



# INDIANA PESTICIDE REVIEW BOARD

## 172<sup>nd</sup> IPRB Meeting Minutes

February 8, 2023; 9:07 am – 12:10 pm

Tippecanoe County Extension Office

1950 S. 18<sup>th</sup> Street, Lafayette Indiana, 47905

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

### 1. Approval of the meeting agenda

[https://oisc.purdue.edu/pesticide/iprb/iprb\\_172\\_draft\\_agenda.pdf](https://oisc.purdue.edu/pesticide/iprb/iprb_172_draft_agenda.pdf)

Revised order of agenda.

Deferred agenda item #9 until next meeting.

**MOTION** to approve Bob Andrews, seconded Bruce Bordelon, **VOTE** unanimous.

### 2. Approval of previous meeting minutes (May 10, 2022)

[https://oisc.purdue.edu/pesticide/iprb/iprb\\_172\\_171\\_previous\\_meeting\\_minutes.pdf](https://oisc.purdue.edu/pesticide/iprb/iprb_172_171_previous_meeting_minutes.pdf)

**MOTION** to approve Bruce Bordelon, seconded Christian Krupke, **VOTE:** unanimous.

### 3. Vote to adopt Final Rule 357 IAC 1 (LSA#22-329)

Draft final rule.

[https://oisc.purdue.edu/pesticide/iprb/iprb\\_172\\_lsa\\_22-329\\_final\\_rule.pdf](https://oisc.purdue.edu/pesticide/iprb/iprb_172_lsa_22-329_final_rule.pdf).

Economic impact statement.

[https://oisc.purdue.edu/pesticide/iprb/iprb\\_172\\_lsa\\_22-329\\_economic\\_impact.pdf](https://oisc.purdue.edu/pesticide/iprb/iprb_172_lsa_22-329_economic_impact.pdf)

Public hearing summary and comments.

[https://oisc.purdue.edu/pesticide/iprb/iprb\\_172\\_lsa\\_22-329\\_public\\_hearing\\_summary.pdf](https://oisc.purdue.edu/pesticide/iprb/iprb_172_lsa_22-329_public_hearing_summary.pdf)

**MOTION** to approve Christian Krupke, seconded Bob Andrews, **VOTE** unanimous.

**4. Update on rulemaking amendments to Indiana pesticide rules**

Rulemaking dockets available at [https://oisc.purdue.edu/oisc\\_rules\\_regs\\_laws.html](https://oisc.purdue.edu/oisc_rules_regs_laws.html).  
355 IAC 5 (LSA#22-386) Storage & Cont. of Pesticides, under State Budget Agency review.

355 IAC 4 (LSA#22-266) Pesticide Use and Application, became effective 1/4/23, 2023 will be a compliance assistance & implementation year, required state plan for implementation signed by EPA 1/13/23, FAQ & outreach docs available at [https://oisc.purdue.edu/pesticide/pdf/2023\\_rule\\_changes.pdf](https://oisc.purdue.edu/pesticide/pdf/2023_rule_changes.pdf)  
[https://oisc.purdue.edu/pesticide/pdf/2023\\_new\\_pest\\_rules\\_outreach.pdf](https://oisc.purdue.edu/pesticide/pdf/2023_new_pest_rules_outreach.pdf).

**ACTION ITEM:** Draft legislation for 2024 to address the ability of OISC to take licensing action for federal violations.

**5. Revision of the IPRB Dicamba Highly Volatile Herbicide (HVH) Determination**

Over-the-top (OTT) dicamba soybean product registrants have requested that EPA change the application cutoff date to June 12<sup>th</sup> in IA, IL, IN to reduce off target incidents.

**MOTION** by Martha Clark Mettler to support registrant & EPA request to change application cutoff date to June 12<sup>th</sup> and to leave application date for all other dicamba products June 20<sup>th</sup>, seconded Bruce Bordelon, **VOTE** unanimous.

**6. Review of cases involving civil penalties since the last meeting**

[https://oisc.purdue.edu/pesticide/iprb/iprb\\_172\\_case\\_summaries.pdf](https://oisc.purdue.edu/pesticide/iprb/iprb_172_case_summaries.pdf)

**ACTION ITEM:** None.

**7. Review of OISC 2022 Annual Summary Report**

[https://oisc.purdue.edu/pesticide/iprb/iprb\\_172\\_2022\\_summary\\_report.pdf](https://oisc.purdue.edu/pesticide/iprb/iprb_172_2022_summary_report.pdf).

**ACTION ITEM:** None.

**8. Citizen request for right-to-know regulation for adjacent pesticide applications**

Requirement like this would need to be implemented through a revision in rule or more probably in law. Currently we have rules to address posting for applications to lawns and notifications in schools.

**ACTION ITEM:** None.

**9. Review of EPA Endangered Species Act implementation efforts**

Defer until the next meeting.

**ACTION ITEM:** Add to next agenda.

**10. Evaluate the need to comment on EPA's proposed rodenticide mitigation measures**

[https://oisc.purdue.edu/pesticide/iprb/iprb\\_172\\_rodenticide\\_mitigation.pdf](https://oisc.purdue.edu/pesticide/iprb/iprb_172_rodenticide_mitigation.pdf)

IPRB supports OISC commenting on proposed measures.

**ACTION ITEM:** Share OISC comments with IPRB.

**Date for next meeting May 16, 2023**

*This meeting was conducted both in-person and virtually.*