



Minutes

Pesticide Advisory Board Meeting

July 15, 2022

BOARD MEMBERS PRESENT: Jessica Lenker, Larry Shrawder, Joe Demko, Don Eggen, Beth Gugino, Tim Haydt, Sally Holbert, Ken Martin, Tim McGinty, Lisa Murphy, Martin Overline, Betsy Schroeder, Heather Smiles, Joe Farwell, Bob Williamson

ADDITIONAL ATTENDEES:

A motion to approve the March 16, 2022 minutes was made by Don Eggen and second by Joe Demko and Ken Martin.

Drift Subcommittee Recommendation:

A recap from March 16th meeting with concerns of several of the newer formulation plant growth regulator such as 2,4-D, Dicamba and Garlon. The drift subcommittee is requesting a change in the classification of these products to RUP, additional training for license applicators to gain knowledge of pesticide drift and recordkeeping to determine when a crop was sprayed. The pesticide products have been identified as a potential danger to the crops in PA and determined other states may be experiencing the same issue. The advisory board will make inquire on other states to determine the outcome of their RUP and other solutions the state currently has. The advisory board will discuss the outcome at a further meeting.

Follow Up of March Public Comments:

1. Review the membership of the board to determine members see that they are representing the position they were appointed to.

Larry Shrawder: This is an ongoing process and we have just completed a review to see that everyone is active in their duties selected. As people retire or step aside we will appoint an appropriate member.

2. Set and control the agenda for pa pesticide advisory meeting where matters come before the board requiring discussion and debate for more than 4 hrs, provide a meal and refreshment to meet the physical needs of the board and provide time for the members of the board to interact.

Larry Shrawder: It's important to get back together as an organization to socialize and share ideas. Setting and control of the agenda is a process, all board members are notified by email if they need to add to the agenda, Larry Shrawder and Jessica Lenker include any other information that needs discussed.

3. Review current staffing of pesticide programs staff and regional office staff.

Larry Shrawder: The advisory board advises on issues related to pesticides and not dept staffing.

4. Review expenditures for both federal and state funding directed for use of regulatory pesticide program

Larry Shrawder: That is for Auditor General not for the board members.

5. Assist of the membership of the board reflect the racial and gender diversity of the commonwealth.

Larry Shrawder: It's important we follow the law to not discriminate race, sex or religion and that is what is followed. It's a goal to appoint someone who is qualified and active in their field without discrimination.

6. Advertises the advisory board meetings to the maximum public participation

Larry Shrawder: There is a state process, The Sunshine law dictates how meeting are to be advertised and the dept follows those procedures.

Board Member Roundtable:

Don Eggen had an update pertaining to an audit, as compliance an Environmental and Social Risk Assessment (ESRA) was completed for all pesticides or pesticide complaint. All foresters are required to review the documents before treatment.

Ken Martin asked a question for PDA if the Worker Protection Standards (WPS) have been updated. Jessica Lenker replied that there is not an update to the WPS, but the EPA has updated certifications regulations that all states have to comply with. State regulations are still in draft and discussions with advisory board.

Bob Williamson questioned Larry Shrawder in what industry were the RUP being used, Larry replied that production agriculture industry, like corn pesticides and a lot of insecticides are restricted use. Lawn and landscape industry does not use many restricted use pesticides. Fumigation and invertebrate pest control is another area where RUPs are used more frequently.

Bob Williamson questioned Jessica Lenker if there is representation of fumigation on the board and suggested to appoint someone. Jessica Lenker and Larry Shrawder both agreed and would consider inviting a representative for fumigation to the meetings.

Jessica Lenker informs the board of the website for the Pesticide Advisory Board. Introducing a new member to the pesticide team, Kiana Lewis will be in the administrative position moving forward. PDA has an ag plastic recycling pilot program. The grant proposal for the program is open until July 8th. The dept is preparing for Ag Progress Days, asking the board to email her with any input.

Public Comment Period:

Public comment was submitted by John Lake regarding the purview of the PAB as stated in Section 25 of the Pennsylvania Pesticide Control Act and asking the board to review for their knowledge. Additional comments are attached to the minutes.

Public comment was submitted by Christine Weidner request to be notified for upcoming advisory Board meeting.

Larry Shrawder made motion to adjourn

Minutes submitted by Kiana Lewis

Comments to the PA Pesticide Advisory Board (PAB)

John R.Lake, Agronomist, Environmentalist, PDA Pesticides Retired

June 15, 2022

This Board has been completely undermined by a Secretary of Agriculture who is totally adverse to the basics of good governance; transparency, truth, accountability, service, and ethical treatment of all people. This Board is currently manipulated into being an obstacle for a competent pesticide program.

This should be more than obvious in who has been chosen to act as the deputy secretary and bureau director; a pathological liar and a sociopath. This is clearly evident in the agenda for this meeting which limits public comment to 3 minutes and only matters under the “purview” of this board. I would invite anyone to review Section 25 of the Pennsylvania Pesticide Control Act and then offer the scope of the “purview” of this Board. The current legal counsel has refused to engage on this offering the following statement:

“ as the Pesticide Advisory Board is advisory, and not a an entity that has statutory authority to take state action, I may not provide the Board with legal advice. Under the Commonwealth Attorneys Act I may only give legal advice to the Agency. Therefore, I may not give legal advice during an advisory board meeting or to any member of the general public.”

Regarding PDA staff; Civil Service employees are helpless to enforce law and apply good science due to having zero protection from political retribution as the current Civil Service Commission is both a joke and an insult to citizenry of this so called Commonwealth.

Attached to this statement you will find the case details of a drift case obtained under the PA Right-to-Know statute. You will find that PDA/USDA provided 2 30 gallon containers of the herbicide “Garlon” to a private tourist railroad paid for out of funds allocated to the grossly miss-managed program to Control the Spotted Lantern Fly (SLF) under the unproven assumption that the SLF cannot complete its life cycle without one its hosts, the Tree of Heaven. In conversation with the President of this railroad I was informed that he was just told to use it on their track without any guidance on certification, licensing, or precautions on the use of this product. You will note in the letter which accompanied the payment of a fine that PDA then accessed to the railroad, the direct statements of the railroad president. In my conversation with him he expressed a willingness to speak with any interested party about the actions of PDA and the result of the railroad’s misguided use of a chemical provided at the taxpayer expense for an unproved assumption.

The reader of these comments may now form their own conclusions. But by this time next year I pray this will all have changed, and not by any offers from USDA.

Submitted Due Respect to the PAB 06/15/2022:

By John Richard Lake, (scouterlake@verizon.net)