

MINUTES

Pesticide Advisory Committee April 24, 2006

Present: Scott Armbrust, Gerry Cummins, Leonard Felix, Gordon Hankins, Byron Kunugi, Sandra McDonald, Hal Pearce, Dale Tanda, Larry Walker, and Peg Perreault and Linda Himmelbauer of EPA, Katy Walker of Colorado Legal Services – Migrant Division, Gary Gillenwater, Richard Dykstra, and Mitch Yergert, Dave Joeris, Laura Quakenbush, John Scott and Jeannine Coppage of the Colorado Department of Agriculture (CDA).

Hal Pearce as Acting Chairman called the meeting to order at 9:37 a.m.

Plant Industry Division Update: Mitch Yergert reported that Don Brooks, formerly the Division's Pesticide Enforcement Specialist, has accepted the position of Field Staff Supervisor. Recruitment for Don's replacement will begin shortly, with the position open to current CDA employees.

The Private Applicators' bill is having its third reading today in the Senate and, if it passes, will then go to the Governor's desk for signature. If it passes, 5.8 new FTEs will need to be created in the Division. The PAC received word during the meeting that it did pass the third reading and was on to the Governor's desk for signature.

Pesticide Safety Education Program (PSEP) Funding Update: Sandra McDonald reported that funds available for this program may no longer be used for recertification efforts (including Continuing Education Credit (CEC) Workshops). In the future, they may only be used for certification of new applicators.

Pesticide Applicators' Act (PAA) Sunset Bill: John Scott reported that having been signed by the Governor, this bill is now law and will take effect July 1, 2006.

Private Applicators' Bill – EPA's Delegation to CDA Timeline: Linda Himmelbauer of EPA Region 8 reported that EPA's turnover of private applicator administration to CDA will need to follow the guidelines of both FIFRA (the Federal Insecticide, Fungicide and Rodenticide Act) and APA (Administrative Procedures Act). A 30-day public comment period will be required, which may be extended for longer periods if necessary.

CDA Timeline for Rule Development: John asked that members of the Pesticide Advisory Committee (PAC) review the private applicators' bill with their respective industries, and respond with any suggestions and/or concerns to CDA by May 19. It was requested that both bills be placed on CDA's website and this will be accomplished. CDA will have the draft Rules developed and distributed to PAC members by June 16, requesting comments back by June 30. The Rules should be finalized by the July 31st meeting of the PAC.

John plans to send out letters to private applicators and commercial applicators, explaining the differences in the sunset bill and the private applicators' bill, and clarifying how each bill pertains to each group.

Pesticide Applicator Testing: One of the provisions of the sunset bill is that CDA be allowed to outsource applicator testing. John has been meeting with representatives of a company called Metro Institutes, which is home-based in Arizona. The Purchasing Section is checking to see whether outsourcing testing would require competitive bids. It is proposed to use CSU cooperative extension offices to proctor the tests, which would be administered by Metro Institutes, or whichever outside company is chosen.

Rocky Mountain Poison Control Center (RMPCC) – Pesticide Exposure Tracking Update: John has been meeting with with members of RMPCC and a contract is being developed between them and CDA to implement an occupational exposure tracking system. This could be used by CSU to help target training, and by CDA to focus inspections on high risk exposure areas.

EPA's Endangered Species Protection Program (ESPP): Laura Quakenbush gave a powerpoint presentation that was first presented at AAPCO's (American Association of Pesticide Control Officials) annual spring meeting last March. The two goals of the Endangered Species Protection Program are: 1) to provide the best protection for endangered species from the use of pesticides; and 2) to minimize the impact of ESPP's program on pesticide users.

The next PAC meeting will be Monday, July 31.

The meeting adjourned at 1:30 p.m.