



INDIANA PESTICIDE REVIEW BOARD

169th Meeting

May 10, 2022; 9:00 am – 12:40 pm

Daniel Turfgrass Center
1270 Cherry Lane
West Lafayette, Indiana, 47906

<u>Members Present:</u>	<u>Members Present Virtually:</u>	<u>Ex officio</u>
Bill Johnson	Megan Abraham	David Scott
Bruce Bordelon	Martha Clark-Mettler	Mark LeBlanc, State Chemist
Christian Krupke		Fred Whitford
Lee Green		
Julia Tipton-Hogan		
Mike Titus		
		<u>Members Absent:</u>
Scott Robbins		Kevin Underwood
Robert Andrews		Jim Hawbaker
Ronald Hellenthal (Chair)		John Bacone
Stuart Orr		

1. Approval of the meeting agenda
https://oisc.purdue.edu/pesticide/iprb/iprb_169_draft_agenda_050222.pdf
MOTION to approve by Bob Andrews, seconded by Scott Robbins; **VOTE** was unanimous
2. Approval of previous meeting minutes (February 8, 2022)
https://oisc.purdue.edu/pesticide/iprb/iprb_169_168_draft_minutes.pdf
MOTION to approve by Bruce Bordelon, seconded by Stuart Orr; **VOTE** was unanimous. Dave Scott asked if the board would consider future minutes in abbreviated and bulleted form. There was a general consensus of agreement.
3. Review of cases involving civil penalties since the last meeting
https://oisc.purdue.edu/pesticide/iprb/iprb_169_case_summaries-b.pdf
 - PS21-0136- Questions raised included how an unlicensed applicator obtained a RUP and if the OISC followed up with the RUP dealer that provided it.

4. Procedures for Enforcement Appeal Hearings
 - Board has two formal requests for hearings. Members are needed to serve on the three member administrative law judge (ALJ) panel.
 - The following volunteered: Ronald Hellenthal, Julia Tipton-Hogan, Robert Andrews, Bruce Bordelon, Lee Green, and Christian Krupke.
 - ALJ hearing procedures guidance will be obtained from the AG to assist members in of the ALJ panel.
5. OISC customer service
 - The following concerns were raised: duration of license approval process, quality of physical license (paper vs. plastic), why new software and e-commerce capabilities are taking so long with no obvious progress to report, tracking of license process, and Purdue and OISC closing for business over the late December holiday period.
 - Dave Scott, Dr. Mark LeBlanc and Leo Reed stated they appreciated the feedback and were working hard on ways to address the issues. Current steps include hiring more help and software replacement/ improvement. Dr. LeBlanc envisions a completely on-line license processing system.
 - Fred Whitford suggested reaching out to CES Educators, as they are also clients of OISC and may be able to help facilitate a customer survey.
6. Residential mosquito control- Updated Category 8 training & Product registration and labeling discussions with EPA
 - https://oisc.purdue.edu/pesticide/iprb/iprb_169_article_re_mosquito_fogging.pdf
 - https://oisc.purdue.edu/pesticide/iprb/iprb_169_mosquito_mist_blower_issue.pdf
 - https://oisc.purdue.edu/pesticide/iprb/iprb_169_mosquito_control_education.pdf
 - Dave Scott raised the issue, has blower mist application technology been evaluated by EPA? There was quite a bit of discussion on both sides of this issue
 - Training concerns are addressed in item #8.
 - Fred Whitford described the new Category 8 training that has been updated to include education about private residential mosquito applications.
 - Bob Andrews reported on the industry-lead residential mosquito control continuing training already conducted and still planned. He emphasized that many applicators entering this business are from small companies that may not have resources to develop their own in-house training and BMPs.
7. Update on rule making
 - Dave Scott stated the OISC is still waiting with OMB (Office of Management and Budget) for formal rule making permission to start the process which is currently under moratorium. He invited the Board and industry to consider sending letters of support for the Rule.
8. Purdue Pesticide Programs training planning for 2023
 - https://oisc.purdue.edu/pesticide/iprb/iprb_169_proposed_2023_training_schedule.pdf
 - https://oisc.purdue.edu/pesticide/iprb/iprb_169_core_exam_pass_rate_by_month.pdf
 - Fred Whitford presented the proposed training schedule for 2023. This included moving away from paper and pencil exams and trainings for RT's who don't examine but rather attend a 3-hour training course. This is all contingent on the new rule going through.

- Bob Andrews raised the issue of the tight labor market and the challenges for finding new employees capable of passing the CORE exam to qualify as registered technicians under current rules. He also raised a concern of the low passing rate for the CORE exam attempted without training. Drew Martin of OISC shared the process for developing the CORE exam and historic exam pass rate data that suggested seasonal but consistent pass rate declines rather than fluctuations between the previous CORE exam and the exam currently in use. Bob Andrews pointed to differences between the capabilities of employees targeted for supervision some day and those seasonal employees that may never aspire to be elevated beyond a technician position. Dave Scott said hopefully the new rule, if it goes through, will help with technician registration and labor shortage issues.

9. OISC drift investigation procedures review

https://oisc.purdue.edu/pesticide/iprb/iprb_169_weather_tools_analysis.pdf

https://oisc.purdue.edu/pesticide/iprb/iprb_169_2021_wind_study.pdf

- Dave Scott and David Snell, presented information on the challenges with current technology used to collect credible and documentable wind speed and direction data.
- Board members recognized and appreciated the weather data studies being conducted and encouraged OISC to consider using prevailing wind data for drift investigation evidence analysis rather than specific points in time. Variable wind speeds and directions during an application are challenging for both the applicator and the regulator.
- Dave Scott suggested that OISC may try to examine the possibility of the ratio of target residues to non-target residues as a possible tool to evaluate whether drift mitigation had been adequately exercised. Maine uses a 1% standard in non-target sensitive sites as prima facia evidence of drift.

10. Next meeting has been targeted for August 9, 2022 at the Daniels Turf Research Center.

MOTION made to adjourn meeting by Lee Green seconded by Bruce Bordelon; **VOTE** was unanimous.