

**Minutes**  
**Pesticide Advisory Committee (PAC) Meeting**  
**October 26, 2015**

Present: PAC Members: Scott Armbrust, Thia Walker, Joyce Van Horn, Tina Booten, CDA legal counsel David Joeris, Colorado Department of Health and Environment representative Leah Colton, Colorado Department of Public Health representative John Nieland, General Public Bryon Kunugi, Kelly Gouge Turf/Ornamental, Leonard Felix, Matthew Kahl, Bobby Goeman, Nickolas Gerace, Brett Rutledge, Al Summer, Interested Public Guests: Angela Medbery, Tim Breen, Richard Andrews, Theresa Beck, Deborah Fey, Holly Keating. Colorado Department of Agriculture (CDA) representatives: John Scott, Jonathan Handy, Mike Rigirozzi, Laura Quakenbush and Cheryl Shoup.

The meeting began at 9:05 am with the introduction of the attendees and introductions of the new PAC members. John Nieland from CDPHE: Matthew Kahl - General Public: Nickolas Gerace – Agricultural Worker: Brett Rutledge – Organic Grower. Also in attendance was Al Summers sitting in for Lyle Johnston representing beekeepers.

**Worker Protection Standards (WPS) Rule status:**  
**Mike Rigirozzi, (CDA)**

Mike discussed that over the past year there have been discussions about the EPA Worker Protection Standards and the fact that they would be changing. EPA has signed off on the rules. Mike stated that if there are any questions to contact him. The actual WPS rule will go into effect in December and will take approximately 18 months to fully implement. The CDA is planning training with inspectors from all EPA Region 8 states and EPA personnel in April. EPA has approved UC Davis and Oregon State University to develop the training materials and Thia Walker has agreed to participate in that process so she will have input on their development and pushing them out to see if they are adequate and useful. CDA will be putting together a letter to producers to help get this information out also.

**Proposed Certification and Training Rule –**  
**Thia Walker and Jonathan Handy**

Jonathan handed out the EPA Proposal to Revise the Certification of Pesticide Applicators Rule noting that there has not been a change in over 40 years. The comment period for these changes will close on December 23rd. *Update: the comment period was extended to January 23, 2016.*

Some of the major objectives include:

- Increasing competency requirements
- Establishes a minimum age for applicators
- Establishes additional certifications (Ariel, Soil Fumigation, Non-soil Fumigation, Predator Pest Control)
- Increased training requirements
- Examination and training security requirements
- Renewal of certification every three years
- Increased continuing education and credit requirements
- Enforcement actions, civil and criminal penalties
- Record keeping requirements
- Reciprocity provisions

EPA is aware that it will take states several years to complete these changes.

**Driftwatch**

Overview of the Driftwatch/Fieldwatch and Beekeepers program was discussed. The program is easy to participate in. Driftwatch promotes communication and collaboration to insure pesticide applications don't impact sensitive sites. CDA continues to encourage applicators to register, especially since Driftwatch has

been updated to only allow registered applicators to see all registered sensitive sites. The question was brought up proposing that applicator sign up be mandatory. John explained the history behind the programs and why it is a voluntary program. Currently there are 75 applicators signed up for Driftwatch with 21,000 sensitive site acres currently registered in Fieldwatch. Protection of bees from applications in the form of treated seed was discussed as it is not considered an application at the point of use. Driftwatch has the potential to work in this instance as well and is a avenue of communication.

### **Limited Commercial/Public Applicator Training module update**

**Thia Walker**

Four training modules are being created that will cover core content for applicator training. The first module has been completed. A new software program was used and is very interactive. It will be hosted online through CSU at no cost.

### **Proposed Rules Discussion:**

**John Scott**

John Scott went through the handout titled Pesticide Applicators' Act Proposed Rules DRAFT. The department has received some public comment from the last meeting. There was discussion regarding the term ready to use pesticides and whether it should be removed. The committee agreed it should remain. The business location proposed rule has been tabled to a future rule change. Each proposed Rule was discussed where there were changes to the Rule.

- Definition of Ready to Use products

- Scope of technician training requirements

- Rules address the new provisions for electronic notifications. Some forms of written notification will still be required.

- A new Post Harvest Potato Treatment category has been created.

  - Applicators currently holding Stored Commodities category will be grandfathered into the new category.

- Multi-unit structures will require written notification at entrances when common areas have been treated – this notification cannot be made electronically.

- Require non-registered Limited Commercial Applicators and Private Applicator employees to receive core training. The rule outlines when training is required, record keeping and how the training may be met.

Pesticide Act - Language was updated to reflect the current department address

*Note: the PAA Rule Hearing in relation to these proposed rules was held October 20, 2015. The rule was brought forward to the Ag Commission on November 10, 2015 and was passed as proposed. These rules went into effect on January 1, 2016.*

### **Proposed Marijuana and Pesticides Rules**

**John Scott**

Rule proposals are still in the DRAFT stage. The proposal rule establishes criteria to determine what pesticides may be legally applied to marijuana.

Additional information regarding the proposed changes can be found at:

<https://www.colorado.gov/pacific/agmain/rule-hearings-draft-rule-proposals>

Meeting adjourned at 2:00pm.