Message

From: Hathaway, Margaret [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=904BA6BDE9364F13A5ACC32C01DF7425-HATHAWAY, MARGARET]
Sent: 10/27/2020 9:27:52 PM
To: George Sabbagh [george.sabbagh@bayer.com]
CC: BCSReg_Archive [esepamailbox@bayer.com]; Kenny, Daniel [Kenny.Dan@epa.gov]
Subject: RE: Concurrence Requested ASAP: Bulletins Live Docs - PULAs - Dicamba
Attachments: RE: Concurrence Requested ASAP - Dicamba Bulletins Live Language

Hi George:
No response needed, we are all set. Marietta heard that Bayer's email server may be having issues today, so she received concurrence separately through Phil Perry and Stacey (email chain attached).

- Meg

From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Tuesday, October 27, 2020 5:20 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: Concurrence Requested ASAP: Bulletins Live Docs - PULAs - Dicamba

Hi Meg, I just received this email. Is the response still needed?

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Head Regulatory Engagements

Regulatory Engagement
Collaborating Across Organizations

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E-mail: george.sabbagh@bayer.com
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From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Tuesday, October 27, 2020 1:09 PM
To: George Sabbagh <george.sabbagh@bayer.com>; Jeffrey H Birk <jeffrey.birk@basf.com>; Dixon Monty USGR <monty.dixon@syngenta.com>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Thomas Orr <thomas.orr@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Steven Callen <steven.callen@bayer.com>
Subject: Concurrence Requested ASAP: Bulletins Live Docs - PULAs - Dicamba

Hello George:
Regarding BLT language, the registrant-proposed language from last Friday is not acceptable to the Agency, but the text below is. Please provide concurrence as soon as possible.

"To protect federally listed threatened and endangered species, both a 310-foot in-field wind-directional spray drift buffer and a 57-foot omnidirectional in-field buffer are required. **If applying with a qualified hooded sprayer**, both a 240-foot in-field wind-directional spray drift buffer and a 57-foot omnidirectional in-field buffer are required to protect federally listed threatened and endangered species. Please see **[URL]** for a list of qualified hooded sprayers.

The following areas may be included in the buffer distance composition when directly adjacent to the treated field edges:
• Roads, paved or gravel surfaces, mowed and/or managed areas adjacent to field such as rights of way.
• Planted agricultural fields containing dicamba-resistant plantings of cotton and soybeans.
• Areas covered by the footprint of a building, silo, or other man made structure with walls and or roof."

Thank you,

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
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From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Friday, October 23, 2020 2:12 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Jeffrey H Birk <jeffrey.birk@basf.com>; Dixon Monty USGR <monty.dixon@syngenta.com>; Steven Callen <steven.callen@bayer.com>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>; Thomas Orr <thomas.orr@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: RE: For Concurrence: Bulletins Live Docs - PULAs - Dicamba

Hi Meg,

The registrants (BASF, BAYER and Syngenta) reviewed the Live Bulletin documents you provided, and are asking to update the D1 section with the language below. The updates are to: (1) include hooded sprayer language, and (2) replace "Planted agricultural fields containing: corn, cotton, and soybeans." with "Planted agricultural fields containing crops for which dicamba has an approved use."

> *To protect federally listed threatened and endangered species, both a 310-foot in-field wind-directional spray drift buffer and a 57-foot omnidirectional in-field buffer are required.* ***If applying with a qualified hooded sprayer****, both a 240-foot in-field wind-directional spray drift buffer and a 57-foot omnidirectional in-field buffer are required to protect federally listed threatened and endangered species. Please see* ***[URL]*** *for a list of qualified hooded sprayers. Non-sensitive areas, defined below, may be included as part of all required buffers.*
>
> *Non-sensitive areas: The following areas may be included in the buffer distance calculation when directly adjacent to the treated field edges:*
> 1. *Roads, paved or gravel surfaces, mowed and/or managed areas adjacent to field such as rights-of-way.*
> 2. *Planted agricultural fields containing crops for which dicamba has an approved use.*
> 3. *Areas covered by the footprint of a building, silo, or other man-made structure with walls and/or roof.*

Please, let me know if you need additional information or have questions.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Head Regulatory Engagements

Regulatory Engagement
Collaborating Across Organizations

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From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Thursday, October 22, 2020 7:14 PM
To: George Sabbagh <george.sabbagh@bayer.com>; Jeffrey H Birk <jeffrey.birk@basf.com>; Dixon Monty USGR <monty.dixon@syngenta.com>
Cc: Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: For Concurrence: Bulletins Live Docs - PULAs - Dicamba
Importance: High

Dear Dicamba Registrants:
Attached are files EPA plans to move forward with for posting to BLT in relation the dicamba registrations currently being considered by the Agency for use on dicamba-tolerant cotton and soybeans. **Concurrence is requested by noon tomorrow (Friday, October 23).**

EPA notes that the total number of counties with restrictions is 289. This is one county greater than previously noted because Palm Beach county, FL was inadvertently left off of the previous counts (it was included in 2018). Palm Beach county has minimal acreage of cotton grown, but it does include possible overlap with a listed species that could be affected.

Best regards,

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
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