@epa.gov]  
**From:** Kime, Robin  
**Sent:** Wed 3/29/2017 7:02:41 PM  
**Subject:** Chlorpyrifos is signed, .pdf en route to you in a few minutes

Administrator's Signature on page 45 of 45 pages;  
FRL- 9960-77: Chlorpyrifos; Order Denying PANNA and NRDC's Petition to Revoke Tolerances

**Authority:** 7 U.S.C. 136 *et seq.* and 21 U.S.C. 346a.

Dated: 3/29/2017



E. Scott Pruitt,  
Administrator.

**To:** Bowman, Liz[Bowman.Liz@epa.gov]; Freire, JP[Freire.JP@epa.gov]  
**Cc:** Konkus, John[konkus.john@epa.gov]  
**From:** Dravis, Samantha  
**Sent:** Wed 3/29/2017 8:01:29 PM  
**Subject:** RE: For Ray Review: Updated Release w USDA Quote

Ray approved this

**From:** Bowman, Liz  
**Sent:** Wednesday, March 29, 2017 3:55 PM  
**To:** Freire, JP <Freire.JP@epa.gov>  
**Cc:** Dravis, Samantha <dravis.samantha@epa.gov>; Konkus, John <konkus.john@epa.gov>  
**Subject:** RE: For Ray Review: Updated Release w USDA Quote  
**Importance:** High

Updated with USDA Quote for joint release. Please let us know if you hear back from anyone reviewing. Do you think we could add "With Support from USDA, Admin...." Into the headline, to show it's a joint release? Or is that too much? I considered a sub-head, but I think the quote speaks for itself...



**From:** Dravis, Samantha  
**Sent:** Wednesday, March 29, 2017 4:01 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Freire, JP <Freire.JP@epa.gov>  
**Cc:** Konkus, John <konkus.john@epa.gov>  
**Subject:** RE: For Ray Review: Updated Release w USDA Quote

Ray approved this

**From:** Bowman, Liz  
**Sent:** Wednesday, March 29, 2017 3:55 PM  
**To:** Freire, JP <Freire.JP@epa.gov>  
**Cc:** Dravis, Samantha <dravis.samantha@epa.gov>; Konkus, John <konkus.john@epa.gov>  
**Subject:** RE: For Ray Review: Updated Release w USDA Quote  
**Importance:** High

Updated with USDA Quote for joint release. Please let us know if you hear back from anyone reviewing. Do you think we could add "With Support from USDA, Admin..." Into the headline, to show it's a joint release? Or is that too much? I considered a sub-head, but I think the quote speaks for itself...

**To:** Freire, JP[Freire.JP@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]  
**Cc:** Bowman, Liz[Bowman.Liz@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]  
**From:** Konkus, John  
**Sent:** Wed 3/29/2017 2:01:50 PM  
**Subject:** RE: For Review: Draft Press Release on Chlorpyrifos Petition

We are working on an outstanding comms plan to push this out. Really outstanding.

**From:** Freire, JP  
**Sent:** Wednesday, March 29, 2017 10:00 AM  
**To:** Dravis, Samantha <dravis.samantha@epa.gov>  
**Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>  
**Subject:** Re: For Review: Draft Press Release on Chlorpyrifos Petition

We will pass to ray once you're through looking at it.

J.P. Freire

Environmental Protection Agency

Associate Administrator for Public Affairs

Mobile: Ex. 6 - Personal Privacy

On Mar 29, 2017, at 9:59 AM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Did you run this by Ray Starling at the White House?

I will have some edits that I'll send shortly.

**From:** Bowman, Liz  
**Sent:** Wednesday, March 29, 2017 9:46 AM  
**To:** Dravis, Samantha <dravis.samantha@epa.gov>; Freire, JP <Freire.JP@epa.gov>; Konkus, John <konkus.john@epa.gov>; Konkus, John <konkus.john@epa.gov>  
**Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln



**From:** Nitsch, Chad  
**Sent:** Wednesday, March 29, 2017 5:35 PM  
**To:** Dudley Hoskins; Nathan Bowen; Britt Aasmundstad  
**Subject:** RE: NASDA Meeting/Call Request

Dudley, Nathan, and Britt,

Thanks again for coming into EPA. Nice to meet you all in person (and nice to see you again Nathan). Here are the names and titles of the EPA folks in the meeting.

Chad Nitsch - Ag Partnerships Liaison

Mike Osinski - Director of State and Regional Partnerships

Jack Bowles – Director of State and Local Government

ED\_001225\_00000018-01

Lena Ferris – Special Assistant to the Ag Counselor

Layne Bangertter – Deputy Associate Administrator for Office of Intergovernmental Relations

Patrick Davis – Special Assistant to the Administrator (Office of Land and Emergency Management, Office of Chemical Safety and Pollution Prevention, and Homeland Security)

Ken Wagner – Senior Advisor to the Administrator for State and Regional Affairs and Director of Regional Operations

Talk to you soon,

Chad Nitsch

State and Regional Partnerships | Office of the Administrator

Environmental Protection Agency

202-564-4714

**From:** Dudley Hoskins [<mailto:Dudley@nasda.org>]

**Sent:** Wednesday, March 29, 2017 9:06 PM

**To:** Nitsch, Chad <[Nitsch.Chad@epa.gov](mailto:Nitsch.Chad@epa.gov)>; Osinski, Michael <[Osinski.Michael@epa.gov](mailto:Osinski.Michael@epa.gov)>; Dexter, Michael <[Dexter-Luffberry.Michael@epa.gov](mailto:Dexter-Luffberry.Michael@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Barbery, Andrea <[Barbery.Andrea@epa.gov](mailto:Barbery.Andrea@epa.gov)>

**Cc:** Nathan Bowen <[Nathan@nasda.org](mailto:Nathan@nasda.org)>; Britt Aasmundstad <[britt@nasda.org](mailto:britt@nasda.org)>

**Subject:** Fwd: NASDA Commends EPA Decision on Chlorpyrifos Petition [WARNING: SPF validation failed]

Layne, Patrick, Ken and others from today's meeting who I may have inadvertently left off or not have email contact in front of me).

Please let us know if you all have any questions or would like to discuss further at any points.  
Many thanks for all that you do! - dudley

Sent from my iPhone

Begin forwarded message:

**From:** Amanda Culp <[Amanda@nasda.org](mailto:Amanda@nasda.org)>  
**Date:** March 29, 2017 at 8:06:20 PM EDT  
**Subject:** NASDA Commends EPA Decision on Chlorpyrifos Petition

**FOR IMMEDIATE RELEASE:** March 29, 2017

**Contact:**

Amanda Culp

Director, Communications

(202) 296-9680

[amanda@nasda.org](mailto:amanda@nasda.org)

### **NASDA Commends EPA Decision on Chlorpyrifos Petition**

The National Association of State Departments of Agriculture (NASDA) today applauded the U.S. Environmental Protection Agency's (EPA) decision to decline a petition to revoke tolerances for chlorpyrifos, which is integral for crop protection, including resistance management and integrated pest management (IPM) in more than 100 countries.

NASDA President and Louisiana Commissioner of Agriculture & Forestry Dr. Mike Strain praised the EPA for sticking to its rigorous, scientific risk assessment and registration review process for crop protection tools.



**To:** Davis, Patrick[davis.patrick@epa.gov]; Wagner, Kenneth[wagner.kenneth@epa.gov]; Bangerter, Layne[bangerter.layne@epa.gov]  
**From:** Nitsch, Chad  
**Sent:** Thur 3/30/2017 11:41:48 AM  
**Subject:** FW: NASDA Commends EPA Decision on Chlorpyrifos Petition [WARNING: SPF validation failed]  
[Chlorpyrifos EPA\\_03292017.pdf](#)

Patrick, Ken, and Layne,

Please see attached statement on chlorpyrifos from NASDA.

Thank you,

Chad Nitsch

State and Regional Partnerships | Office of the Administrator

Environmental Protection Agency

202-564-4714

**From:** Dudley Hoskins [mailto:Dudley@nasda.org]  
**Sent:** Wednesday, March 29, 2017 9:06 PM  
**To:** Nitsch, Chad <Nitsch.Chad@epa.gov>; Osinski, Michael <Osinski.Michael@epa.gov>; Dexter, Michael <Dexter-Luffberry.Michael@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>  
**Cc:** Nathan Bowen <Nathan@nasda.org>; Britt Aasmundstad <britt@nasda.org>  
**Subject:** Fwd: NASDA Commends EPA Decision on Chlorpyrifos Petition [WARNING: SPF validation failed]

Chad -- wanted to thank you again for today's meeting (more soon from our end on that front).

In the interim, we wanted to share the below NASDA press release supporting EPA's science-based decision to deny petitioner's request to revoke chlorpyrifos tolerances (please share with



To: Dravis, Samantha[dravis.samantha@epa.gov]; Rateike, Bradley A.  
 EOP/WHO: Ex. 6 - Personal Privacy  
 From: Bowman, Liz  
 Sent: Wed 3/29/2017 10:38:20 PM  
 Subject: FW: EPA Administrator Pruitt Denies Petition to Ban Widely Used Pesticide

**CONTACT:**  
[press@epa.gov](mailto:press@epa.gov)

**FOR IMMEDIATE RELEASE**  
 March 29, 2017

## **EPA Administrator Pruitt Denies Petition to Ban Widely Used Pesticide**

Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt signed an order denying a petition that sought to ban chlorpyrifos, a pesticide crucial to U.S. agriculture.

"We need to provide regulatory certainty to the thousands of American farms that rely on chlorpyrifos, while still protecting human health and the environment," said EPA Administrator Pruitt. "By reversing the previous Administration's steps to ban one of the most widely used pesticides in the world, we are returning to using sound science in decision-making – rather than predetermined results."

"This is a welcome decision grounded in evidence and science," said Sheryl Kunickis, director of the Office of Pest Management Policy at the U.S. Department of Agriculture (USDA). "It means that this important pest management tool will remain available to growers, helping to ensure an abundant and affordable food supply for this nation and the world. This frees American farmers from significant trade disruptions that could have been caused by an unnecessary, unilateral revocation of chlorpyrifos tolerances in the United States. It is also great news for consumers, who will continue to have access to a full range of both domestic and imported fruits and vegetables. We thank our colleagues at EPA for their hard work."

In October 2015, under the previous Administration, EPA proposed to revoke all food residue tolerances for chlorpyrifos, an active ingredient in insecticides. This proposal was issued in response to a petition from the Natural Resources Defense Council and Pesticide Action Network North America. The October 2015 proposal largely relied on certain epidemiological study outcomes, whose application is novel and uncertain, to reach its conclusions.

The public record lays out serious scientific concerns and substantive process gaps in the proposal. Reliable data, overwhelming in both quantity and quality, contradicts the reliance on – and misapplication of – studies to establish the end points and conclusions used to rationalize the proposal.

The USDA disagrees with the methodology used by the previous Administration. Similarly, the National Association of State Departments of Agriculture also objected to EPA's methodology. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel (SAP) also expressed concerns with regard to EPA's previous reliance on certain data the Agency had used to support its proposal to ban the pesticide.

The FIFRA SAP is a federal advisory committee operating in accordance with the Federal Advisory Committee Act and established under the provisions of FIFRA, as amended by the Food Quality Protection Act of 1996. It provides scientific advice, information and recommendations to the EPA Administrator on pesticides and pesticide-related issues regarding the impact of regulatory decisions on

**From:** Paul Schlegel <[pauls@fb.org](mailto:pauls@fb.org)>  
**Date:** March 30, 2017 at 10:56:26 AM EDT  
**To:** "David Kreutzer ([kreutzer.david@epa.gov](mailto:kreutzer.david@epa.gov))" <[kreutzer.david@epa.gov](mailto:kreutzer.david@epa.gov)>, "[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)" <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>  
**Subject:** News release - Farm Bureau Praises EPA Chlorpyrifos Decision

David & Samantha –

I wanted you to the press statement we have issued. We're very supportive of the Administrator's decision yesterday.

Paul

**Paul Schlegel**

**Director, Energy and Environment Team**

**Direct: (202) 406-3687**

**Cell:** Ex. 6 - Personal Privacy

Contacts: Will Rodger  
(202) 406-3642  
[willr@fb.org](mailto:willr@fb.org)

Kari Barbic  
(202) 406-3672  
[karib@fb.org](mailto:karib@fb.org)

## Farm Bureau Praises EPA Chlorpyrifos Decision

**WASHINGTON, D.C., March 30, 2017** – American Farm Bureau Federation President Zippy Duvall today applauded Environmental Protection Agency Administrator Scott Pruitt for rejecting a petition that would have eliminated the use of chlorpyrifos in agriculture.

“Farmers nationwide depend on chlorpyrifos in managing their crops,” Duvall said. “It is widely and safely used for a wide range of crops, including alfalfa, citrus, vegetables, soybeans, almonds and others. It also protects hundreds of thousands of acres of grass seed production, where it controls aphids, cutworms and other pests. As USDA has noted, chlorpyrifos has been used as a part of environmentally friendly IPM (integrated pest management) programs for nearly 50 years.”

Duvall noted that the chemical is still subject to registration review and any concerns about its safe use can be addressed in that process.

AFBF earlier filed comments with EPA expressing concern over the agency’s approach. The agency had apparently relied on epidemiological studies even though researchers had failed to share raw data with the agency. EPA’s own Scientific Advisory Panel, as well as USDA, had expressed caution about how the agency used the epidemiological study.

**To:** Freire, JP[Freire.JP@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Fri 3/31/2017 7:54:19 PM  
**Subject:** pesticide

[https://www.nytimes.com/2017/03/29/us/politics/epa-insecticide-chlorpyrifos.html?\\_r=0](https://www.nytimes.com/2017/03/29/us/politics/epa-insecticide-chlorpyrifos.html?_r=0)

Ryan Jackson

Chief of Staff

U.S. Environmental Protection Agency

(202) 564-6999

## ***E.P.A. Chief, Rejecting Agency's Science, Chooses Not to Ban Insecticide***

By [ERIC LIPTON](#) MARCH 29, 2017

[Continue reading the main story](#) Share This Page

**From:** Dravis, Samantha  
**Sent:** Friday, March 31, 2017 4:02 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Cc:** Freire, JP <Freire.JP@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>  
**Subject:** Re: pesticide

### **Ex. 5 - Deliberative Process**

Sent from my iPhone

On Mar 31, 2017, at 3:54 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

[https://www.nytimes.com/2017/03/29/us/politics/epa-insecticide-chlorpyrifos.html?\\_r=0](https://www.nytimes.com/2017/03/29/us/politics/epa-insecticide-chlorpyrifos.html?_r=0)

**From:** Freedhoff, Michal (EPW) [mailto:Michal\_Freedhoff@epw.senate.gov]  
**Sent:** Thursday, March 30, 2017 9:09 AM  
**To:** Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>  
**Subject:** Re: Notification: EPA Denies Petition to Ban Chlorpyrifos

I saw this last night when it posted. Could you suggest that more timely notifications would be appreciated in the future?

Thanks

Sent from my iPhone

On Mar 30, 2017, at 9:03 AM, Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov> wrote:

Heads up that EPA denied a petition that sought to ban chlorpyrifos, a pesticide crucial to U.S. agriculture.

“We need to provide regulatory certainty to the thousands of American farms that

**To:** Freire, JP[Freire.JP@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]  
**Cc:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Brown, Byron  
**Sent:** Fri 3/31/2017 8:17:31 PM  
**Subject:** FW: FYI Pesticide Policy Coalition Praises EPA Chlorpyrifos Decision

fyi

**From:** Sheryl Kunickis [mailto:[sheryl.kunickis@osec.usda.gov](mailto:sheryl.kunickis@osec.usda.gov)] Ex. 6 - Personal Privacy  
**Sent:** Friday, March 31, 2017 3:17 PM  
**To:** Rebeckah Adcock <[RADcock@croplifeamerica.org](mailto:RADcock@croplifeamerica.org)>  
**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; [brown.byron@epa.gov](mailto:brown.byron@epa.gov); Brian Klippenstein Ex. 6 - Personal Privacy; Brown, Byron <[brown.byron@epa.gov](mailto:brown.byron@epa.gov)>; S Kunickis <[sheryl.kunickis@osec.usda.gov](mailto:sheryl.kunickis@osec.usda.gov)> Ex. 6 - Personal Privacy  
**Subject:** Re: FYI Pesticide Policy Coalition Praises EPA Chlorpyrifos Decision

Thank you! It is a great week for our growers and the decision is much appreciated.

Sheryl

Sent from my iPhone

On Mar 31, 2017, at 3:05 PM, Rebeckah Adcock <[RADcock@croplifeamerica.org](mailto:RADcock@croplifeamerica.org)> wrote:

## PESTICIDE POLICY COALITION

A Coalition Working for Sound Pest Management Policies

### NEWS RELEASE

For more information, contact:

Ethan Mathews, [mathews@ncga.com](mailto:mathews@ncga.com)

Work: (202) 326-0647 Cell: (202) 374-9566

### Pesticide Policy Coalition Praises EPA Chlorpyrifos Decision

WASHINGTON (March 30, 2017) – Members of the Pesticide Policy Coalition (PPC) today praised the U.S. Environmental Protection Agency (EPA)'s decision to deny a petition to remove the crop protection tool chlorpyrifos from the market.

"We need to provide regulatory certainty to the thousands of American farmers that rely on

**To:** Paul Schlegel[pauls@fb.org]; Kreutzer, David[kreutzer.david@epa.gov]  
**From:** Dravis, Samantha  
**Sent:** Thur 3/30/2017 4:34:15 PM  
**Subject:** RE: News release - Farm Bureau Praises EPA Chlorpyrifos Decision

Thank you, Paul for your support.

**From:** Paul Schlegel [mailto:pauls@fb.org]  
**Sent:** Thursday, March 30, 2017 10:56 AM  
**To:** Kreutzer, David <kreutzer.david@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>  
**Subject:** News release - Farm Bureau Praises EPA Chlorpyrifos Decision

David & Samantha –

I wanted you to the press statement we have issued. We're very supportive of the Administrator's decision yesterday.

Paul

**Paul Schlegel**

**Director, Energy and Environment Team**

**Direct: (202) 406-3687**

**Cell:** Ex. 6 - Personal Privacy

**Email:** [pauls@fb.org](mailto:pauls@fb.org)



**From:** Flowers, Lynn  
**Sent:** Thursday, March 30, 2017 9:00 AM  
**To:** Axelrad, Daniel <[Axelrad.Daniel@epa.gov](mailto:Axelrad.Daniel@epa.gov)>; Dockins, Chris  
<[Dockins.Chris@epa.gov](mailto:Dockins.Chris@epa.gov)>; Klemick, Heather <[Klemick.Heather@epa.gov](mailto:Klemick.Heather@epa.gov)>  
**Cc:** McQueen, Jacqueline <[McQueen.Jacqueline@epa.gov](mailto:McQueen.Jacqueline@epa.gov)>  
**Subject:** cross-EPA epi discussion

Hi all:

Thanks!

Lynn

Lynn Flowers, PhD, DABT

Associate Director for Science

Office of Science Policy

US EPA

**To:** Brown, Byron[brown.byron@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Rebeckah Adcock  
**Sent:** Thur 3/30/2017 4:10:52 PM  
**Subject:** FW: FINAL CEO Council Meeting Agenda and Materials  
[Pruitt Meeting Materials.pdf](#)  
[ATT00001.htm](#)

FYI – final materials for today’s meeting.

Reb

**From:** "Mary Jo Tomalewski" <mjtomalewski@croplifeamerica.org>  
**To:** "Hupp, Sydney" <hupp.sydney@epa.gov>  
**Cc:** "Jay Vroom" <JVroom@croplifeamerica.org>  
**Subject:** FINAL Meeting Agenda and Materials

Sydney,

We have refined our proposed topics for today’s CEO Council meeting with the administrator. Attached, please find:

- Revised “Final Proposed Agenda Topics,” which includes the list of those CEO Council members who will attend our meeting today, and their short bios
- Introduction / Mission Overview of the CEO Council
- CEO Council Letter to President Trump, dated February 9, 2017

We assume we can skip a formal “round table of introductions” at the beginning of the meeting as our time is short and we want to maximize time spent talking about issues.

MJ

*Mary Jo Tomalewski*

Executive Assistant to the President & CEO

CropLife America

## FINAL PROPOSED AGENDA TOPICS

**Meeting Information: Office of EPA Administrator Scott Pruitt**  
 1200 Pennsylvania Avenue, NW  
 Washington, DC  
 Thursday, March 30, 2017 3:45-4:30 PM

Topic
1. <u>Thanks to Trump Administration and Administrator Pruitt for <u>early decisive</u> actions:</u>
a. WOTUS
b. Chlorpyrifos Petition
2. <u>Top Priority Issues</u>
a. <b>Ag Advisor Position</b> – We recommend adding additional title of “Assistant Deputy Administrator” as a title
b. <b>Water</b>
i. Next steps to refine / clarify beyond WOTUS
ii. NPDES permits (CAFO Program needs work; legislation to fix water permits NOT needed for lawful use of pesticides)
c. <b>Pesticides Policy</b>
i. <b>Endangered Species Act</b> conflicts with Pesticide Regulation and Biotech Regulation
ii. <b>Epidemiology Study Policy</b> (as aftermath from Chlorpyrifos matter)
iii. <b>Reform Certification &amp; Training and Worker Protection Rules</b> – Suspend implementation and revise
d. <b>Renewable Fuels Standard</b> – current program kept consistent
e. <b>Communication / Messaging / Opinion Polling</b> – vital to all parties’ ability to advance sound policy
f. <b>EPA and USDA Cooperation and Coordination</b> – Already vast progress; <u>more</u> can be done!
g. <b>Environmental Justice, Research &amp; Development, and Children’s Health Offices</b> – Better integration with and reform of EPA program offices; sound science
h. <b>Regulation of Manufacturing &amp; Mining Facilities for Ag Inputs</b> – Restore science and process
i. <b>Public and Science Advisory Panels</b> at EPA – Balance, strategic agendas
j. <b>“Air Emissions”</b> from farming operations

CEO Attendees

<b>American Seed Trade Association</b>	Andrew “Andy” LaVigne, President and CEO
<b>American Soybean Association</b>	Steve Censky, Chief Executive Officer ( <b>Co-Chair</b> )
<b>Biotechnology Innovation Organization</b>	Dana O’Brien, Executive Vice President
<b>CropLife America</b>	Jay Vroom, President and CEO ( <b>Co-Chair</b> )
<b>The Fertilizer Institute</b>	Chris Jahn, President
<b>National Association of Wheat Growers</b>	Chandler Goule, CEO
<b>National Corn Growers Association</b>	Chris Novak, CEO ( <b>Co-Chair</b> )
<b>National Cotton Council</b>	Gary Adams, President and CEO
<b>National Council of Farmer Cooperatives</b>	Chuck Conner, President and CEO
<b>National Pork Producers Council</b>	Neil Dierks, CEO
<b>United Fresh Produce Association</b>	Tom Stenzel, President and CEO
<b>USA Rice Federation</b>	Betsy Ward, President & CEO
<b>National Association of State Departments of Agriculture</b>	Barb Glenn, CEO, <b>ex-officio</b>

Others

<b>American Farm Bureau Federation</b>	Dale Moore, Deputy Executive Director
<b>Corn Refiners Association</b>	John Bode, President & CEO
<b>National Farmers Union</b>	Rob Larew, Senior VP



February 9, 2017

The President  
The White House  
Washington, D.C. 20500

Dear Mr. President,

We, the CEO Council (undersigned herein), representing the production agricultural value chain, including many agricultural producers and farm input developers and suppliers, look forward to working with you and your Administration on matters of importance to American agriculture.

The challenges we face in agriculture are significant. Many experts emphasize that producers must grow as much food in the next 50 years as was produced over all previous history to meet the demands of our expanding global population. A firm commitment by the U.S. government to aggressively support agricultural innovation and science-based regulatory decisions will be necessary to ensure farmers have the tools they need to produce a safe and abundant supply of nutritious food, in addition to feed, fuel and fiber, in an environmentally sound and sustainable manner.

The policy and regulatory environment your Administration establishes can ensure that agricultural innovation flourishes and American farmers are able to meet the food production goals necessary to feed billions more people. We are ready to provide the White House and the Executive Branch Departments and Agencies, as well as Congress, with policy concepts that foster stability in the U.S. agriculture economy with a strong and predictable farm safety net and promotes American competitiveness through research; marketability and trade of agricultural commodities; rural economic growth; and plant, animal, and environmental health, among many other things.

We appreciate your attention to these and other issues of value to American production agriculture and food consumers everywhere.

Sincerely,

**American Farm Bureau Foundation**, Zippy Duvall  
**American Seed Trade Association**, Andy LaVigne  
**American Soybean Association**, Steve Censky  
**Biotechnology Innovation Organization**, Dana O'Brien  
**CropLife America**, Jay Vroom  
**The Fertilizer Institute**, Chris Jahn  
**National Association of Wheat Growers**, Chandler Goule  
**National Cattlemen's Beef Association**, Kendal Frazier  
**National Corn Growers Association**, Chris Novak  
**National Cotton Council**, Gary Adams  
**National Council of Farmer Cooperatives**, Chuck Conner  
**National Farmers Union**, Roger Johnson  
**National Milk Producers Federation**, Jim Mulhern  
**National Pork Producers Council**, Neil Dierks  
**United Fresh Produce Association**, Tom Stenzel  
**USA Rice Federation**, Betsy Ward