

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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PESTICIDE ADVISORY COUNCIL MEETING MINUTES

Minutes of the meeting held on September 14, 2018 at the Richard Cronin Building located at 1 Rabbit Hill Road in Westborough, MA.

COUNCIL MEMBERS PRESENT:

Bob Mann, National Landscape Association of Landscape Professionals	Present
Jarred DeBettencourt, Minuteman Pest Control	Present
Bob Leon, General Environmental Services & New England Pest Management Association	Present
George Williams, Univar	Present
Russ Bragg, Tree Tech	Present

The Council did meet or exceed the minimum number (5) of members present to form a quorum and conduct business.

OTHER INDIVIDUALS PRESENT:

Taryn LaScola, Massachusetts Department of Agricultural Resources
Jessica Burgess, Massachusetts Department of Agricultural Resources
Ryan Petitti, TruGreen

DOCUMENT(S) PRESENTED:

Agenda
Draft minutes from the May 4, 2018 meeting
Remote Participation Guidance Document
Termite Consumer Information Bulletin with G. Williams Notes (provided by G. Williams during the meeting)

A. REVIEW OF MINUTES:

R. Bragg asked that the minutes be changed to from the "runs the spray program" to he "formally ran the spray program"

Motion: B. Mann motion to accept the minutes provided the Department make changes asked of by R. Bragg

Second: J. Debettencourt

In Favor: All

Opposed: None

B. REMOTE PARTICIPATION; J. BURGESS

J. Burgess reviewed the requirements of remote participation. The review included the follow information:

- Quorum still needs to be present
- Vote is needed to accept remote participation
- A council member can use remote participation if it is unreasonable or difficult for that member to attend
- The member must contact the chair prior to the meeting to get approval
- Any vote must be done verbally and with a roll call
- If participating remotely the member can still vote
- The council can put additional parameters on remote participation

- Most boards and commissions have adopted remote participation

Motion: B. Mann motioned to accept remote participation

Second: G. Williams

Favor: All

Oppose: None

C. PESTICIDE ENFORCEMENT PROGRAM UPDATES

T. LaScola updated the Council on recent issues/events that have occurred within the program. These updates included:

- The licensing team is getting ready for license renewal period. Another grace period for late renewals will be allowed for the 2019 season. The grace period allows for individuals to renew between January and July without paying a late fee.
- The Department has started the process of developing an online system for pesticide product registration
- There has been a high volume of complaints this year with many of the complaints involving mosquito and tick control applications
- The Department will be addressing the Pesticide Board relative to updating the regulations. The Department would like to update Sections 9 and 10 to ensure that they meet the new Federal Certification and Training Rule. In addition, the Department would like to work with the Council in reviewing all of Section 10 to explore any other changes that need to be made. The Department would also like to update Section 13 to include regulations pertaining to Unmanned Aerial Vehicles (UAV's)
- The Department will be reviewing data relative to mosquito and tick application complaints to determine if regulatory changes are needed relative to the method of applications the companies use.
- The Environmental Bond Bill had language in it that allowed the Department to issue fines, but only if it is a repeat violations within the same year. The Department original ability to fine was limited to school and unlicensed violations and allowed for a corrective action before a fine could be issued.

G. Williams asked if the Department can provide a breakdown of industries that did not renew and also asked if the Department can send out an email to all applicators with the link to the website listing the approved Continuing Education Units.

D. 25B MINIMUM RISK PESTICIDES

G. Williams expressed his concern relative to the fact that neither the Department nor EPA registers the 25B Minimum risk pesticides. His concerns included:

- 4 or 5 companies that use only 25b's that don't have a license
- They can kill pollinators with 25b's
- 25b's don't have the same label directions like registered products

The council expressed their want for individuals using 25b's to be licensed. T. LaScola suggested that the Council look into that option during the Section 10 update.

B. Leon asked if the Department can provide information as to how many complaints the Department received relative to 25b products. T. LaScola stated that she would try to get that information from enforcement.

Discussions led to transparencies relative to enforcement actions. The New England Pest Management Association would like to know if there was a way that the public could find out if a company had any violations. It was stated that New York has a website where the public may search by applicator and company. Maine provides the Maine Board of Pest Control with information to what they do on enforcement actions.

E. APPRENTICESHIP

Discussion ensued about what an apprenticeship would entail and whether or not it would work for Massachusetts. G. Williams indicated that no other New England state has an apprenticeship. B. Leon indicated that after giving

this idea thought, he didn't think that it was something that would work for Massachusetts as it would not make the individual any different than a licensed applicator.

F. COMPANY REGISTRATION

B. Mann discussed that idea for company registration and indicated that the company is the regulated entity that the technician can work under. A technician can work under "direct supervision" and that an individual can't take the exam unless that individual has worked under the supervision for someone. B. Leon expressed that he is not in favor of company registration and B. Mann indicated he did not want to go through the process of amending M.G.L.c. 132B.

G. NEW BUSINESS

G. Williams handed out the termite consumer information bulletin with suggested changes and asked that the Department look at it and revise the current termite bulletin. T.LaScola stated she would bring it to the enforcement team to review and revise and work with G. Williams on the revision.

H. NEXT MEETING DATE AND TIME

The next meeting will be held on November 30, 2018 from 10am to 12pm at the Richard Cronin Building at 1 Rabbit Hill Road in Westborough

I. MEETING ADJOURNMENT

Motion: B. Mann made a motion to adjourn

G. Williams: Second

In Favor: All

Opposed: None

Meeting was adjourned at approximately 12:05pm