**To:** "Mike Bussell" [bussell.mike@epa.gov]; Anthony Barber" [barber.anthony@epa.gov]
**From:** CN=Dennis McLerran/OU=R10/O=USEPA/C=US
**Sent:** Thur 8/9/2012 9:50:29 PM
**Subject:** Fw: PESTICIDE PETITION FILED WITH OREGON COMMISSION
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Fact Sheet FINAL.pdf
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Appendix I NMFS Listed Resources of Concern.pdf
ATT00001.txt
ATT00002.htm
[mailto:nbell@advocates-nwea.org]
nbell@advocates-nwea.org
www.NorthwestEnvironmentalAdvocates.org
nbell@advocates-nwea.org

FYI

From: PEDERSEN Dick [PEDERSEN.Dick@deq.state.or.us]
Sent: 08/09/2012 08:58 PM GMT
To: Dennis McLerran
Subject: FW: PESTICIDE PETITION FILED WITH OREGON COMMISSION

Dennis,

In case you aren't aware. This just came in today.

Dick

From: Nina Bell [mailto:nbell@advocates-nwea.org]
Sent: Thursday, August 09, 2012 8:57 AM
To: nbell@advocates-nwea.org
Subject: PESTICIDE PETITION FILED WITH OREGON COMMISSION

For Release: IMMEDIATELY August 9, 2012

For Further Information: Nina Bell w: 503/295-0490 c: 503/702-2584

PETITION SEEKS FEDERAL PESTICIDE RESTRICTIONS

IN OREGON WATER QUALITY RULES

Citing the U.S. Environmental Protection Agency's refusal to protect threatened and endangered species from pesticides, the Portland, OR-based Northwest Environmental Advocates (NWEA) petitioned Oregon's Environmental Quality Commission today to adopt new rules restricting the use of pesticides across the state. The proposed rules are based on findings by the National Marine Fisheries Service and the U.S. Fish and Wildlife Service that use of certain pesticides will jeopardize the continued existence of some Oregon species. The Commission makes the rules for the Oregon Department of Environmental Quality (DEQ).

"The federal fish and wildlife agencies tell us that pesticides are pushing threatened and endangered species, such as salmon and steelhead, to the brink of extinction, but the regulatory agencies such as the U.S. EPA and Oregon DEQ refuse to take the very actions necessary to prevent this result," said Nina Bell, NWEA Executive Director. "Oregon DEQ has been working on a toxics reduction strategy for over three years yet it hasn't taken this simple and obvious step to restricting the use of poisons in the environment."

At the heart of the petition are the federal fish and wildlife agencies' instructions to EPA on restrictions that must be placed on pesticide labels to offset the jeopardy opinions. The petition asks the Commission to adopt these restrictions into Oregon water quality standards along with similar restrictions placed by NMFS on a national EPA permit to discharge pesticides to water.

"The fish and wildlife agencies in charge of preventing species from going extinct have established what restrictions are needed to keep pesticides out of Oregon's waters so it shouldn't be too much to ask that Oregon's water quality agency sit up and pay attention," said Bell. "It shouldn't be to much to ask that restrictions placed on a federal pesticide discharge permit to protect Oregon salmon would apply equally to a DEQ discharge permit for those very same pesticides," she added.

In addition to new rules to restrict pesticides, NWEA petitioned the Commission to ask two other state agencies to incorporate the federal restrictions into their regulatory programs. The petition asks for the Commission's help in convincing the Oregon Department of Agriculture to adopt the federal agencies' restrictions and to develop point-of-sale notifications to the public about the hazards associated with using pesticides according to EPA-approved labels. The petition also seeks Commission support for rule changes at the Board of Forestry.

NWEA says it filed the petition to help Oregon continue to receive federal funds that will otherwise be terminated. "If Oregon fails to show it can and will protect species in coastal watersheds, it will lose federal funding," explained Bell. "There's a limited time in which Oregon has to make this demonstration so it's time for the state to stop just talking about the problems with pesticides and start acting to control them."

NMFS has completed six of eight biological opinions pursuant to the Endangered Species Act under court order, while the sole opinion by the Fish and Wildlife Service is 23 years old. The opinions are associated with EPA registration of pesticides under federal law.

"It's ironic that on one hand the Bonneville Power Administration spends over a half a billion dollars each year to restore salmon and steelhead runs in the Columbia River Basin and on the other hand the U.S. EPA and the Oregon DEQ are sitting on their hands letting people poison the very same fish," Bell pointed out.

- END -

PLEASE EMAIL ME IF YOU WOULD LIKE A COPY OF THE 46-PAGE PETITION.

Attached: Appendix I, "NMFS Listed Resources of Concern" shows a map of places in Oregon in which discharges of pesticides are limited under EPA's national Pesticides General Permit (which applies only to tribal lands) whereas DEQ's similar permit has no such restrictions.

Nina

Nina Bell, J.D., Executive Director

Northwest Environmental Advocates

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