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**Report/Article Title** Environmental Protection Agency (EPA) Before the Administrator, In re: 2,4,5 - Trichlorophenoxyacetic Acid FIFRA Docket No. 295, Initial Witness List of the United States Department of Agriculture

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UNITED STATES OF AMERICA  
 ENVIRONMENTAL PROTECTION AGENCY  
 BEFORE THE ADMINISTRATOR

In re: )  
 )  
 2,4,5-Trichlorophenoxyacetic ) FIFRA Docket No. 295  
 Acid )

INITIAL WITNESS LIST OF THE  
UNITED STATES DEPARTMENT OF AGRICULTURE

Pursuant to the Administrative Law Judge's Procedural Order of March 11, 1974, the United States Department of Agriculture (USDA) hereby submits the following initial list of witnesses and narrative summaries of their expected testimony together with a list of proposed documents and exhibits.

The witnesses will be divided into the following subject-matter groupings:

1. Rule of reason.
  2. Chemical properties of 2,4,5-T.
  3. Range land uses of 2,4,5-T.
  4. Forestry uses of 2,4,5-T.
1. "Rule of reason" witnesses.

The following group of witnesses will address what we believe to be the most crucial aspect of the 2,4,5-T administrative proceeding, that is the implementation of a "rule of reason" in deciding the questions concerning the various uses of 2,4,5-T as well as other chemical substances.

Dr. Detlev Bronk  
Rockefeller University  
1230 York Ave.  
New York, New York 10021

Dr. T. C. Byerly  
6-J Ridge Road  
Greenbelt, Maryland 20770

Dr. Frederick Coulston  
Director, Institute of Experimental Pathology  
Albany Medical College  
Albany, New York 12201

Mr. Carl Djerassi  
Zoecon Corporation  
975 California Ave.  
Palo Alto, California 94304

Dr. Lee A. DuBridge  
2355-3A Via Mariposa  
West Laguna Hills, California 92635

Dr. Richard Hall  
11350 McCormick Road  
Hunt Valley, Maryland 21031

Dr. Wayland J. Hayes, Jr.  
Professor of Biochemistry  
School of Medicine  
Vanderbilt University  
Nashville, Tennessee 37332

Dr. Dale R. Lindsay  
Associate Director  
Medical and Allied Health Education  
Duke University  
Durham, North Carolina 27701

Dr. Bernard S. Schweigert  
Chairman Department of Food Science and Technology  
University of California  
Davis, California 95616

Dr. Kenneth V. Thimann  
Professor of Biology  
Thimann Laboratory  
Division of Natural Sciences  
University of California at Santa Cruz  
Santa Cruz, California 95060

2. Chemical properties of 2,4,5-T.

Philip C. Kearney  
Pesticide Degradation Laboratory  
Agricultural Environmental Quality Institute  
Agricultural Research Service  
USDA, Agricultural Research Center-West  
Beltsville, Maryland 20705

Dr. Kearney will describe the persistence of 2,4,5-T and the dioxin TCDD in soils. Dr. Kearney is also leader of the pesticide group in the Department of Agriculture that has had primary responsibility for dioxin research in the environment. He has published on the persistence of TCDD in two soils at three concentrations. He has also summarized the existing literature and published on the persistence of 2,4,5-T under a variety of soil and climatic conditions.

Exhibits or documents:

Kearney, P. C., E. A. Woolson, A. R. Isensee, C. S. Helling,  
Tetrachlorodibenzodioxin in the Environment: Sources, Fate, and  
Decontamination. USDA ARS.

Kearney, Philip C. 1970. Chlorinated Dioxin Research. Presented  
before joint meeting on Pesticides. Sponsored by the Council on Environmental  
Quality and President's Cabinet Committee on the Environment Working  
Group on Pesticides, Washington, D.C. November 5, 1970.

Jack R. Plimmer  
Pesticide Degradation Laboratory  
Agricultural Environmental Quality Institute  
Agricultural Research Service  
USDA, Agricultural Research Center-West  
Beltsville, Maryland 20705

Dr. Plimmer will describe the breakdown of chlorinated dibenzo-p-dioxins in sunlight. Dr. Plimmer is an authority on the photochemical behavior of pesticides.

George F. Fries  
Pesticide Degradation Laboratory  
Agricultural Environmental Quality Institute  
Agricultural Research Service  
USDA, Agricultural Research Center-West  
Beltsville, Maryland 20705

Dr. Fries will testify on his studies on the retention and excretion of 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) fed to rats.

Edwin A. Woolson  
Pesticide Degradation Laboratory  
Agricultural Environmental Quality Institute  
Agricultural Research Service  
USDA, Agricultural Research Center-West  
Beltsville, Maryland 20705

Dr. Woolson will testify on pesticides possibly containing 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) and dioxin residues in Lakeland sand from massive aerial application of 2,4,5-T. Dr. Woolson is an analytical chemist with extensive experience working on the chlorinated pesticides. The contaminant TCDD arises in the manufacture of certain pesticides which have as a precursor 2,4,5-trichlorophenol.

Allan R. Isensee  
Pesticide Degradation Laboratory  
Agricultural Environmental Quality Institute  
Agricultural Research Service  
USDA, Agricultural Research Center-West  
Beltsville, Maryland 20705

Dr. Isensee will testify on TCDD uptake and translocation by plants, and the distribution and bioaccumulation of TCDD in aquatic model ecosystems.

Charles S. Helling  
Pesticide Degradation Laboratory  
Agricultural Environmental Quality Institute  
Agricultural Research Service  
USDA, Agricultural Research Center-West  
Beltsville, Maryland 20705

Dr. Helling will testify on his experiments on leaching in soils of 2,4,5-T and the dioxin TCDD.

3. Range land uses of 2,4,5-T.

Dr. J. R. Baur  
Department of Range Science  
Texas A & M University  
College Station, Texas 77843

Dr. Baur will testify as to residues of 2,4,5-T in livestock and range grasses.

Exhibits or documents:

Baur, J. R., Bovey, R. W., and Smith, J. D. 1969. Herbicide Concentrations in Live Oak Treated with Mixtures of Picloram and 2,4,5-T. Weed Science 16: 567-570.

Bovey, R. W. and Baur, J. R. 1972. Persistence of 2,4,5-T in Grasslands of Texas. Bulletin of Environmental Contamination and Toxicology 8: 229-233.

Dr. Rodney W Bovey  
Department of Range Science  
Texas A & M University  
College Station, Texas 77843

Dr. Bovey will testify on field evaluations of herbicides for brush control, absorption and translocation of 2,4,5-T, 2,4,5-T residues in plants and soils, and the effect of 2,4,5-T on the growth and anatomy of plants.

Exhibits or documents:

Bovey, R. W. and Baur, J. R. 1972. Persistence of 2,4,5-T in Grasslands of Texas. Bulletin of Environmental Contamination and Toxicology 8: 229-233.

Bovey, R. W. and Merkle, M. G. 1970. Persistence of Picloram in Texas Soils, Texas Agricultural Experiment Station, PR-2822.

Baur, J. R., Bovey, R. W., and Smith J. D. 1969. Herbicide Concentrations in Live Oak Treated with Mixtures of Picloram and 2,4,5-T. Weed Science 16: 567-570.



Calvin C. Boykin, Economist, Meat Analyst  
ERS  
USDA  
Texas A & M University  
College Park, Texas

Mr. Boykin will testify on investment costs of livestock operations in the Southwest region. He will evaluate the impact of 2,4,5-T on the livestock operations and will analyze the effect different levels of control have on investment return. He will also talk about his study of the economics of aerial spraying of mesquite with 2,4,5-T as a range improvement practice and the significance of such spraying on beef production.

Exhibits or documents:

Boykin, Charles, Jr., Costs of Rootplowing and Seeding Rangeland, Rio Grande Plain, March 1960, Publication of Texas Agricultural Experiment Station - MP 425.

Mr. Charles E. Fisher  
Texas A & M University Agricultural  
Research and Extension Center  
Lubbock, Texas

Mr. Fisher will describe his work with ranchers in 20 locations in southern and western Texas in their effort to control brush on rangeland. He has been working with 2,4,5-T since 1945.

Exhibits or documents:

Fisher, C. E., Wiedemann, H. T., Walter, J. P., Meadors, C. H., Brock, J. H., Cross, B. T., 1971. Brush Control Research on Rangeland, Texas A & M University, College Station, Texas. 1971.

Fisher, C. E. 1968. An expanded brush control and grazing management research program for West Texas. Abstract, Proc. So. Weed Conference.

Fisher, C. E., Hoffman, G. O., Robison, E. D., Meadors, C. H. and Cross, B. T., Brush Research in Texas 1970. Texas A & M University, 1970.

Dr. Howard Greer  
Department of Agronomy  
Oklahoma State University  
Stillwater, Oklahoma 74074

Dr. Greer will testify as to the use of 2,4,5-T on the range lands in Oklahoma where there are approximately 11 million acres of land covered with woody species of plants. 2,4,5-T is used for the treatment of blackjack oak and post oak, as well as for the control of brush such as wild blackberry and persimmon. Dr. Greer will testify on the effectiveness of 2,4,5-T and the feasibility of alternatives.

Exhibits or documents:

Elwell, H. M., Santelmann, P. W., Stutzke, J. F., and Greer, Howard. 1974. Brush Control Research in Oklahoma. ARS-Oklahoma State U. Bulletin B-712.

Wayne Hamilton  
Chaparoosa Ranch  
P. O. Box 187  
LaPryor, Texas

As manager of one of the largest ranches in Texas, Mr. Hamilton will describe his experience with 2,4,5-T to control brush in the Rio Grande plains area, its economic effect on livestock production and its effect on wildlife habitats.

Garlyn O. Hoffman  
Department of Range Science  
Texas A & M University  
College Station, Texas 77843

Mr. Hoffman is a brush and weed control specialist who will describe his research into all methods of control for woody plants in Texas. He will testify to the acreage of brush controlled in Texas since 1940, describe the research demonstration projects of the County Agricultural Agents. He will also describe a study he conducted for EPA of cattle grazed on rangeland immediately after spraying with 2,4,5-T.

Exhibits or documents:

Hoffman, G. O., Merkel, M. G. and Haas, R. H., 1972. Controlling mesquite with Tordon 225 Mixture herbicide in the Texas backland prairie. Down to Earth 27:4.

Hoffman, G. O., Hoermann, H. G., and Allen, J. V., 1969. Putting the Heat on Mesquite. Texas Agricultural Progress, 15: 1; pp. 15-17.

Hoffman, G. O., Dodd, J. D., 1967. How to Whip Pricklypear. Texas Agricultural Progress, 13: 3; pp. 16-18.

Hoffman, G. O., Maintenance Control for Mesquite. Cooperative Extension Work in Agriculture and Home Economics, Texas A & M University. 1-766.

Hoffman, G. O., Fisher, C. E., Robison, E. D., Meadors, C. H. and Cross, B. T., Brush Research in Texas 1970. Texas A & M University, 1970.

Hoffman, G. O., Brush and Weed Control Acreages in Texas, Texas A & M University, College Station, Texas, March 1973.

Jack Holmer  
Herbicide Specialist  
Texas Dept. of Agriculture  
Route 2, Box 90  
Bertram, Texas

Mr. Holmer will describe his experience with 2,4,5-T as an Herbicide Specialist with the Texas Department of Agriculture. He will introduce cost/benefit information from surveys of ranchers whom he advises in the State of Texas.

Douglas Manigold  
U.S. Dept. of Interior  
Geological Survey  
300 E. 8th St.  
Austin, Texas 78701

Mr. Manigold will describe his work monitoring pesticides in the streams of the western United States.

Exhibits or documents:

Schulze, Jean A., Manigold, Douglas B., and Andrews, Freeman L., Pesticides in Selected Western Streams 1968-1971. Pesticides in Water, 7: 1, June 1973.

Manigold, Douglas B. and Schulze, Jean A., Pesticides in Selected Western Streams--A Progress Report. Pesticides Monitoring Journal, 3: 124-134. September 1969.

Rupert D. Palmer  
Department Soil and Crop Sciences  
Texas A & M University  
College Station, Texas 77843

Dr. Palmer will describe his experience with the use of 2,4,5-T to control early indigo and in rights-of-way. Dr. Palmer has also been involved with 2,4,5-T in his work in woody plant control as an Agricultural extension agent and as Coordinator of publications on weed brush control for the State of Texas.

Dr. Elroy J. Peters  
Research Agronomist, USDA  
Department of Agronomy  
University of Missouri  
Columbia, Missouri 65201

Dr. Peters will testify as to the use and effectiveness of 2,4,5-T on oak, hickory, and associated species in Missouri. He will compare the effectiveness of 2,4,5-T with other herbicides and provide data on increases in forage production and the impact of 2,4,5-T on beef production.

Ernest Snook  
State Range Specialist  
Soil Conservation Service, USDA  
USDA Building  
Farm Road  
Stillwater, Oklahoma 74074

Mr. Snook will testify as to the brush control problems in Oklahoma and the acres treated with herbicides.

Dr. J. F. Stritzke  
Brush Control Research  
Department of Agronomy  
Oklahoma State University  
Stillwater, Oklahoma 74074

Dr. Stritzke will testify as to the performance of herbicides for brush control and the breakdown of herbicides in the soil. More specifically, Dr. Stritzke will testify as to (1) the pests that 2,4,5-T controls, (2) the cost, timing, and rate of application of 2,4,5-T for brush control in Oklahoma, (3) alternative methods (including no control) and the economics, effectiveness, and ecological soundness of these methods.

Exhibits or documents:

Elwell, H. M., Santelmann, P. W., Stritzke, J. F. and Greer, Howard. 1974. Brush Control Research in Oklahoma. ARS-Oklahoma State U. Bulletin B-712.

Doug Waldrup, General Manager  
Spade Ranches  
Box 2763  
Lubbock, Texas 79401

As manager of one of the largest ranches in Texas, Mr. Waldrup will describe his experience with 2,4,5-T as a method of controlling brush on rangeland. He will also testify on the effect of 2,4,5-T on the economy of beef production and the improvement of wildlife habitats on his ranch where brush has been cleared by 2,4,5-T use.

4. Forestry uses of 2,4,5-T.

Dr. Homer A. Brady  
Alexandria Forestry Center  
Southern Forest Experiment Station  
2500 Shreveport Highway  
Pineville, Louisiana 71360

Dr. Brady will describe the role of 2,4,5-T in Southern Forest Management. More than one-third of the nation's timber comes from southern forests. The timber species are weak competitors for light, water, and nutrients, therefore competition must be controlled. 2,4,5-T is useful for site preparation, pine seedling release, and removal of competition. It is less expensive than mechanical site preparation and can be used in areas where machines cannot operate. Dr. Brady will testify on the feasibility of alternatives to 2,4,5-T as well as the effectiveness and safety of 2,4,5-T.

W. F. Currier  
U.S. Forest Service  
517 Gold Avenue, S.W.  
Albuquerque, New Mexico 87102

Mr. Currier will testify as to the necessity of a plant control program for the forest lands of New Mexico and Arizona. He will discuss plant ecology and the relationship of man's intervention and associated disturbances to plant succession. In discussing a plant control program, Mr. Currier will testify as to the specific plants needing control for which there is no comparable herbicide substitute for 2,4,5-T. The cost, effectiveness, environmental impact, and limitations of alternative methods of control will be discussed.

Dr. Henry J. Gratkowski  
Plant Ecologist  
Pacific Northwest Forest and  
Range Experiment Station  
U.S. Forest Service  
P. O. Box 3141  
Portland, Oregon 97208

Dr. Gratkowski will testify on the need for the use of herbicides in the forests of the United States, and the safety and economy of using 2,4,5-T. Dr. Gratkowski will discuss the various plant communities, each with its own distinctive combination of environmental conditions, trees, shrubs, and other vegetation. The effectiveness of 2,4,5-T will be discussed as well as the feasibility of alternatives.

Exhibits or documents:

Gratkowski, H. and R. Stewart, 1973. Aerial Spray Adjuvants for Herbicidal Drift Control. USDA Forest Service General Technical Report PNW-3.

Gratkowski, H. 1959. Effects of Herbicides on some Important Brush Species in Southwestern Oregon, USDA Forest Service Research Paper 31.

Gratkowski, H. and Lyle Anderson 1968, Reclamation of Nonsprouting Greenleaf Manzanita Brushfields in the Cascade Range. USDA Forest Service Research Paper PNW-72.

Gratkowski, H. 1968. Repeated Spraying to Control Southwest Oregon Brush Species, USDA Forest Service Research Paper PNW-59.

Gratkowski H., 1961. Toxicity of Herbicides on Three Northwestern Conifers, USDA Research Paper PNW-42.

Gratkowski, H. J. 1961. Use of Herbicides on Forest Lands in Southwestern Oregon. USDA Forest Service Research Note 217.

Gratkowski, H. J. and J. R. Philbrick, Dec. 1965 Repeated Aerial Spraying and Burning to Control Sclerophyllous Brush. Reprint from Journal of Forestry.



Dr. Ken Holtje  
Branch Chief, Water Quality  
U.S. Forest Service  
Rm. 800, 633 W. Wisconsin Ave.  
Milwaukee, Wisconsin 53203

Dr. Holtje will testify on water quality monitoring for selected herbicides following aerial application in the north central states. Dr. Holtje will discuss the results of monitoring studies and the techniques employed in conducting the studies.

Jay R. Law  
Timber Staff Officer  
U.S. Forest Service  
P. O. Box 937  
Rolla, Missouri 65401

Mr. Law will testify as to the necessity of 2,4,5-T use in the forests of the central United States. He will discuss the effectiveness of 2,4,5-T as well as the feasibility of alternatives.

Dr. Logan A. Norris  
Pacific Northwest Forest  
and Range Experiment Station  
3200 Jefferson Way  
Corvallis, Oregon 97331

Dr. Norris will testify as to 2,4,5-T persistence in the forest floor, adsorption on the forest floor, residues in forest streams, and the toxicity of TCDD to aquatic organisms.

## Exhibits or documents:

Norris, L. A. 1967 Chemical Brush Control and Herbicide Residues in the Forest Environment, Symposium Proceedings: Herbicides and Vegetation Management in Forest, Ranges, and Noncrop Lands, Oregon State University.

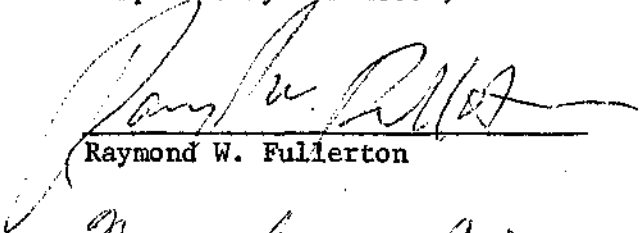
Norris, Logan A. 1970. Degradation of Herbicides in the Forest Floor. Tree Growth and Forest Soils Oregon. State University Press.

Tarrant, R. F. and L. A. Norris, Residues of Herbicides and Diesel Oil Carriers in Forest Waters: A Review: Reprinted from Symposium Proceedings: Herbicides and Vegetation Management in Forests, Ranges and Noncrop Lands, 1967. Oregon State University p. 94-102. For use of Forest Service, U.S. Department of Agriculture.


Peter A. Theisen  
U.S. Forest Service  
P. O. Box 3623  
Portland, Oregon 97208

Mr. Theisen will testify as to the use of 2,4,5-T for woody plant control by the Forest Service, Pacific Northwest Region. Mr. Theisen will discuss the application of 2,4,5-T, the effectiveness of 2,4,5-T, and the feasibility of alternatives.

Respectfully Submitted,

  
Raymond W. Fullerton

  
Margaret Bresnahan Carlson

  
Alfred R. Nolting

Attorneys for the  
Secretary of Agriculture

March 21, 1974

Certificate of Service

I hereby certify that copies of the foregoing List of Witnesses filed by Intervenor Secretary of Agriculture were served this date either by hand or by mailing the same, postage prepaid, to all parties of record as follows:

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Kaye, Scholer, Fierman, Hays & Handler  
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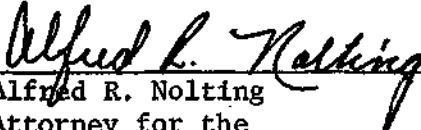
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Dated: March 21, 1974