

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

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## **PESTICIDE BOARD MEETING MINUTES**

January 23, 2024

### **BOARD MEMBERS IN ATTENDANCE**

Commissioner Ashely Randle, MDAR (Chair)	Present
Meg Blanchet, DPH, Designee for Commissioner Goldstein	Present
Michael Moore, DPH, Food Protection Program	Present
Misty Anne Marold, DFG, Designee for Commissioner O'Shea	Present
Kathy Romero, DEP, Designee for Commissioner Heiple	Present
Nicole Keleher, DCR, Designee for Commissioner Arrigo	Absent
Richard Berman, Commercial Applicator	Present
Brian Magee, Toxicologist	Present
Steven Ward, Farmer	Present
Jack Looney, Public Member	Present
R. Christopher Brittan, Public Member	Present
Steven Bird, Toxicologist	Absent

The Board did meet or exceed the minimum number (7) of members present to form a quorum and conduct business.

### **A. REVIEW OF MINUTES FROM OCTOBER 19, 2023:**

**Motion:** S. Ward

**Second:** K. Romero

**Discussion:** None

**In Favor:** M. Blanchet, M. Moore, K. Romero, R. Berman, S. Ward, J. Looney, C. Brittan, A. Randle, M. Marold

**Opposed:** None

**Abstain:** B. Magee

### **B. PESTICIDE PROGRAM UPDATES, TARYN LASCOLA**

**Pesticide License Renewals:** The renewal period has ended. Individuals that have not renewed their license yet can no longer apply a pesticide. They have until June 30<sup>th</sup> to renew late. T. LaScola noted that there were two issues that arose:

- On-Demand Trainings: some of the items she noticed during the renewal period was that some applicators had taken all of the required credits through an "on-demand" training. The current policy only allows a individual to obtain half of their credits online.
- Lack of name/license number/signature on the credit: The credit should not be issued by the training provider without this information on the credit before signing. These credits are not accepted. A reminder was sent out to the training providers.

S. Ward asked if MDAR would send out a list of individuals that needed credits to the associations so that associations could help their members.

Online Posting: MDAR has posted the following on its website:

- Enforcement Actions: Administrative orders, License revocations/suspension, and Fines are posted online with limited information about them.
- Online Complaint Forma: The public can now submit a complaint online which will be immediately sent to the enforcement team.
- Annual Use Report: This will be posted soon. MDAR has found a way to post the information in a more searchable format.

#### **C. CONSERVATIONIST PESTICIDE APPLICATOR COUNCIL OPEN SEAT, KRISTIN ANDRES**

K. Andres provided an overview of herself and experience. She has worked in the Cape throughout her career preserving open space, preserving natural resources, and managing invasive species. She now works for the Association Preserve Cape Cod.

S. Ward asked if she has worked with farmers. She stated that she has worked with farmers and recognizes the importance of agriculture. J. Looney asked if she believes in Integrated Pest Management on pond management. She said that she has worked with pond management and what kind of best practices could be applied.

**Motion:** K. Romero

**Second:** J. Looney

**Discussion:** None

**In Favor:** All

**Opposed:** None

#### **D. PESTICIDE ADVISORY COUNCIL UPDATES, BOB LEON**

B. Leon stated that at the last meeting there was discussion about the amount of time that an individual had to wait before obtaining the Commercial Certification license. He stated that he wasn't sure if all members of the Council think there is a need for any changes.

#### **E. CONSERVATIONST PESTICIDE ADVISORY COUNCIL RECOMMENDATION TO THE BOARD, CLINT RICHMOND**

C. Richmond summarizes the letter that was sent to the Board from the Conservationist Pesticide Advisory Council. The request was for the following:

- Restoration of fields that were removed when the form was put into an electronic format
- Addition of location to the use data (towns)
- More frequent reporting

The Council is concerned about what pesticides are being used by neighbors and how it can affect them and the environment. This includes notification of upcoming usage and usage records. There is also a concern about the accuracy of the data being submitted. They note that MDAR may require more resources do meet the requirements.

The Council discussed a preliminary analysis of the use data. At least 10,000 tons of pesticides were used last year (0.6lbs per acre). 81% was outdoor (non-agricultural), 12% structural, and 7% was agricultural use.

Discussion: J. Looney asked what the significance of the data is. C. Richmond stated that he believes it provides distribution and possible exposure to pesticides. He stated that they haven't compared it to other states or looked at trends.

S. Ward asked if the Board will vote on this. A. Randle stated that this should be taken under advisement and MDAR was hoping for comments. S. Ward stated he is concerned with personal information being provided and becoming a target.

C. Brittan asked if the Council wanted to connect a particular product/quantity to the town. C. Richmond responded that the request would be product per town. There was discussion as to how the records are kept.

J. Looney asked if would be possible to add this to the reporting system. T. LaScola stated that when developing a system it needs to be user friendly for the applicator and MDAR. If location was to be added to the current system, MDAR would need to explore what it does to the data on the back end as it would add a lot of additional data. If it couldn't be done, MDAR would have to look into a new platform.

S. Ward asked B. Leon if had anything to add. B. Leon said that he has records that keep all the information, and his current system is not set up to break it down by individual location/town. If someone would ask for a specific address he could provide the information, but he doesn't know if he could compile a year end report based on product/town. He also has concerns about reporting out addresses.

R. Berman asked if the MDAR would be looking at general use and/or restricted use and that if homeowner use isn't considered the data is incomplete. T. LaScola stated that the required just for licensed applicators and incorporates all pesticides.

M. Marold stated that she has heard that some smaller geographic unit than statewide is wanted. She believes that individual addresses wasn't the request, but rather the town information. M. Marold stated that there needs to be discussion about how meaningful data report is. She stated that if the data is put out there that the is used appropriately and is useful, and noting that there the data isn't fully representing all usage.

#### **F. EXAM RE-DEVELOPMENT, TARYN LASCOLA**

MDAR wanted to bring its proposal to re-developed the process that private and commercial certification exams. This was a result of going through exam review and development to comply with the federal Certification and Training Rule.

MDAR currently offers 17 Commercial Certification exams and 8 Private Certification exams. All certification exams have 125 questions and individuals are allowed 2 ½ hours to complete the exam. All exams are taken online. Currently all certification exams, both private and commercial, combine both the core competency questions (environment, regulations, safety, etc.) and the category specific questions into one exam for each category.

MDAR is proposing to split the exam into two parts. One part would be for core competency and the other part would be category specific. Doing this would make it easier to update exams as we wouldn't have to review all the exams and make updates but rather update one "part". It also ensures that individuals taking the certification exams can pass the core competency piece before moving along to the category specific exam.

She noted that MDAR still needs to explore the current systems capabilities to do this and that there may be a cost associated with it.

There was discussion amongst the Board members about how exams were provided in the past and how this could be done.

T. LaScola then told the Board that MDAR would like to explore combining the Private Certification categories as well. This would reduce the number of exams that would need to reviewed and updated. Additionally, given the current regulatory structure that allows farmers to only have one category if even applying to other crops, it would bring the requirements and system up to date reflecting how diverse agriculture is in Massachusetts.

The Board was supportive of MDAR continuing to explore these to topics.

#### **G. NEW BUSINESS**

S. Ward asked that T. LaScola provide a summary of the Unmanned Aerial Vehicle (UAV) Cranberry applications were progressing. T. LaScola stated that the UMASS Cranberry station was conducting a research project relative to using UAV for pesticide applications. The information will be shared with MDAR.

R. Berman asked if we would have a hearing on 333 CMR 10 this year. T. LaScola stated that she hoped that she could present the draft to the Board this year.

M. Marold brought up that she is starting to see towns place prohibitions on pesticides in conservation land.

#### **H. ADJOURN**

**Motion:** J. Looney

**Second:** S. Ward

**Discussion:** None

**In Favor:** All

**Opposed:** None