

**Congress of the United States**  
**Washington, DC 20515**

August 16, 2022

The Honorable Michael S. Regan  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

Dear Administrator Regan,

America's farmers, ranchers, and agricultural producers rely on the U.S. Environmental Protection Agency's (EPA) implementation of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to provide regulatory certainty regarding critical crop protection tools. Historically, the EPA has utilized reliable, science-based evidence when issuing decisions surrounding crop protection tools. We write today to express our concerns with the recent proposed revisions to the interim decision for atrazine, a herbicide used to protect corn, sorghum, sugarcane, and a variety of other crops from damaging weeds.

For nearly 60 years, atrazine has been a reliable and proven herbicide for effective and efficient sustainable farming practices. As part of the registration review process under FIFRA, the EPA issued an interim decision for atrazine in September 2020 setting the aquatic ecosystem concentration equivalent level of concern (CE-LOC) at 15 parts per billion (ppb) following a decade of exhaustive scientific and regulatory review. However, in response to President Biden's Executive Order 13990, the EPA's Office of Pesticide Programs successfully sought a voluntary partial remand from the Ninth Circuit Court of Appeals in December 2021.

On June 30, 2022, the EPA released proposed revisions to the September 2020 interim decision that included new labeling and mitigation requirements. Perhaps the most concerning change is that EPA has relied on invalid studies and questionable conclusions to make the decision to reduce the CE-LOC from 15 ppb to 3.4 ppb. This is a significant change which contradicts the previous overwhelming scientific consensus supporting a CE-LOC of 15 ppb and will have widespread impacts on the use and effectiveness of atrazine products.

When announcing the proposed revisions, the EPA also announced they would conduct an external peer review and incorporate feedback into a final interim decision. We appreciate the commitment to an external peer review, but there have since been unanswered questions

regarding what form this review will take. We strongly believe that the EPA must conduct a formal FIFRA Scientific Advisory Panel (SAP) to receive independent scientific advice on the CE-LOC of atrazine before moving forward with any revised decisions.

We are alarmed by the agency's departure from sound science by changing the CE-LOC, and also with the mitigation measures in the proposed revisions. We know that the EPA asked the United States Department of Agriculture (USDA) to consult on a proposed "picklist" of mitigation measures a producer would be required to implement when using atrazine; however, it is abundantly clear that the EPA did not incorporate any of USDA's feedback in these revisions.

We respectfully request that EPA clarify and confirm to us (in writing) by September 5, 2022 the following:

1. Please confirm that the Proposed Revisions will be submitted for a formal review by the FIFRA Scientific Advisory Panel.
2. What is the anticipated schedule for the SAP review? Please confirm that the EPA will seek and consider the SAP's advice and recommendations prior to adopting an atrazine CE-LOC lower than the current CE-LOC of 15 ppb.
3. What issues will be presented to the SAP? Please confirm that they will include the Agency's (i) scientific studies and methodology underlying the proposed atrazine CE-LOC, (ii) revised aquatic atrazine concentration watershed modeling assessment, (iii) assessment of the efficacy and feasibility of potential mitigation measures, and (iv) selection of proposed new mitigation requirements for atrazine products. It is important that the SAP have a chance to provide input on all aspects of the Proposed Revision given their interlocking effects and their significant practical impacts on our nation's farmers.
4. Please confirm that the EPA will promptly update its Public Release and its Note to Commenters, to clarify and confirm with the public that EPA will convene an SAP and seek the SAP's advice and recommendations, as noted above.

America's producers rely on crop protection tools such as atrazine to help them provide the safest, most abundant, and most affordable food, fiber, and fuel supply in the world. For this reason, we ask the EPA to (1) reissue for comment a mitigation pick-list that is workable for producers; and (2) commit to and convene a formal FIFRA Scientific Advisory Panel after the comment period has closed to accurately review current sound science regarding the appropriate CE-LOC for atrazine.

We believe that food security is national security. Crop protection tools registered through FIFRA are vital to the sustainability, efficiency, and effectiveness of our nation's food supply, which is why the integrity of a science-driven FIFRA process should not be undermined.

Sincerely,



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Vicky Hartzler  
Member of Congress



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Tracey Mann  
Member of Congress



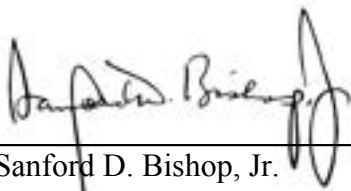
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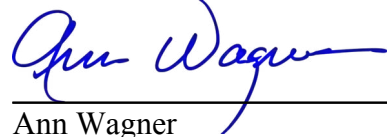
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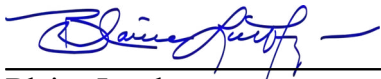
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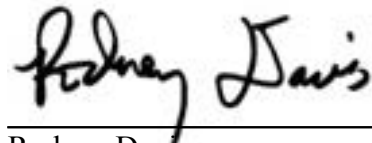
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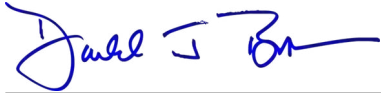
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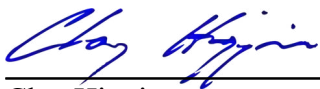
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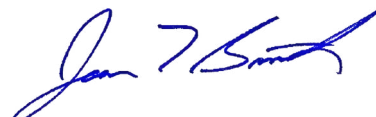
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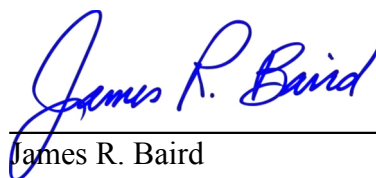
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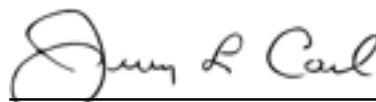
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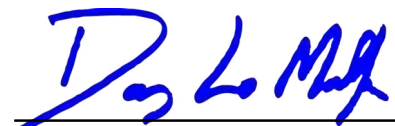
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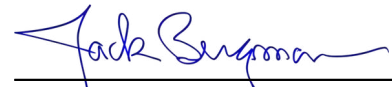
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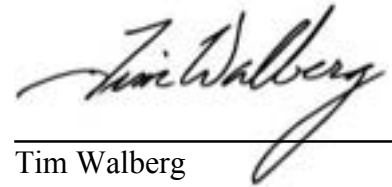
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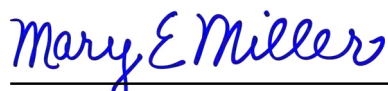
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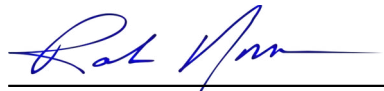
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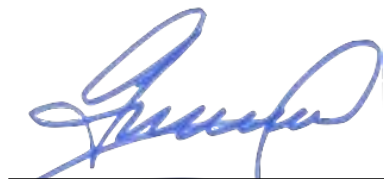
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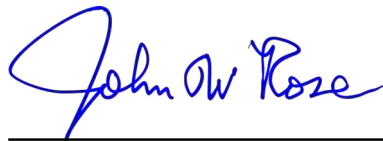
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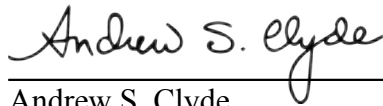
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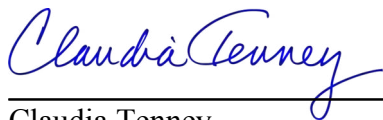
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Claudia Tenney  
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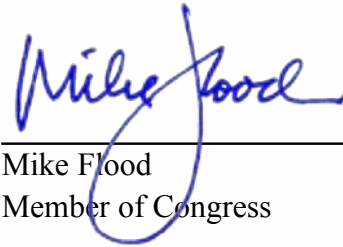
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