Delaware Department of Agriculture

Pesticide Advisory Committee

Meeting Minutes for December 9, 2015

Attendees

* Meredith, Bill – DNREC
* Vukich, Jake – DuPont Crop
* Wade, Christopher – DDA
* Dustin Borntreger – DDA
* Hughes, Jimmy – DDA
* Kaercher, Paul – Delaware Pest Control Association
* Brian Kunkel – University of Delaware
* Thom May – DPH
* Ashby, Bryan – DNREC

Introduction of Members – (Appointments/Reappointments)

* Members introduced themselves and their affiliations.

Call to Order and Acceptance of June 2015 Minutes

* Jake Vukich, Chair, welcomed all the members and started the meeting.
* The PAC meeting minutes were approved for June 2015.

Legislative Activity for NPDES & Farm Bill – Jake Vukich & Bill Meredith

* Vukich updated the committee on the letter submitted for comments regarding the Federal Register Proposed Rule “Bees; Mitigating Exposure from Acutely Toxic Pesticide Products”; Docket Identification Number EPA-HQ-OPP-2014-0818. The letter was posted on August 28th 2015.
* Vukich asked Meredith if any changes or updates where available for H.R 897. HR 897: Reducing Regulatory Burdens Act of 2015, purpose to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes. Meredith stated no changes regarding NPDES were noted at the time of the meeting.
* Meredith mentioned a possible change in the wetlands definition could impact farmers in the future and cause them to apply for NPDES permits.

Proposed Worker Protection Standard Rules Change – Christopher Wade

* Wade gave an update on the current changes to the WPS rule. The rule was posted to the Federal Register on November 3rd 2015. This starts the 14 months of compliance assistance for Agriculutral establishment that will be regulated by this rule. DDA staff has attended the first EPA sponsored training session. This session was designed to find out what states need going forward to implement these rule changes. James Hughes gave a brief summary of the training and addressed some of the major changes. The Ag Exclusion Zone and Respirator fit testing seem like the biggest two issues the new rule has created.Wade and Hughes stated concern over availability of proper outreach material given the delay in outreach materials.

Mosquito Control, Possible role in tick control

* Meredith discussed the possible change in his sections duties to include tick control as it relates to the spread of Lyme disease. Meredith discussed possible areas of tick treatment, mainly state park land in highly used areas.
* Wade mentioned the lack of a tick specific certification category. Applicators doing tick control must be certified in turf and ornamental (03).

DDA Pesticide Monitoring Network – Christopher Wade for Laura Mensch

* Wade passed out the well monitoring network synopsis prepared by Mensch. A copy of summary will be attached to minutes. Update will be given at next meeting.

Managed Pollinator Protection Plan – Christopher Wade

* Draft of pollinator protection plan will be released during Ag-week. January 13th 2016 DDA will host a session at ag-week which will outline the pollinator protection plan. Final draft will not be completed until after stakeholder comments and review which will take place in the Spring of 2016 during scheduled stakeholder meetings.
* The Department has received the Specialty Crop Block Grant; this grant will fund a position to help implement the various aspects of the plan and also help support the outreach meetings.
* Thalia Pappas, techinal writer was introduced at the meeting. Thalia will be working under the Specialty Crop Block Grant.
* Development and promotion of BMPSs for establishment and maintenance of pollinator forage.
* Update will be given at DNLA and DPCA meetings.
* Opportunity for individuals to go on website and read document and send in comment.

Certification and Training Updates – Christopher Wade

* Wade informed the committee that EPA is in the process of updating the requirements of certified applicators.
* The changes would greatly increase the uniformitly throughout the country.
* The proposed changes are currently in the comment period. DDA submitted comments to EPA region III and also completed an online AAPCO survey.
* If the current draft is approeved DDA would have to add an Aerial applicator category, add a minimum age for service employees, increase the number of core credits for applicators, increase the number of credits for private applicators and figure out a more comprehensive way to maintain training credits integrity. This would mean changes to the pesticide law and rules and regulations.

Enforcement Updates – James Hughes

* Hughes stated inspection goals and commitments are on schedule for completion.
* Hughes discussed highlights of recent enforcement activities within the DDA Pesticide Section. Hughes gave a summary of the number of cases that resulted in civil penalties since June meeting.
* These cases included three pest control companies, three turf and ornamental companies and one one custom agricultural applicator.
* Hughes brought up homeowners concerns over lack of applicator oversight. Homeowner had garden drifted on by company spraying neighbors yard. Concerned over what type of training they receive.

Pesticide Stewardship Program Updates – James Hughes

* Hughes gave an update on DDA’s Pesticide Stewardship Programs, the Environmental Sweep Program and Container Recycling. This is the second year for the Environmental Sweep Program. This program offers farmers and commercial applicators a means to properly dispose of obsolete pesticides. The ESP program has collected over 73,000 lbs of unwanted pesticides at 125 locations since 2013.
* Container Recycling; DDA is still partnering with US Ag Recycling. US Ag Recycling conducted five on-site granulating operations in Delaware; the program is on track to collect more than 40,000 plastic pesticide containers from the waste stream in 2015.

Issues from Industry and/or Public Agencies Round Table

* Meredith mentioned the use of inoculated food to treat mice to control the spread of Lyme disease. The question was who in the state would regulation the use of this food to inoculate the mice.
* The renewal of NPDES permits was brought up. Ashby commented that DNREC could possibly take the NPDES rule out of the rules and regulation and make it into a permit number instead. EPA does not like that the State of Delaware NPDES permits are written into regulation.

Next meeting is: Wednesday June 8th, 2016 at 10 AM

Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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