

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

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## PESTICIDE BOARD MEETING MINUTES

October 19, 2023

### BOARD MEMBERS IN ATTENDANCE

Commissioner Ashely Randle, MDAR (Chair)	Present
Meg Blanchet, DPH, Designee for Commissioner Cook	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	Present
Richard Berman, Commercial Applicator	Present
Brian Magee, Toxicologist	Absent
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 JUNE 15, 2023:

**Motion:** J. Looney

**Second:** C. Brittan

**Discussion:** None

**In Favor:** M. Moore, M. Marold, K. Romero, N. Keleher, R. Berman, J. Loney, A. Randle

**Opposed:** None

**Abstain:** M. Blanchet, S. Ward

### B. PESTICIDE PROGRAM UPDATES

**Pesticide Licenses:** The renewal period for pesticide licenses has been opened. Notices of renewal time went out earlier this month.

**Open Council Seat Status:** MDAR has received one application for the Conservationist Advisory Council.

**EPA State Plan Status:** Per the federal certification and training rule, which was passed back in 2015, the state lead agencies had to update their State Plans ("Plan") to indicate how they comply with the changes made. Massachusetts was successful in submitting the Plan and it was approved.

Discussion: J. Looney asked if there were any significant changes that needed to be made. T. LaScola replied that Massachusetts complied with most of the changes, but MDAR would have to review and update the exams. She also added that there are some changes that will need to be made in the regulations for the applicators.

**Pesticide Program End of Year Report:** Each year, there are some general statistics about the pesticide program in the MDAR annual report. However, given all the recent concerns and changes within the pesticide industry and to ensure transparency, MDAR provided a more detailed report to the legislature and posted it on the website.

### **C. ANNUAL PESTICIDE USE REPORT**

The annual use reports have been historically submitted electronically. MDAR switched over to an online submission platform. The back-end data is originally in a Formstack Comma Separated Value or CSV format. MDAR then saves the CSV in Excel format for use in an Access database so that reports/queries can be created.

MDAR has received the 2022 use data and noted that there was some variability in the data collected:

- Some entries only have product names.
- Some entries only have EPA registration numbers.
- Reporting parties use various ways to enter licensee name and numbers; the form explains how we want the licensee information listed, but not all reporters followed instructions. Not too big of an issue

MDAR will explore these issues to see if they can be corrected for the 2023 reporting seasonal.

MDAR wanted to ask the Board about the kind of information can be posted on the website. MDAR can perform queries depending on what information it wants to post on the website. The two most popular Public Records Request are relative to how much a particular product/active ingredient is used and for what an individual company/farm has used. It was noted that the format that this information can be displayed would not be easily searchable.

Discussion: S. Ward and R. Berman stated that having address listed online would be a concern due to security issues

M. Marold asked if the Board could agree that MDAR should post the product used by municipality. T. LaScola replied that MDAR does not collect the location of the use. The address information that is collected is for the reporting entity.

There was discussion amongst the Board as to the privacy of the information that is posted online.

### **D. PESTICIDE APPLICATOR ADVISORY COUNCIL OPEN SEAT**

Two candidates (Nick Millen and Molly Moran) were put in front of the Board to review for filling the open seat on the Council. Each candidate provided a summary of their backgrounds.

Discussion: The Board acknowledged the diverse background of each candidate and how they represent different industries. The Board asked if both candidates could be placed on the Council. J. Burgess and T. LaScola stated that if the Board wanted to vote to increase the Council seats from five to six they could.

#### **Motion**

R. Berman made a motion to appoint Nick Millen and Molly Moran to the Pesticide Applicator Advisory Council increasing the number of members from 5 to 6.

**Second:** K. Romero

**Discussion:** None

**In Favor:** All

**Oppose:** None

**Motion carried**

#### **E. PESTICIDE ADVISORY COUNCIL UPDATES**

B. Leon stated that the annual use report was very easy to use and was pleased with the electronic format. He stated that he is concerned about adding location to the annual use report given the volume of work that is done (approximately 40 applications a day). He stated that he does not have a way to collect where a product is being used unless he goes into the individual records.

He stated that there hasn't been much open for discussion during the past meetings, but they plan on continuing to bring the request for licensing requirements to 25b products.

#### **F. CONSERVATIONST PESTICIDE ADVISORY COUNCIL RECOMMENDATION TO THE BOARD**

Regina LaRocque of the Conservationist Pesticide Advisory Council stated that the Council has been discussing adding location to the annual use reporting and would like the Board to consider that. She stated that the Council believes that there could be a more sophisticated system that collects more specific location. She referenced the state of New Yorks collection system.

R. Malfi added that the Council will present a letter to the Board with the request at a later meeting.

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

There was no new business.

#### **H. ADJOURN**

**Motion:** J. Looney

**Second:** K. Romero

**Discussion:** None

**In Favor:** All

**Opposed:** None