



ASPCRO BOARD OF DIRECTORS MIDYEAR MEETING AGENDA

Wednesday, April 21, 2021

1:00 PM – 5:00 PM EDT

Online Conference via Zoom

The ASPCRO Board of Director's Midyear meeting was held online via Zoom due to COVID-19 social distancing restrictions on Wednesday, April 21st, 2021. Those in attendance were:

- Board Members: Ryan Okey, ASPCRO President, Clemson University Department of Pesticide; ; Kelly Friend, ASPCRO Vice President, Florida Department of Agriculture and Consumer Services Grant Bishop, ASPCRO Treasurer, West Virginia Department of Agriculture; Allison Cuellar, ASPCRO Secretary, Texas Department of Agriculture; Liza Fleeson Trossbach, ASPCRO Past President, Virginia Department of Agriculture & Consumer Services; Cindy Fulton, ASPCRO At-Large Member, Wyoming Department of Agriculture; John Pitcock, ASPCRO At-Large Member, Kentucky Department of Agriculture; Matt Lopez, ASPCRO At-Large Member; and Mike Page, ASPCRO Executive Secretary.
- State Lead Agency: Derrick Lastinger, Georgia Department of Agriculture; Kevin Gibson, Office of Indiana State Chemist, George Saxton, Office of Indiana State Chemist; Alvin Harris, District of Columbia Department of Energy and Environment; Stephanie Meyer, Missouri Department of Agriculture; Amy Brown, Florida Department of Agriculture; Tim Taylor, Georgia Department of Agriculture; Courtney Frazier, Florida Department of Agriculture and Consumer Services; Mike Kelly, Texas Department of Agriculture; John Scott, Colorado Department of Agriculture; Chad Carpenter, West Virginia Department of Agriculture; Jerry Everton, Florida Department of Agriculture and Consumer Services; Mary Begin, District of Columbia Department of Energy and Environment; Neil Richmond, Florida Department of Agriculture and Consumer Services; Clint Shettle, Virginia Department of Agriculture and Consumer Services; and Seth Dunlap, Arkansas Department of Agriculture.
- Industry Representatives: Tom Smith, National Pesticide Safety Education Center; Jim Wright, BASF; Cathy Mazo, Syngenta; Chris White, Pest Control Insulation; Jim Fredericks, NPMA; Faye Golden, Cooks Pest Control; Staci Jo Johnston, Ecolab; Chuck Tindol, Rentokil North America; Rick Bell, Arrow Exterminating; Bonnie Rabe, Rollins; Marie Horner, Arrow Exterminating; Allen Fugler; Rob Heffstetter; Henry Nahalweski; Marie Knox; Ryan King; Jason Meyers; and Dr. Bob Davis, BASF.

Ryan Okey, ASPCRO President called the meeting to order at 1:01 PM EDT. Greeted everyone and made opening remarks. Ryan advised there were revision to the agenda as

posted to the website and distributed. The revisions will be covered as we go through the agenda.

Grant Bishop (WV) provided the Treasurer's report:

- There has not been much activity in the last year.
- Grant reviewed the Statement of Financial Position report. The report indicates ASPCRO is in good financial position.
- Grant reviewed the Statement of Activity. This year, ASPCRO will not be asking donations due to not hosting an annual conference last year and receiving sponsorships for the 2020 meeting.
- There were no questions for Grant regarding the financial reports, but Grant proposed moving the ASPCRO accounts from a local regional bank to a national bank. Many financial documents need three signatures and by switching to national bank acquiring signatures can be easier without the need to mail documents from board members or meet in one place.
 - Ryan said he had no objections and said he supports his suggestion.
 - Liza, Kelly, Cindy, John, and Allison agree.
- **MOTION MADE:** A motion was made by Ryan Okey to accept the Treasurer's report and Grant's proposal, and it was seconded by Cindy Fulton. Motion passed.

Ryan Okay (SC) provided the Planning Committee Report:

- The hotel in Minneapolis (The Graduate) for the annual meeting was unable to drop their minimums for 2021 annual meeting. Given the uncertainty the pandemic has added to travel, the ASPCRO Board and planning committee did not feel ASPCRO could commit the required minimums in the contract. This year's annual meeting will take place virtual on the same dates.
- The virtual annual meeting dates will be August 10th, 11th, and 12th. August 10th will feature an inspector training. August 11th will be a general session with a keynote speaker. August 12th will be the combined business meeting and board of directors meeting like last year.
- This is not the ideal annual meeting, but the board wants to engage and keep membership active and informed until we are able to meet again in person.
- Next year's annual meeting will be in person. It will be held in Minneapolis, Minnesota at the Graduate hotel. The dates are August 15-19th, 2022. We have heard concerns of about the host city and some members have indicated they may not attend a meeting in Minneapolis. The Board is open to suggestion and not fully committed to the current location for 2022. We are considering all options right now.
- For the 2021 annual meeting, the Board contracted with ANR Services with Michigan State University. They are going to help with the hosting and administration of the meeting, as well as handling registrations. This will free up Mike (ASPCRO Executive Secretary) to handle other needs for ASPCRO.
- There were no questions for the planning committee.

Mike Page, ASPCRO Executive Secretary, provided the Executive Secretary report:

- Mike provided updates on his activities such news/announcement, board of directors' nominations, and committee emails to membership.
- An item taking a good amount of time is cleaning up the email distribution list. As a result, he is sometimes needing to creating new lists. He has also troubleshot other issues with emails, such as captcha issues.
- Mike submitted the articles of incorporation in mid-February.
- An email was sent for membership dues. As of today, ASPCRO has 32 states that are paying members.

- Midyear and annual conference notices have been distributed and page on the website for the.
- Mike has also been working on standard operating procedures. The goals to codify the responsibilities of this position and a turn-key set of instructions for someone who takes over for him. Currently four are created with plans to complete more.
- Mike has been attending board meetings and professional development.
- Mike will cover the website more fully later in the agenda.
- There were no questions for the executive secretary; however, Liza asked if there were any automated solutions or services, ASPCRO could look into to avoid the current effort to manage our distribution list. Mike said he had done some work on this, specifically software. Mike has located several possible solutions, he just needs to pick one.
 - Grant asked if GoDaddy offers any kind of subscription. Mike said he is reviewing several and then he will review the options with the board.

Committee Reports:

Mike Page (ASPCRO), Chairman of the Communications Committee provided the following:

- The committee met in March to discuss status and progress on the website and its goals which include the enhancing the aesthetic quality of the website for visitors, providing intuitive organization of information so visitors can access it readily and developing a searchable functionality for the vast amount of information on the ASPCRO website.
- The new website has been up since November 3, 2020.
- Mike discussed the organization of the website and status on page completion.
- The committee is trying to find better to conserve older meeting documents and presentations in the event someone wants to access them.
- The Professional Training page is the only page which has not been significantly worked on. It has been somewhat difficult to locate all professional training opportunities. There is no current deadline for completion on this page.
- There is a need for an alternate webmaster. In the event something has to Mike, the committee and board would not be able to access the site. Mike is currently completing as SOP on how to log into the administration rights of the website. This is an important issue for the board the consider.
- There were no questions, but Allison suggested both a member from the Committee and the Board could act as backup webmaster for the Executive Secretary for redundancy.
 - Grant stated he would be willing to take one of these positions since he is on both the board and committee.
 - Cindy also volunteered.

George Saxton (ID), Chairman of the Inspector Training Committee, provided the following:

- Before COVID, ASPCRO recognized many agencies were hiring new staff in need of training. Prior to COVID, the committee put together a full 8-hour one day training for at least 10 inspectors.
- Despite COVID, members of the committee and the Board decided ASPCRO should put together a virtual training. The training will take place on August 10th, and the committee is working to put together a good program. The hopes are to build interest for when we can met again in person.
- At the training, there will be training topics on agricultural and non-agricultural terrorism, interviewing techniques, and testifying at a hearing all with

- knowledgeable speakers including FBI agents and soft commitment from a US District attorney.
- Ryan and George discussed possible other speakers who could fill in if the soft commitment from the US District Attorney was unable to be fulfilled.
 - George also suggested ASPCRO survey attendees to get after the event to get feedback on how to improve the next training.
 - Ryan reminded the membership and audience this training is only virtual this time and next time will be in person.

Clint Shettle (VA), Chairman of Structural Remediation Committee, provided the following update:

- The committee met earlier in the week. The committee is working on Remediapedia. Remediapedia is a resource available at the ASPCRO website which has a myriad of topics associated with references related to remediation.
- Two requests the committee was a plea for final edit and suggestions on the prototype. The other request was for references. The strength with it is going to be with the submittals and the review by the submitter.
- Clint and the committee continue to work with Mike to make the submittal and Remediapedia workable on the ASPCRO website.
- Lastly, Clint wants to make a plea for anyone attending the meeting who has useful references or intimate knowledge you may have a resource you may have used in a remediation situation, please let him know or submit it to the committee.

Ryan Okey (SC), Chairman of the Termiticide Label Review Committee, provided the following:

- Most of the time this committee cannot report on the items discussed because of the nature of the committee. There has not been much activity in the committee.
- One item the committee has discussed which can be talked about here is changes at EPA in product performance guidelines. EPA released proposal for changes to 810.1000, 810.3000, 810.3600, and 810.3800. Ryan believes the .3600 is structural and .3800 is baits.
- Ryan did want to meet as a committee but did not have time to meet. Comments are due on May 21st. He wants to meet beforehand.
- There has been a lot of turnover at EPA, and it's caused some difficult to stay current with the changes to personnel to keep the conversation between TRLC & EPA. The committee is hoping to put together an training event with EPA and Termiticide Standards Committee for new EPA staff in the near future.

Derick Lastinger (GA), Chairman of the Structural Fumigation Committee provided the following:

- The committee has a new member – Courtney Frazier from Florida Department of Agriculture and Consumer Services.
- There is not much activity to report on.
- There is a new contact at EPA, Nicole Zen, the committee is working with for updates. The contact said EPA is planning to reach out regarding the next steps for the sulfuryl fluoride OIG audit and they are planning on holding a webinar on SF clearance devices this spring. Derrick asked the audience if they had heard anything else on this – no one had.

- The committee has also been talking about a white paper from Mid-Atlantic Regional Air Management Association (MARAMA) comprised of members from state environmental programs. They're looking at rules affecting fumigations at ports. Derrick attend a meeting with Ryan to begin building a relationship. The meeting mainly consisted of hearing the concerns about from members and Ryan and Derrick did not have an opportunity to discuss what ASPCRO does and the issues the association takes on. The MARAMA issue is somewhat out of scope for the structural fumigation committee and Derrick does not have a lot of time to work on this issue currently but asks if another committee or member of the SF committee would like to take on this issue, he welcomes it. Derrick suggested it would be a good idea to invite someone from MARAMA to attend our meeting and maybe speak next time we are able to meet in person.
- Lastly, also a little outside of scope of the committee, but the committee has been working with Sandra McDonald on the non-soil fumigation manual.
- Derrick asked if there were any questions.
 - Allison (TX) asked what the concern MARAMA is has resulting in their white paper. Derrick thinks it happens to be pollution of fumigation. Derrick and Ryan provided they did not get an opportunity when they met with the to discuss ASPCROs role or pesticides requirements in place for fumigators. Derrick also provided there are four other associations like this one in the US – they appear to be somewhat regional organizations. EPA is involved in these meetings to some extent.
 - Liza (VA) suggested meeting with MARAMA again to explain on knowledge area and help coordinate communication between EPA Air and Pesticides.
 - Jim (NPMA) urged ASPCRO not to give up on contact with this group and continue to try to educate. For example, in New Jersey there is a proposed rule to require an air permit to do fumigations in New Jersey. This proposed rule references the MARAMA white paper. The folks involved at the EPA level are not in communication with the Pesticides folks. This pollution concern is bystander impacts but in the 75 years of fumigation these impacts have not been seen. Jim volunteers to help ASPCRO in any way they can.
 - Jim (BASF) offered ASPCRO should approach them with resources and information about their concerns and what is known from pesticides world regarding these issues. There could be far ranging effects along the Atlantic coast if other states pursue this New Jersey rule.
 - Matt (CO) offered changes in one state can be reach other states too. Colorado has seen rules to change statutes because of actions in other states. Matt suggested trying to get the someone from EPA to meet with the air quality officials either at EPA or states.

There were no other committee reports.

MOTION MADE: Ryan motioned to accept the reports as received. John seconded. Motion passed.

Jim Fredricks provided an update from the National Pest Management Association (NPMA):

- NPMA is looking forward to ASPCRO being in person. NPMA is transitioning to some in-person meetings including a senior leadership meeting in Florida.
- NPMA will be hosting a NPMA Safety Summit on May 6 & 7th. It will not only focus on pesticide safety but will include other safety topics such as safe driving, ladder safety and creating safety policies. NPMA would like to extend the offer to

ASPCRO members and their team members to receive complimentary registration. More information about the Safety Summit can be found at www.Safety.NPMAPEstWorld.org. You can also reach out to Jim directly via email directly to sign up and pick and choose the session you would like to attend.

- The annual convention is scheduled to take place in person in Las Vegas at the beginning of November.
- In addition to the New Jersey rule that was mentioned earlier, NPMA is watching several bills. Most bills during this time have been focused on COVID but there watching bills on preemption and usually reach out directly to states regarding state bills.
- NPMA has been focused on workforce issues and has launched a workforce development program. NPMA recognizes that no matter how high unemployment goes, it is still hard good people to fill the role of technicians. Although, NPMA has worked hard over the years to position professional pest management as professional industry to consumers, it maybe hasn't done as good a job as positioning pest management as a career opportunity for job seekers. NPMA is making a concerted effort to market pest control careers to guidance counselors, job seekers, vets, women, and other target groups. to explain a career in pest control is more than just the classic exterminator stereotype you may be thinking it is. NPMA launched a new website called www.pestcontroljobs.com – it's a combination of a job board and a communication device for all of those groups with information for job seekers on how to nail the interview, what kind of jobs are in pest control, what kind of careers are in pest control. NPMA is working with a PR firm to communicate this information out.

There was no update from RISE due to a distribution list error. This was indicated on the original agenda. Ryan expressed ASPCRO's apologies to RISE over this issue.

Current Business:

- Board Positions: Matthew Lopez (CO) is newest member of the Board. Ryan will be serving as President until his term ends in 2023. Unfortunately, we will be losing Kelly (FL). She will be joining the AAPCO Board. The Vice President, Secretary and one at-large position ASPCRO will be requesting nominations. Cycling through this annual meeting will get all our positions aligned to serve their traditional 2-years terms we had seen in the past. If anyone has interest in serving on the Board, please seek a nomination from within your agency and we look forward to participation.
- ASPCRO Board of Directors has been participating in board training with Maryland Non-Profits. A training took place in February. There was great information in the training and identified some needs for the Board. These needs include: development of training to on-board new members, succession-planning, a board development committee to identify new members of the board, and strategic planning.
- The ASPCRO Board has been fortunate to work with FDACS staff to complete some strategic planning. Kelly provided the Board developed a Mission and Vision statements. Next, the Board will be doing a SWOT (strengths, weakness, opportunities and threats) analysis. Kelly displayed the mission and vision statements, which are:
 - ASPCRO Mission: This organization acts as a premier source of information for structural and non-agricultural pesticide use, compliance, and regulation by:
 - Fostering partnerships with all aspects of pest control industry,

- Providing and promoting education and solutions to address emerging issues, and
 - Acting as a liaison between U.S. Environmental Protection Agency, consumers, and industry partners.
- APSCRO Vision: To be the most responsive and reliable unifying voice of state, territorial, and tribal non-agricultural pest control regulatory officials.
- Final item for current business is governing documents. Last annual meeting, membership voted to adopt updated bylaws and remove the constitution. For those who are interested in reviewing them, you can find it on the ASPCRO website under the About Us section. In this section, you can also find the Board and Administrative policies for review there.
 - Liza added the changes made to ASPCRO's governing documents were guided by the Maryland Nonprofits. A benefit to ASPCRO being a member of Maryland Nonprofits is we gain access to expertise which includes access to trainers and attorneys. Prior to making the decision, we sent all bylaws and constitution to make sure we were keeping with the best practices of non-profits. In addition to their assistance with the bylaws, they did draft a disclaimer and privacy statement for our website to bring all ASPCRO's documents up to date with the best management practices for associations like ASPCRO.
- Ryan asked if there were any questions for current business:
 - Allison asked if there was a deadline to vote for Board nominations. Ryan responded two weeks prior to the meeting.
 - Liza asked the deadline for nominations. Mike responded the deadline is July 1st.

New Business:

- Inspector training has already thoroughly discussed earlier in the meeting. The board made the unanimous decision to hold a virtual inspector training as part of the annual meeting.
- Some of the new business items are also topics for the general sessions.
- The first item is about preemption. Ryan covered a preemption issue in South Carolina relating to a bill to exempt several counties in the state to allow the counties to write rules restricting use of four active ingredients. It is Ryan's intent to draft a letter to come from the Board to South Carolina state representatives in support of the state lead pesticide agency. Ryan asked if there were other comments or questions.
 - Jim (BASF) added more insight into the preemption situation in South Carolina. He indicated misinformation about the cause of deaths to native bobcats had contributed to the push for this legislation. After contacting and providing additional details to representatives, the legislation is dead for now. Jim commended Clemson University's DPR for their communication and work on this issue with industry.
 - Bonnie (Rollins) added this issue heavily impacts the regulation of rodenticides. This is a topic this organization should be discussing this issue. Even though this takes places at the legislative level, and some may not feel they have ability to craft the law, the SLA will have to write the rule. California DPR has had a lot to deal with after legislation there affected rodenticides including long lists of questions their rules had to address/answer for industry. We all know the devil is in the details and this is a great focus for discussion and maybe we can get some folks from California into the discussion.

- Chuck (Rentokil) added the relationships ASPCRO builds is so important to this issue. Chuck serves as government relations for Rentokil. Rentokil is in every state. There are currently 387 bills throughout the country on preemption or bans. This issue affects the industry. A letter from the board which talks about FIFRA and science based, would be very welcome from the industry.
- Jim (NPMA) a position paper or even a position statement from ASPCRO on preemption would be welcome. Industry can give you many reasons why preemption is a bad idea – it's hard, expensive thing to do. There are also impacts on the good regulation of pesticides, like how do local governments decide to implement. How do they decide on what is good or what is bad? There are not often resources at the local level. Another good question is how it will be enforced. Who takes the enforcement, the local area or is it the pesticide regulator? If the pesticide regulator, how will they communicate. In terms of the states, their hands are tied when it comes to speak to legislators about bills. A position paper could be key to helping legislators and helping add to the discussion.
 - Chuck wanted to additional add NPMA has a function called voter voice platform which alerts members of legislation and allows them to contact their representative.
 - Jim (BASF) added contacting and starting conversations with key legislatures and legislative staff is also important when it can be helpful and is necessary.
 - Ryan (SC) added the point made earlier about SLAs not being able to speak with legislatures regarding legislation is a fact and why our relationships at ASPCRO are important. DPR did a sting in the area which was key to this legislation. They found many of the issues were done by unlicensed property managers using products illegally. If they already using it illegally a ban is not going to stop them.
 - Stacy (Ecolab) added Minnesota has been up against a preemption bill for many years. Each time this comes up, language is used like us vs. the pesticide lobby. ASPCRO made up of regulators knows that the conversation is not just us vs them. If we could have something from the association Stacy thinks it would be helpful.
 - Ryan is going to start drafting position paper or statement to share with the board.
- Kelly provided a high-level overview of PFAS issue. In January 2021, EPA had several calls explaining PFAS had been found in a mosquito product. They discovered this in September 2020 in a product called Anvil 1010 by Clarke. The PFAS was coming from the container, not the actual chemical product. The fluorinated HPDE containers seem to be the source. These PFAS are forever chemicals. They believe 20-30% of firm packaging for ag chemicals are stored in these types of containers. There are industries that should be concerned about this including the food industry. This call left a lot more questions than answers and EPA has a website www.EPA.gov/Pesticides/PFAS-Packaging. If you have these containers, Kelly said EPA recommended pulling these containers to the back and contact Clarke for what to do with the products. If there are questions, you can email pesticidespackaging@EPA.gov. FDACS collected questions from their industry and their own and wrote this email. Kelly suggests ASPCRO can serve this function too for our membership.
 - Mike (TX) asked if there were any determination by EPA if it was the pesticide was drawing it out or the containers themselves. Kelly provided they did an analysis and found no matter what they put in the container

- PFAS leached out. EPA determined the Anvil 1010 products had PFAS because of the container by testing the product alone, in the container and after it was exposed to the container.
- Mike (TX) also asked if they said how long these containers had been used. Kelly said recall if they said. Liza said she does not know how long it has been used for, but it had been used for a long time. Chris and Mary added they had it in their drinking water from firefighting chemicals so they're aware of the PFAS being found in other products for quite some time.
 - Section 18 is a popular topic right now and when we added this topic to the agenda it wasn't to talk about something specific but to let membership know it is something ASPRO is continuing to monitor. There is a lot of confusion and many states are being put under pressure within the state and there is not a lot of coordination at the federal level. We plan to offer a session at the annual meeting but would provide an opportunity for discussion or present as options to discuss at the annual meeting.
 - Mike (TX) stated they have found in the recent applications have been different from previous section 18 applications. The guidelines for an application seem to be different after registrants have conversations with EPA and they are not consistent with requirements prior to the pandemic.
 - Derrick (GA) discussed Code Amendments in Georgia related to spray foam insulation. The code amendments, made to the building code, would prohibit the use of applying spray foam in interface between the foundation and the framing. Unfortunately, the spray foam industry and the pest control industry were unable to come together on a common way forward. The industry feels there are termite shields and tools that can allow for inspection despite spray foam blocking visual inspection; however, the industry and GDA feel a visual inspection is the best tool for inspection when it comes to termite infestations. Georgia already has code requiring a 3" gap but most spray foam happening post construction results in spray foam being applied everywhere. Thus, Derrick is looking to the board for letter of support for the code amendments.
 - Rick (Arrow) added ASPCRO should consider how many states require a visual inspection for WDI inspections. This requirement from state forms should help ASPCRO in aiding Georgia with a letter of support. UGA did a study on spray foam insulation, and they couldn't see termites. When they took off the foam there were thousands of termites. They may not be attracted to it, but they are not put off by it and it's next to their food source.
 - Bonnie added on the study at UGA found there were no termites and then they were all throughout the foam afterwards. Bonnie also wanted to add the spray foam industry is not regulated unlike the pest control industry. There are some new associations for spray foam businesses and good companies out there who work with the pest control company, but there are some that spray everywhere. Consumers are unaware of the harm they could be doing to pest control at their home. An important reason why to do this is it could become part of the international building code.
 - Ryan added he is a yes and Georgia has his support.
 - Grant stated he would support this on the Building Code Committee.
 - Derrick added this would need to be completed around May.
 - Jim (NPMA) urged the board to submit a letter in support Georgia's Structural Pest Control Commission's building code amendment. It is important and it could have effects on the international building code.
 - Rick added the meeting is May 6th.
 - Ryan asked if Derrick could draft a letter. Derrick advised he would provide a draft.

Open Discussion:

- Matt (CO) provided there is a serial lawsuit individual who is blind and sues individuals/organizations with websites that do not have web-page reader enabled for ADA compliance. He sued a farmer in Colorado recently. Matt wanted to let those in attendance consider.

MOTION MADE: Ryan motioned to adjourn the mid-year Board of Directors meeting. Cindy seconded. Motion passed.

Respectfully submitted,



Allison Cuellar, ASPCRO Secretary