

D R A F T MINUTES
Pesticide Control Board
Ruritan Club, St. Stephens Church, VA
July 21, 2011

The Pesticide Control Board (Board) met at 12:00 p.m. at the Ruritan Club, 186 Pattie Swamp Road, St. Stephens Church, VA. Presiding members were William C. Boshier, Jr., Chairman and Liza Fleeson, Executive Secretary.

The following Board members were present: Dr. William Boshier; Dr. George Brown; Dr. Penelope Fenner-Crisp; Carl Garrison; Richard Nunnally; Robin Rinaca; Liz White; Joe Wilson; Dr. Wondi Mersie (represented by Dr. Asmare Atalay); and Dr. Alan Grant (represented by Dr. Michael Weaver).

The following Board member was absent: Mark Tubbs.

The following staff members were present: Sandy Adams; Liza Fleeson; Douglas Edwards; Micah Raub; Vickie Rengers; Tonita Clark; David Townsend, Jr.; Erin Williams; Larry Nichols; Elaine Lidholm and Rhonda Bates.

Others present: Laurie Coulter, Buck Tharpe and Daryl Clay, VA Crop Production; John Sanderson, Virginia Interactive; Susan Terwilliger; Whitney Weaver; and Dr. Dini Miller, VA Tech.

CALL TO ORDER

Chairman Boshier called the meeting to order.

DETERMINATION OF A QUORUM

Chairman Boshier announced that a quorum was present.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Ms. White moved to adopt the minutes of the April 21, 2011, Board meeting. Mr. Garrison seconded. The motion carried unanimously.

PROJECT COMMITTEE – WEB SITE REVEAL

Mr. Raub demonstrated the Web site for the Pesticide Control Board, which will probably go public sometime in August. He also introduced John Sanderson of Virginia Interactive, LLC who provided staff invaluable assistance during Web development. At the conclusion of his demonstration, Mr. Raub entertained questions from the Board members.

PROJECT PROPOSAL

Dr. Miller presented a project proposal entitled "Survey of Multi-Family Housing: Resident Demographics and Costs of Bed Bug Management". She stated that the common bed bug is rapidly reestablishing itself as the public health pest of most economic concern in the United States. The most significant factor in the rampant spread of this blood-feeding human parasite is that most bed bug populations are highly resistant to many of the products used for their control. Because of this resistance, pest management professionals have had to implement very thorough and time consuming treatment procedures to eradicate individual infestations. The amount of labor involved is largely responsible for the high cost of bed bug remediation. Dr. Miller is proposing a survey to determine the economic impacts bed bugs are having on rental housing. The survey will cover the socio-economic attributes of renters. The primary goal of the survey is to identify those attributes that make a property particularly at risk for bed bug infestations so that comprehensive bed bug management training can be provided to those properties. The second goal is to make law makers and other federal and state agencies aware of the financial burden that apartment management companies bear when attempting to eradicate bed bugs. Dr. Miller will be working with the VA Tech Survey Research Group to develop an anonymous, web-based survey that will be sent to members of the VA Apartment Management Association, the New River Apartment Council, the Nusbaum Group, and members of the Housing and Urban Development (HUD) group. Dr. Miller has already been in contact with the presidents of the VA apartment associations and has received several letters of support.

The budget for this project is \$20,000. Dr. Miller entertained numerous questions from Board members, after which Ms. White moved to table the discussion until the October meeting. Staff will review the proposal and offer recommendations at the October meeting. Mr. Garrison seconded. Motion carried unanimously.

IPM IN SCHOOLS TRAINING PROGRAM

Dr. Miller provided a progress report for the project entitled "2010 Virginia School IPM: A Companion Training Program to the Distribution of the School IPM Guidelines". The grant for this project expires September 1, 2011. Dr. Miller requested an extension of another year to complete the training program. Mr. Wilson moved to grant the request. Dr. Brown seconded. Motion carried unanimously.

PETITIONS FOR RULEMAKING

Ms. Fleeson reported on the two petitions for rulemaking received in April requesting exemption under 2 VAC 20-51-60. No comments were received on the petition to exempt gypsy moth surveyors from certification which closed May 16. Four comments were received on the petition to exempt cotton boll weevil surveyors certification which closed May 30. The Board must decide to grant or deny each of the petitioner's requests.

Dr. Fenner-Crisp moved that the Pesticide Control Board grant the petition exempting gypsy moth surveyors working under the auspices of VDACS from having to hold or obtain pesticide applicator or registered technician certification, as these surveyors' use of pesticides can be accomplished with minimal risk to the public health and safety, and direct staff to post this decision as required on the Virginia Town Hall and publish it in the Virginia Register of Regulations and further to develop language that would amend 2 VAC 20-51-60 to allow this exemption from certification. Ms. White seconded. Motion carried unanimously.

Dr. Brown moved that the Pesticide Control Board grant the petition exempting cotton boll weevil surveyors working under the auspices of VDACS from having to hold or obtain pesticide applicator or registered technician certification, as these surveyors' use of pesticides can be accomplished with minimal risk to the public health and safety, and direct staff to post this decision as required on the Virginia Town Hall and publish it in the Virginia Register of Regulations and further to develop language that would amend 2 VAC 20-51-60 to allow this exemption from certification. Mr. Garrison seconded. Motion carried unanimously.

COMPLIANCE ACTIVITIES FOR THE QUARTER

Mr. Edwards provided a summary of enforcement activities for the quarter.

Mr. Edwards provided background on two cases before the Board for approval – Case 43353 Down South Lawn Care and Case 43873 America's Best Value Inn. Mr. Nunnally moved to accept the hearing officer's recommendation to reduce the \$400 civil penalty to \$280 in the case involving Down South Lawn Care. Dr. Brown seconded. The motion carried unanimously.

In case 43873 involving America's Best Value Inn, Ms. Rinaca moved to accept the hearing officer's recommendation to reduce the \$800 civil penalty to \$160. Dr. Brown seconded. The motion carried unanimously.

STATUS OF PESTICIDE APPLICATOR SAFETY TRAINING PROGRAM

Dr. Weaver and Susan Terwilliger provided updates on the pesticide applicator training and manual development. Dr. Weaver reported that the Pesticide Safety Education In-Service Workshop has been scheduled for September 7-8, 2011, at Virginia Tech's Hotel Roanoke. Ms. Terwilliger reported on the progress of various manuals and exams.

EXECUTIVE SECRETARY'S REPORT

Ms. Fleeson updated the Board on personnel issues. She introduced Pesticide Investigator David Townsend who was in attendance. She introduced new OPS employee Tonita Clark who fills the Program Coordinator position in the Certification,

Licensing, Registration and Training Unit. The compliance manager position is moving to the division level. OPS has been approved to hire a twelfth pesticide investigator to overlap the most populated areas of the statewide territories. And finally, Ms. Fleeson stated that our current regulations require commercial applicators certified in soil fumigation and agricultural products and chemigation to hold a concurrent certification in agricultural plant pest control. In October, staff will request the Board to amend those regulations to do away with dual certification.

DEPUTY COMMISSIONER'S REPORT

Deputy Commissioner Adams reported that the Commissioner's Office is working on legislative proposals for the next general assembly and gearing up for budget proposals for the Governor. Secretary Haymore and VDACS marketing director participated in the Governor's trade mission to Japan which has been good for Virginia agriculture. She said that Farmers Market week is coming up and a new director of Emergency Services has been hired.

CHAIRMAN'S REPORT

Chairman Boshier appointed Dr. Fenner-Crisp, Dr. Atalay and Dr. Brown to work with Ms. Fleeson to review all proposals submitted to the Board. He thanked the VACPA for hosting the meeting and tour today.

ADJOURNMENT

Meeting adjourned at 2:43 p.m.

(For further detail, an audio recording of the meeting is on file at VDACS and can be accessed by calling 804.225-2223.)