



DC LEGISLATIVE & REGULATORY SERVICES, INC.

**March 18, 2019**

**To: PRIA Coalition**

**From: David Crow, Laurie Flanagan and David Beaudreau**

**Re: March 13 EPA PRIA Quarterly Stakeholder Meeting**

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On Wednesday March 13<sup>th</sup>, EPA held a quarterly meeting for stakeholders on Pesticide Registration Improvement Extension Act or PRIA 4.

EPA staff provided an overview of PRIA 4 and an update on how it is addressing the lapse in PRIA authorizations from February 15 until March 8, when PRIA 4 was signed into law. The Agency also provided a summary of several PRIA 3 metrics related to fees collected, on-time completion rates, renegotiations, etc. Presentations from the meeting are attached. Some of the highlights from the discussion are below.

### **PRIA Lapses/Government Shut down**

EP staff reported the following related to the impact to the government shut down on pesticide registration activities. Staff mentioned that:

- EPA is working to address the significant backlog that resulted from the government shutdown and PRIA lapse earlier this year.
- OPP continued to be short staffed, despite hiring some additional people last year.
- EPA has asked registrants to prioritize their pending registration actions and is also asking for 90-day extensions to PRIA deadlines.
- For fiscal 2019, we can expect to see lower on-time completions rates due to the government shutdown and the lapse in PRIA authorization. The bulk of missed deadlines occurred in February and we can expect on-time completion rates to improve over the course of the year.
- Completion dates for the initial technical screen are not subject to renegotiation, so EPA rushed through the screens for recently submitted actions.

- For actions that were submitted during the shutdown/PRIA lapse, if registrants would like a PRIA date, they can withdraw their actions and resubmit them, but EPA will retain 25% of the fee.

### **PRIA 4 Implementation**

EPA reviewed the attached presentation that summarizes the key provisions of PRIA 4. Agency staff mentioned the following:

- PRIA 4 increases maintenance fees to \$31 million per year. EPA is reviewing its options for collecting the difference between the amount required in the law and the amount it invoiced registrants for in February 2019. Options being considered for collecting the supplemental fees include sending a supplemental bill this year, adding it to the 2020 bill, or averaging and charging the money over the next four years.
- PRIA 4 eliminates the “one-to-one” appropriations provision on spending maintenance fees, thus allowing EPA to spend down some \$40 million it has collected over time. EPA is considering how to spend the money but is considering using it to ensure the Agency meets registration review deadlines.
- EPA posted some initial PRIA 4 information on its website including an updated fee table and decision tree. EPA will be posting additional information on its website soon including an analysis of the changes from past versions of PRIA.
- PRIA 4 also established another maintenance fee set-aside for Good Lab Practice inspections and public health efficacy test guidelines in the amount of \$500,000. Other set-asides were kept at FY 2018 numbers.
- Per the requirements of PRIA 4, the final Worker Protection Standard and Certification and Training rules will continue to be fully implemented without change. The EPA may propose, and after a notice and public comment period of not less than 90 days, revisions to the WPS rule relating to application exclusion zones.

### **Review of Past Quarter Performance/Other Issues**

EPA reviewed the attached slides. Some highlights of the discussion are summarized below.

- The Chemistry and Acute Toxicity Science Advisory Committee (CATSAC) is drafting a standard evaluation procedure (SEP) to provide guidance on the product chemistry and acute toxicity evaluation process. EPA is currently reviewing this document internally.
- EPA is considering ways to handle the backlog of non-PRIA actions, including notifications, and plans to hold a workshop for registrants in April around the RISE/CLA Spring Regulatory Conference to discuss options to address the

backlog. The government shut down significantly impacted non-PRIA actions, but EPA hopes to eliminate the backlog by the end of the fiscal year. There was also a discussion about how registrants can group submission of PRIA and non-PRIA actions when submitting them to EPA.

- EPA would like feedback from registrants about why they do or do not use the Pesticide Submission Portal. Prior to the lapse of PRIA 3, the coalition had committed to preparing a survey of its members to provide some feedback to EPA. We put this effort on hold when PRIA expired. DCLRS will put the survey questions into a usable format and share with the PRIA Coalition so that coalition members and gather feedback from their members. EPA did report an increase in electronic label submission due to its outreach and education efforts.

### **Action Items**

EPA would like feedback from registrants about why they do or do not use the Pesticide Submission Portal. DCLRS will put survey questions into a usable format and share with the PRIA Coalition so that coalition members and gather feedback from their members.

### **Future Meeting Dates**

The next quarterly stakeholder meetings will be held on July 10<sup>th</sup> and November 13<sup>th</sup>.