November 11, 2021

Honorable Michael S. Regan, Administrator
Environmental Protection Agency (EPA)
PD Docket EPA-HQ-OA-2021-0403
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: EPA Notice Titled *Draft FY 2022-2026 Environmental Protection Agency Strategic Plan*, Docket No. EPA-HQ-OA-2021-0403, 86 Fed. Reg. 54448 (October 1, 2021)

Dear Administrator Regan:

Thank you for the opportunity to submit comments on EPA's Draft 2022-2026 Strategic Plan on behalf of the PRIA Coalition. The PRIA Coalition is a consortium of trade associations who first came together with non-governmental organizations and state government officials in 2004 to seek passage of the Pesticide Registration Improvement Act (PRIA). PRIA's accomplishments include bringing new, dedicated funds to the Environmental Protection Agency's Office of Pesticide Programs (OPP) for more efficient pesticide registration and re-registration activities; providing registrants additional certainty in the pesticide registration process after decades of uncertainty; providing funding for farm worker education and training; and bringing needed funds for training for agricultural and healthcare workers.

Since its original passage, PRIA has been reauthorized three times – in 2007, 2012 and 2019 -- and PRIA 4 is currently set to expire on October 1, 2023. As EPA finalizes its strategic plan for FY 2022-2026, we urge the Administration to continue to strive to meet the original goals of PRIA and to work with Congress and stakeholders to ensure that the core tenants of PRIA are met as the law is reauthorized.

OPP needs adequate resources and technology upgrades to ensure it has the resources to meet prescribed pesticide registration timeframes, including the timeframes for non-PRIA actions such as amendments and notifications, and to meet its registration review deadlines. While pesticide registration and maintenance fees have increased significantly since PRIA was first signed into law in 2004, Federal appropriations have not kept pace with those increases, and as a result, pesticide registration decision deadlines are renegotiated on a routine basis. According to EPA's own records, during FY 2021, 63.8% of registration actions processed by the Registration Division are renegotiated, 13.1% of registration actions processed by the Antimicrobials Division are renegotiated, 48.1% of registration actions processed by the Biopesticide and Pollution Prevention Division are renegotiated, and 23% of inert ingredient reviews are renegotiated.[1] In addition, EPA has amassed a significant backlog of non-PRIA actions such as minor amendments and notifications, including some labeling changes required in response to EPA actions.

[1] Schaible, Steve, U.S. Environmental Protection Agency. PRIA Quarterly Stakeholder Meeting, November 10, 2021. PowerPoint Presentation.

With each rendition of PRIA, industry-paid registration and maintenance fees have increased, but Federal appropriations have declined over time. OPP staff has also decreased by about one-third over the lifetime of PRIA. As resources have decreased, the number of Full Time Equivalent (FTE) workers in the Office of Pesticide Programs has decreased from a high of nearly 900 FTEs in FY 2005 to the FY 21 level of slightly over 600.[2] To help offset this decrease in OPP staffing, we urge the Agency to prioritize continuous improvement initiatives within OPP to drive efficiencies in the pesticide registration process. In addition, we encourage EPA to include in the Agency's annual budget request funding for the appropriate resources and FTEs to support the statutory timelines outlined in PRIA, and enable the Agency to operate a pesticide program with low rates of renegotiation. The EPA budget should also include the necessary funding for continued technology improvements related to the electronic submission of pesticide applications and real-time tracking of pesticide registration decisions.

The draft strategic plan specifies the following goals:

- By September 30, 2026, complete 78 pesticide registration review cases.
- By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species for new active ingredients in 90% of the risk assessments supporting pesticide registration decisions for new active ingredients compared to the FY 2020 baseline of 50%.
- By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species in 50% of the risk assessments supporting pesticide registration review decisions compared to the FY 2020 baseline of 25%.
- By September 30, 2026, support Agricultural Worker Protection Standard (WPS) pesticide safety training for 20,000 farmworkers annually compared with the FY 2018-2020 annual average baseline. [3]

These goals cannot be met without the needed Federal resources. To ensure that the fees established under PRIA enhance, rather than supplant, appropriations for OPP, the law established a minimum appropriation necessary before PRIA fees could be collected, yet this minimum funding level has not been included in the Administration's recent budget requests until this fiscal year.

Furthermore, growers, lawn care and pest control professionals, public health officials, golf course superintendents, invasive species managers, as well as pesticide manufacturers, depend upon a consistent regulatory system that provides certainty. This allows technology providers to continue investments in innovation to protect America's food supply, public health, infrastructure, green spaces, and other natural resources. EPA's draft strategic plan calls for innovation and new technology to address pest issues. The plan states:

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[2] Schaible, Steve, U.S. Environmental Protection Agency. PRIA Quarterly Stakeholder Meeting, November 10, 2021. PowerPoint Presentation.

[3] *FY 2022-2026 EPA Strategic Plan Draft*. U.S. Environmental Protection Agency, 1 Oct. 2021, https://www.epa.gov/system/files/documents/2021-10/fy-2022-2026-epa-draft-strategic-plan.pdf.

> Consistent with statutory responsibilities EPA will continue to review and register new pesticides and new uses for existing pesticides, and other covered applications under PRIA and act on other registration requests in accordance with FIFRA and FFDCA standards. Many of these registration actions will be for reduced-risk conventional pesticides and biopesticides, which, once registered and used by consumers, will increase benefits to society, including infants and children, and reduce ecological impacts. Additionally, EPA will continue to reevaluate existing pesticides in the marketplace on a 15-year cycle to ensure the FIFRA standard for registration continues to be met based on current science…[4]

Additional predictability around timelines for pesticide registration decisions is essential for pesticide registrants to continue to invest in research and development and to bring new and needed pest control products to the market. This certainty is also important for pesticide users, as they look to incorporate newer products into their own integrated pest management programs to address emerging pest and public health threats.

In addition to including the necessary funding for timely pesticide registration and registration review decisions, we encourage the Agency to collaborate with stakeholders and Congress to reauthorize PRIA 4 well in advance of its expiration on October 1, 2023. PRIA benefits the Agency by providing needed resources including Federal appropriations and industry paid registration and maintenance fees. Pesticide registrants and users benefit from the law's predictable regulatory decision timeframes. The law also provides funding for farm worker education and training, as well as training for agricultural and healthcare workers. The PRIA Coalition looks forward to meaningful stakeholder engagement with the Agency related to PRIA reauthorization and driving efficiency in the pesticide registration while maintaining the credibility and rigor of the system for the regulation of pesticides.

Thank you again for the opportunity to submit these comments.

Sincerely,

American Chemistry Council's Center for Biocide Chemistries
Animal Health Institute
Biological Products Industry Alliance (BPIA)
CropLife America
Council of Producers & Distributors of Agrotechnology
Household & Commercial Products Association
ISSA, The Worldwide Cleaning Industry Association
RISE (Responsible Industry for a Sound Environment)

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[4] *FY 2022-2026 EPA Strategic Plan Draft*. U.S. Environmental Protection Agency, 1 Oct. 2021, https://www.epa.gov/system/files/documents/2021-10/fy-2022-2026-epa-draft-strategic-plan.pdf.