

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

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## **PESTICIDE APPLICATOR PESTICIDE ADVISORY COUNCIL**

### **MEETING MINUTES**

**Date: December 1, 2023**

#### **A. ROLL CALL**

Bob Leon, Ecologic Entomology & New England Pest Management Association	Present
Nick Millen, Arborjet	Present
Jeff Utley, Nutrien Ag Solutions	Present
Jared DeBettencourt, Minute Man Pest Control	Absent
Bob Mann, National Landscape Association of Landscape Professionals	Present
Molly Moran, Forshaw	Present

The Pesticide Applicator Pesticide Advisory Council ("Council") did meet or exceed the minimum number three (3) of members present to form a quorum and conduct business.

#### **DOCUMENT(S) PRESENTED:**

Draft minutes from the meeting held on October 5, 2023

#### **B. REVIEW OF MINUTES:**

**Motion:** J. Utley

**Second:** B. Leon

**In favor:** All

**Abstention:** N. Millen, M. Moran, B. Mann. All abstentions were since they did not attend the October 5<sup>th</sup> meeting.

#### **C. PESTICIDE PROGRAM UPDATES, T. LASCOLA**

**Online complaint form:** MDAR now has an online complaint form for individuals to submit complaints.

**Enforcement actions posted online:** Information about the enforcement actions have been posted online. The actions posted are the more egregious actions and include administrative orders, notice of assessments (fines), and license suspension/revocations. The information provide includes the individual/company name, date of issue, type off action and violations.

**Annual Use Report Data:** MDAR spoke with Pesticide Board at the last meeting to discuss what kind of information should be posted on the website. The two main requests MDAR receives is individual use reports and reports relative to how much a particular product or active ingredient has been used in a year. The Boards concern was posting addresses of companies/individuals submitting the report being made publical. The concern

was relative to security/safety issues. MDAR is currently working on getting that information together to post online.

#### Discussion

B. Leon stated that using the online form was very easy but asked M. Moran how it was for the licensed Dealers. She stated that it was a little more difficult. T. LaScola replied that the sales report form and the use form are set up differently. She stated that if individuals had issues, she would be happy to meet to discuss further to see if there are any solutions to issues Dealers were having.

#### **D. INTRODUCTION OF NEW COUNCIL MEMBERS**

T. LaScola explained to the Council members that the Pesticide Board ("Board") voted to fill the empty seat and to add another member to the Council. This decision was made due to the diverse resumes and background of the two candidates that MDAR put in front of the Board to review and vote on.

Jessica Burgess, Legal Counsel provided an overview of the Open Meeting Law.

N. Millen and M. Moran provided their information relative to their background and current status in the industry.

#### **E. REVIEW OF WORK/ITEMS THE COUNCIL HAS BEEN DISCUSSING, BOB LEON**

**25b Minimum Risk Products:** B. Leon explained that the Council would like to make a request to the Board that licenses are required for the use off 25b products while the pesticide regulations are being worked on. T. LaScola provided a background on how/why updates to the pesticide regulations are made. She stated that since 333 CMR 10.00 (Licensing section) is being updated to reflect changes need to come into compliance with federal rule changes this is where the addition of a license requirement would fall. Additionally, MDAR decided to look at the whole section and update them to reflect changes and provide clarity. She explained that the Board must vote to allow MDAR to update regulations, then approve the draft updates. Once they approve a draft, the regulations go out for public comment through a hearing. The comments from the hearing are taken into consideration and MDAR may/may not make changes to the draft. Once completed, a final draft is presented to the Board for their final review and approval.

**Waiting Period for the Exam:** B. Leon explained that the Council had discussed shortening or altering the time that an individual must wait in between taking exams if they fail.

**Certification Period:** B. Leon explained that with a lot of commonly used products becoming restricted use the Council has been discussing shortening the two-year waiting period before an individual can take the commercial certification exam.

#### Discussion

Some Council members discussed the balance between experience, business and quality of individual. B. Leon asked if someone used a restricted use pesticide for one year, was that enough time. T. LaScola pointed out that some industries are seasonal, and applications are not taking place all year round.

B. Mann asked T. LaScola asked if she knew when the draft regulations would be ready for the Board to review. She responded that they are a high priority especially since the EPA State Plan has now been approved.

#### **F. NEW BUSINESS**

There was no new business discussed.

#### **G. ADJOURN**

**Motion:** B. Mann

**Second:** J. Utley

**In Favor:** All