

October 4, 2016

Office of Pesticide Programs  
Regulatory Public Docket  
Environmental Protection Agency  
Docket Center, (28221T)  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460-0001

Re: EPA-HQ-OPP-2015-0794

To Whom It May Concern:

This comment is filed in connection with the above-referenced proceeding, in which the United States Environmental Protection Agency (EPA) requests comments on the agency's draft ecological risk assessments for atrazine, simazine, and propazine. The Attorney General of Kansas and the Secretary of the Kansas Department of Agriculture share a mutual interest in a thriving agriculture industry that engages in environmentally sound practices. As such, the Attorney General and the Secretary of Agriculture urge the EPA to not prohibit or restrict the availability and use of atrazine and similar herbicide products.

Atrazine's use as an herbicide in agriculture is a major component in weed control and crop productivity. Common application rates are 2.5 pounds of active ingredient per acre per calendar year. This is effective in terms of weed control and is in accordance with the current aquatic life level of concern of 10 parts per billion. The EPA's proposed atrazine level of concern of 3.4 parts per billion is a problem in terms of the contradiction to proven safety levels, the far-reaching agricultural effects, and other environmental concerns. Prior Scientific Advisory Panels have found the current accepted usage of atrazine to be safe.

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the EPA, by law, must weigh the costs and benefits of re-registering a product. Atrazine has been registered for use in the United States for nearly 60 years and consistently found safe by numerous scientific studies, including those authored by the agency's own Scientific Advisory Panel (SAP). The draft ecological risk assessment ignores the weight of the scientific evidence and utilizes studies that were discounted by EPA's own 2012 SAP. The wholly speculative "costs" outlined in the draft risk assessment are far outweighed by the benefit of atrazine's use in the Kansas agriculture community.

Implementation of this proposal would lower the atrazine application rates to the extent that its use would be ineffective. Eliminating atrazine as an herbicide option directly contradicts EPA's prior conclusion that the lack of herbicide availability is a concern in dealing with weed resistance. Additionally, conservation efforts such as no-till practices will become inefficient for farmers due to an inability to control weeds. The USDA has concluded that conservation tillage can reduce adverse effects of agricultural production on environmental quality, help improve soil health, and reduce net greenhouse gas emissions while minimizing runoff. If the EPA makes atrazine unavailable, farmers will have difficulty finding an effective and economic replacement. Many research studies and monitoring programs, including those implemented by the EPA, have proven current atrazine levels to be safe and manageable. In fact, there is evidence supporting a safe level of concern at 25 parts per billion.

Corn is the most widely grown feed grain in the country and atrazine is used for weed control on more than half of all U.S. corn acres. There are over four million acres of corn production in Kansas alone. The lower level of concern would restrict usage to ½ pound per acre. This eliminates the herbicide's efficacy as a weed control tool. The use of alternative herbicides will increase the estimated cost of production by \$30-\$60 per acre. Farmers do not have the ability to pass on this increased cost to the consumer so they

will see their incomes reduced. Sorghum growers are even more dependent on atrazine to help control weeds and assure profitability.

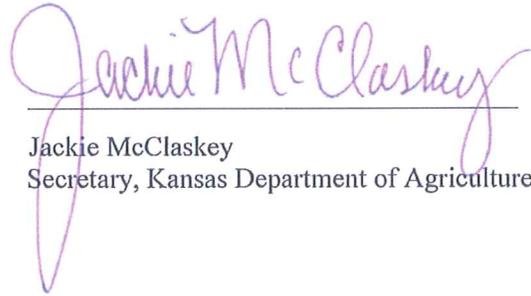
Any decision by EPA to restrict or eliminate the availability of the subject herbicides, particularly the availability of atrazine, would directly and negatively affect thousands of Kansas farmers by increasing the costs of production, reducing yield, and harming profitability while producing no meaningful environmental benefit. The Attorney General and the Secretary of Agriculture support the continued use of atrazine and urge EPA not to prohibit or restrict its availability and use.

Please carefully consider a broader perspective and long-term approach when handling this issue. The proposal is inconsistent with EPA's previous stated environmental concerns, is in conflict with proven evidence, and is detrimental to agriculture conservation practices. We appreciate the opportunity to provide comment on this important topic.

Sincerely,



Derek Schmidt  
Attorney General of Kansas



Jackie McClaskey  
Secretary, Kansas Department of Agriculture