

Message

---

**From:** Peck, Charles [peck.charles@epa.gov]  
**Sent:** 8/14/2020 8:18:04 PM  
**To:** Anderson, Brian [Anderson.Brian@epa.gov]; Corbin, Mark [Corbin.Mark@epa.gov]; Matuszko, Jan [Matuszko.Jan@epa.gov]; Peck, Charles [Peck.Charles@epa.gov]; Farruggia, Frank [Farruggia.Frank@epa.gov]  
**Subject:** Conversation with Anderson, Brian, Corbin, Mark, Matuszko, Jan, Peck, Charles

Farruggia, Frank 3:07 PM:

Thanks Chuck

Matuszko, Jan 3:08 PM:

Frank, we had a pre-meeting at 11:30.

Matuszko, Jan 3:08 PM:

Hi Brian and Frank!

Farruggia, Frank 3:08 PM:

Ok, I can keep quiet. I was working on the draft distances, didn't know about the pre meet.

Matuszko, Jan 3:09 PM:

Please feel free to respond to questions. You can certainly ask questions if a topic comes up....If we don't bring up a topic it's because it's not on the agenda

Farruggia, Frank 3:10 PM:

(y)

Matuszko, Jan 3:10 PM:

and those to you, Frank, as well for joining on your day off!

Matuszko, Jan 3:11 PM:

thank you chuck!

Matuszko, Jan 3:14 PM:

Has anyone in EFED looked at that report yet?

Matuszko, Jan 3:14 PM:

the one he is talking about currently

Peck, Charles 3:14 PM:

a little bit

Matuszko, Jan 3:14 PM:

any questions or thoughts or really just not yet

Farruggia, Frank 3:21 PM:

I guess they don't know that they already came in?

Matuszko, Jan 3:21 PM:

Let's tell them

Corbin, Mark 3:21 PM:

do we have any outstanding questions from academics? I feel like we've already had pretty good exchanges with them

Matuszko, Jan 3:21 PM:

go ahead and tell them we did that already

Peck, Charles 3:21 PM:

I would like a protocol

Corbin, Mark 3:22 PM:

go ahead and ask about our desire to have a protocol if it exists

Peck, Charles 3:23 PM:

they're also talking about the field studies...

Peck, Charles 3:24 PM:

that doesn't make sense, we've asked them for all of their data...

Farruggia, Frank 3:24 PM:

i would like a better understanding of the vapor uptake issue. but agree that I think we have everything. I think they just want to know more about the conversation and the data we have.

Peck, Charles 3:26 PM:

**Ex. 5 Deliberative Process (DP)**

Matuszko, Jan 3:32 PM:

**Ex. 5 Deliberative Process (DP)**

Matuszko, Jan 3:33 PM:

Ex. 5 Deliberative Process (DP)

IMO. Of course, v

**Ex. 5 Deliberative Process (DP)**

Corbin, Mark 3:33 PM:

That sounds like where Ed is going.

**Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Matuszko, Jan 3:34 PM:

Brian, speak up on this as appropriate!! I am deferring to all of you today.

Farruggia, Frank 3:36 PM:

They are not addressing the area wide issue. That method would only be appropriate for conditions with spray drift or runoff.

Matuszko, Jan 3:36 PM:

Brian, respond.

Peck, Charles 3:37 PM:

thanks Jan!

Peck, Charles 3:38 PM:

if FWS is fine with the preserve system, then we can use it...otherwise, we can't

Farruggia, Frank 3:39 PM:

The indirect assessment and the area wide issues need to be solved for ESA, so all species distributions matter.

Anderson, Brian 3:39 PM:

marietta said it well

Peck, Charles 3:40 PM:

they need to know we are looking at species other than plants

Peck, Charles 3:41 PM:

the Services determine best available...if they don't, our calls won't mean anything

Anderson, Brian 3:41 PM:

yah - we can't just start using a totally different location information They are very sensitive to that

Matuszko, Jan 3:42 PM:

I agree. this is not the test case. In a smaller group, without Alex, I am comfortable going there.

Peck, Charles 3:42 PM:

Monarch isn't listed is it? We would just be doing it as a nice to protect kinds thing, right?

Matuszko, Jan 3:43 PM:

I sure don't remember hearing about it.

Farruggia, Frank 3:43 PM:

proposed.

Anderson, Brian 3:43 PM:

me neither

Corbin, Mark 3:43 PM:

It was an issue in the Enlist court decision. they said we did it wrong but only remanded the work back to us

Corbin, Mark 3:44 PM:

Ed O is already thinking about how to deal with that

Anderson, Brian 3:44 PM:

indirect effects was mentioned in the court case, right?

Farruggia, Frank 3:44 PM:

This is really about the indirect effects evaluation. Yes.

Matuszko, Jan 3:44 PM:

yes

Corbin, Mark 3:44 PM:

not Enlist. It was one of plaintiffs ESA arguments for dicamba

Matuszko, Jan 3:45 PM:

right.

Matuszko, Jan 3:49 PM:

Seems like these labels are getting more complicated...

Peck, Charles 3:49 PM:

yup

Farruggia, Frank 3:51 PM:

this will not make it less tricky

Peck, Charles 3:53 PM:

and make them more money....sounds like a monopoly

Farruggia, Frank 3:54 PM:

maybe plant height. VSI is the principal issue with the growers and those reporting incidents. Their Yield data do not help them on this case.

Peck, Charles 3:54 PM:

does the volume drop off because people get tired of calling and not getting any help?

Farruggia, Frank 3:54 PM:

didn't they have to plant in June/July?

Peck, Charles 3:55 PM:

yes

Matuszko, Jan 3:57 PM:

and they give us this highly complex study at the end of the month....

Farruggia, Frank 3:57 PM:

so is Vapor Grip X the october decision?

Peck, Charles 3:58 PM:

sounds like it

Matuszko, Jan 3:58 PM:

yes

Anderson, Brian 3:58 PM:

so they want to give us field study, complex tox studies, drift studies, etc... a couple of weeks before the decision is due?

Corbin, Mark 3:59 PM:

yes

Peck, Charles 3:59 PM:

I think the study coming will be similar to the other ones we've seen in the conditional studies...

Farruggia, Frank 3:59 PM:

are we making that on top of the old or canning all of the old field data because they won't be applicable to the vaporgrip x formulation?

Matuszko, Jan 3:59 PM:

Our senior folks don't have any clue what they are asking us to do

Farruggia, Frank 3:59 PM:

I gathered that at the meeting earlier in the week.

Matuszko, Jan 4:00 PM:

Let's chat next week. We need to focus on the product they want to register. We also can't review all of the data so we need to prioritize.

Matuszko, Jan 4:00 PM:

or we can't review at the level you all would prefer. :)

Peck, Charles 4:02 PM:

it takes me at least a week to review the flux and spray drift parts of the field studies...Frank probably needs a week to look at the plant data....

Matuszko, Jan 4:02 PM:

## Ex. 5 Deliberative Process (DP)

Anderson, Brian 4:03 PM:

(beer)

Matuszko, Jan 4:03 PM:

I hope Tuesday works for us since we aren't being consulted. At least it's not Friday.

Farruggia, Frank 4:04 PM:

Tuesday Bayer, Wednesday Syngenta,.....

Matuszko, Jan 4:04 PM:

lol

Farruggia, Frank 4:05 PM:

this is the most in the science involvement from a company I have ever witnessed on a product registration.

Peck, Charles 4:05 PM:

so am I supposed to set up meetings every Tuesday and Thursday with these guys?

Farruggia, Frank 4:06 PM:

the data speak for themselves. Other than questions that we have regarding some of the issues with missing data or info, I don't understand what the EPA/EFED goals are for these meetings.

Peck, Charles 4:08 PM:

if we spend all of our time preparing for meetings and doing homework for the meetings, we're never going to get our work done

Peck, Charles 4:08 PM:

thanks for speaking up Jan!

Corbin, Mark 4:08 PM:

It would be opportunity to talk about area wide damage and what we do about those impacts on ESA buffers

Matuszko, Jan 4:09 PM:

Trying to get us back in control here. Mark and I will have to take on the prep with some input from you. If we set the agenda, I am hoping it will be a bit less distressing

Farruggia, Frank 4:09 PM:

can we postpone until we confirm those distances and issues?

Corbin, Mark 4:10 PM:

if we cue up a question or two we want to engage them on we can dictate the agenda

Peck, Charles 4:11 PM:

can I take all of my use or lose now?

Matuszko, Jan 4:11 PM:

We can't postpone. \.

Farruggia, Frank 4:11 PM:

Chuck, let me know when, we can have a picnic.

Corbin, Mark 4:11 PM:

the question with VGX will be does the data tell us what they say it does and two if it does how does it impact buffers we get from the Xtend studies. gets back to the modeling exercise we discussed

Matuszko, Jan 4:12 PM:

We can't postpone. We heard that from our boss. So we need to focus the conversations in the way we want and to give us time to do what we need to do

Peck, Charles 4:13 PM:

the problem is the filed study is just Xtendimax + Powermax+VGX - that's why I was trying to say if the volatility in the humidome is less than that, we can say ok, otherwise you can use that tank mix

Peck, Charles 4:13 PM:

can' use the tank mix, sorry

Farruggia, Frank 4:14 PM:

Give me a call if you all decide to have more discussions. Im signing off.

Farruggia, Frank 4:14 PM:

have a nice weekend.

Peck, Charles 4:14 PM:

I'm signing off too. I guess we'll eb talking more Monday morning. Have a good weekend everyone!

Corbin, Mark 4:14 PM:

right, the humidome data seems to be the key. Ed was talking about the % difference in flux and could we use that to re-model the distnace to effect you did for the two studies (or however many we ultimate run with AERMOD)

Matuszko, Jan 4:14 PM:

Monday. We will discuss early Monday. Is 8 or 8:30 too early?

Anderson, Brian 4:15 PM:

thanks guys for calling in. Have a good weekend.

Corbin, Mark 4:15 PM:

you too. Beer time

Farruggia, Frank 4:15 PM:

I will be in OPM training next week 8-5 pm

Farruggia, Frank 4:16 PM:

working 6-8am and probably multitasking if possible during the training.

Farruggia, Frank 4:16 PM:

I'll check email over the weekend.

Matuszko, Jan 4:17 PM:

got it. You do OPM! We will only bring you in where we really, really need your expertise. We will contact you directly in that case. :)

Farruggia, Frank 4:17 PM:

perfect. thanks.

Matuszko, Jan 4:17 PM:

What a way to start a weekend. It's definitely time for happy hour. Have a great weekend!!!

Farruggia, Frank 4:17 PM:

You too. bye.