Message

From: Green, Jamie [Green.Jamie@epa.gov]
Sent: 10/15/2020 9:06:21 PM
To: Weekley, Erin [weekley.erin@epa.gov]; Bednar, Candace [Bednar.Candace@epa.gov]
CC: Rosado-Chaparro, Wilfredo [Rosado-Chaparro.Wilfredo@epa.gov]
Subject: RE: Rapid response by seed industry....

Ex. 5 AC/DP

From: Weekley, Erin <weekley.erin@epa.gov>
Sent: Thursday, October 15, 2020 3:56 PM
To: Green, Jamie <Green.Jamie@epa.gov>; Bednar, Candace <Bednar.Candace@epa.gov>
Cc: Rosado-Chaparro, Wilfredo <Rosado-Chaparro.Wilfredo@epa.gov>
Subject: RE: Rapid response by seed industry....

NRDC public comments definitely worth clicking through to read.

Ex. 5 AC/DP

Erin Weekley
Chemical Branch Chief
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219
office (913) 551-7095
work cell (816) 274-1107

From: Green, Jamie <Green.Jamie@epa.gov>
Sent: Thursday, October 15, 2020 3:49 PM
To: Bednar, Candace <Bednar.Candace@epa.gov>; Weekley, Erin <weekley.erin@epa.gov>
Cc: Rosado-Chaparro, Wilfredo <Rosado-Chaparro.Wilfredo@epa.gov>; Daniels, Michael <daniels.michael@epa.gov>
Subject: FW: Rapid response by seed industry....

Fyi – I have shared with OPP.

From: Creger, Tim <tim.creger@nebraska.gov>
Sent: Thursday, October 15, 2020 3:00 PM
To: Green, Jamie <Green.Jamie@epa.gov>
Subject: FW: Rapid response by seed industry....

Jamie,

In case you haven't seen this from another source. I've copied to others internally here.

Tim Creger

Pesticide/Fertilizer Program Manager
Nebraska Department of Agriculture
OFFICE 402-471-6882

From: Judy Wu-Smart <jwu-smart@unl.edu>
Sent: Thursday, October 15, 2020 12:46 PM
To: Pomajzl, Mark <mark.pomajzl@nebraska.gov>; Stoll, Hillary <Hillary.Stoll@nebraska.gov>; Hladik, Michelle L <mhladik@usgs.gov>; Vance, Buzz <buzz.vance@nebraska.gov>; Creger, Tim <tim.creger@nebraska.gov>
Subject: Rapid response by seed industry....

Hi All,
So my connections at BASF (formerly BAYER) told me last month that there have been internal discussions that have now reached all the higher levels of their company and they have even reached out to their partners, like ASTA and renewable energy organizations, regarding this issue.

As a result of these discussions, ASTA has just sent out a warning specifically to begin addressing these issues. See email below. The NRDC comment was mentioned here too.

Thanks,

Judy

Begin forwarded message:

From: Pat Miller <pmiller@betterseed.org>
Date: October 7, 2020 at 12:52:30 PM MDT
To: Pat Miller <pmiller@betterseed.org>
Subject: ASTA ALERT: Stewardship and Management of Treated Seed: Stewardship and Maintenance

To: ASTA Seed Treatment & Environment Committee
I wanted to make sure you saw this message just sent out to address proper management of treated seed in ethanol production (see below). Please feel free to distribute however you wish. Of course, please contact me if you have any questions or need further information. Thanks.

"The future is contained within the present as the plant within the seed."

www.betterseed.org

Pat Miller
Director, State Affairs
1701 Duke Street, Ste. 275
Alexandria VA 22314
pmiller@betterseed.org
512-259-2118 (c)
703-837-8140 (o)

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As harvest wraps up across the country, ASTA wants to take the opportunity to remind seed companies about the importance of taking precautions to ensure surplus treated seed is managed properly, and to remind seed companies of a number of resources available to them in connection with the stewardship of treated seeds.

Managing treated seed properly is not just a good practice: it is critical to maintain access to seed treatment products that are under increasing scrutiny. For example, in public comments to EPA in June, the Natural Resources Defense Council (NRDC) alleged that "EPA has failed to consider the significant environmental risks and costs of the use of neonic-treated seed to produce ethanol." While ASTA does not necessarily agree with NRDC's allegations, and some of the language in the comments regarding seed treatments is misleading and taken out of context, we want to draw your attention to specific references to allegations of improper disposal of treated seed at an ethanol plant in Nebraska (see page 6 of the comments).

Regardless of the disposal method utilized, disposal of treated seed requires special handling and permitting. **Seed companies should verify that anyone accepting treated seed for disposal possesses the proper city, state and federal permits.** Specifically -

1. Consult with your state and local authorities to ensure that your disposal plan is in compliance with all appropriate regulations.
2. Disposal facilities will, in many cases, be required to have an EPA permit, or a permit issued by a State or local agency, to dispose of pesticides, pesticide contaminated rinse water, or pesticide treated seed. Whether a facility has the proper permits to dispose of a particular quantity of a "particular pesticide" can only be determined by directly contacting the specific facility or the applicable State or local agency.
3. Properly permitted ethanol plants can use treated seed as an alternate power source. However, a very limited number of ethanol plants have the permits necessary to ferment treated seed. In all situations, byproducts from the ethanol production process cannot enter the food or feed channels and no measurable pesticide residues are allowed. The same situation applies for wastewater and air emissions, as well.
4. Seed companies should practice due diligence in ensuring the entire pathway of treated seed disposal is complete and complies with all applicable laws, regulations and label instructions.

Note that some states may have more stringent regulations than others. In addition, treated seed, and resultant seed dust, are subject to solid waste regulations at the

state and/or local levels. Always check state and local regulations prior to disposing of treated seed or dust.

Resources for Outreach & Communications:

ASTA and other stakeholder groups have developed a set of recommendations to assist those involved in the process of treating, handling, transporting, or planting treated seeds. These recommendations can be found in a number of new and redesigned communication resources. A one-pager graphically displays the five steps for stewardship of treated seed, and outlines why and how seed treatments are used, including what the crop protection and seed industries are doing to ensure their safe use. A set of videos explore topics including: improving performance and safety with seed treatments; the five steps for stewardship of treated seed; and how seed treatments support sustainability.

For more information, visit: seed-treatment-guide.com.

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