

STRUCTURAL PEST CONTROL COMMISSION

October 7, 2010

Veterans' Memorial Auditorium

5825 Florida Blvd.

Baton Rouge, LA 9:00 am

Minutes

CALL TO ORDER

The meeting was called to order by Mr. Bass at 9:14 a.m.

ROLL CALL

Members present: Todd Parker, Dr. David Boethel, Bob Kunst and Dan Foster and Fred Bass.

Other present: David Fields, Bobby Simoneaux, Tyrone Dudley, Marvin Montgomery, LDAF General Counsel, Mary Anderson, Lisa Hall and Lindsey Hunter, Assistant Attorney General.

AMENDMENTS TO THE AGENDA

Mr. Fields asked that the commission add Commissioner Strain to the next order of business and add Mr. Wayne Guillory under New Business and move Old Business after Other Business on the agenda.

Motion: Mr. Kunst made a motion to approve the suggested amendments to the agenda. This motion was seconded by Dr. Boethel. Mr. Bass called for Public comment. There was no public comment. This motion passed unanimously.

Commissioner Strain addressed the commission. The Commissioner gave updates on Bed Bugs and the Formosan Termite Initiative. Commissioner Strain presented Mr. Kunst with a commendation for his being inducted to the Pest Management Professional Hall of Fame 2010 class. Mr. Fields read the commendation to the group. The Commissioner also presented a commendation for Mr. Paul K. Adams who is also being inducted to the Pest Management Professional Hall of Fame 2010 class posthumously. Mr. Fields read the commendation to the group and said he would be presenting this to Mr. Adams family at the next local association meeting.

APPROVAL OF MINUTES

Motion: Mr. Foster made a motion to approve minutes. This motion was seconded by Dr. Boethel. Mr. Bass called for Public comment. There was no public comment. This motion passed unanimously.

TRAVEL EXPENSES

Mr. Bass asked that all travel expenses be turned into Ms. Anderson.

CITIZEN COMMENTS

None

NEW BUSINESS

Wayne Guillory - Mr. Fields called for Mr. Guillory in the room and in the hallway. Mr. Guillory was not present. Mr. Guillory was notified that he would be placed on the SPCC agenda. Because Mr. Guillory was not present the commission moved to the next item.

Labels for Review:

Transport Mikron Insecticide – FMC - Hank Roberson

Mr. Roberson presented the Transport Mikron Insecticide label to the commission.

Motion: Mr. Kunst made a motion to approve the label and was seconded by Mr. Parker. Mr. Bass called for Public comment. There was no public comments and passed unanimously.

Altriest Termiticide – Dupont

Motion: Mr. Kunst made a motion not to approve the label without modifications. This motion was seconded by Mr. Foster. Mr. Bass called for Public comment. There was no public comment and this motion passed unanimously.

Department Reports

NPDES – Bobby Simoneaux

Mr. Simoneaux reported that the LA NPDES permit was sent to EPA Region 6 on July 17, 2010 and Region 6 has 90 days to respond. The final NPDES permit has to be in place by April 2011.

ASPCRO – Standards Committee – Mr. Simoneaux reported that he is still working on the Standards Committee. The committee has rewritten the standards for the criteria of administration of termiticides. The rewrites have been sent out to the members of ASPCRO for comments with the comment period ending on October 15th.

EPA Review Training Course – Mr. Simoneaux reported the 5 hour Label Review training course may be located at the website: EPA.gov, go to the registration area and click on the Label Review training button.

Endangered Species – Mr. Simoneaux reported that the EPA is at the forefront of implementation of this program.

Electronic Reporting – Tyrone Dudley

Mr. Dudley gave an update on the progress of the online reporting. Mr. Dudley reported that the Beta testing server was not working but should be working and ready to roll out to individuals by November 1st. The methods of payment will be credit cards (Visa & MasterCard) and electronic check. The convenience fees will be

determined after amount of users and amount of monies collected based on figures after 6 months.

LPMA – Jeff Porter

Mr. Porter reported the LPMA Winter Convention will be January 25 – 27th, 2011. Commissioner Strain will speak to the convention on the morning of January 26, 2011. Mr. Porter reported that there will be a Bed Bug Task force formed with Office of Public Health.

Mr. Porter said that two of the five inductees to the Pest Management Professional Hall of Fame 2010 are from Louisiana and that the industry should be very proud.

Mr. Bass called a recess at 10:00. Mr. Bass called the meeting back into session at 10:10 and all members were present.

Motion: Mr. Foster made a motion to amend the agenda to move the Licensee applicant portion to the next item on the agenda and was seconded by Dr. Boethel. Mr. Bass called for public comment. There were no public comments and this motion passed unanimously.

LICENSEE APPLICANTS

Tyrone Dudley presented the Licensee applications.

<u>Name of Applicant</u>	<u>Phases</u>	<u>Approved/Disapproved</u>
Kenneth Barnes	GPC, CVC, TC	Approved
John Bartus	GPC, CVC, TC	Approved
Brian Beidle	TC	*Approved pending
Joseph Cook	CVC	Approved
	Comm. Fum.	Disapproved
Joyce Davenport	GP, CVC	Approved
	TC	*Approved pending
Jason Dewitt	GPC, CVC	Approved
Robert Drudege, Jr.	GPC, CVC	Disapproved
Clyde Ellezey	GPC, CVC	Approved
G A Willie Esparza	GPC, TC	Disapproved
Bal K. Guatam	GPC	Approved
	TC	*Approved pending
Joseph Johnson	GPC, CVC	Disapproved
Pan Luo	GPC	Approved
	TC	*Approved pending
Thomas Nilsson	GPC, TC	Disapproved
David Passafume	GPC, CVC	Disapproved
Cori Powell	GPC	Disapproved
Reginald Reed	GPC, TC	Approved
Thomas (Tommy) Sanchez	CVC, Comm. Fum.	Approval
David Terrell	GPC, CVC, TC	Approval

**Approved pending completion of approved comprehensive termite school

Motion: Mr. Kunst made a motion to approve all as signed on the applications presented today. This motion was second by Dr. Boethel. Mr. Bass called for public comment. There were not public comments and this motion passed unanimously.

ADJUDICATROY HEARING

Mr. Bass turned the meeting over to Ms. Lindsey Hunter, Hearing Officer.

Tyree Perkins, Case No. 1441

Mr. Montgomery presented a stipulation for Case No. 1441. Mr. Perkins stipulated to a fine of \$800 with \$600 suspended for a payable fine of \$200, to be paid within 30 days of receipt of final determination letter.

Motion: Mr. Foster made a motion to accept the stipulation as read. Mr. Parker seconded this motion as passed unanimously.

Ms. Hunter turned the meeting back over to Mr. Bass.

FINANCIAL REPORT AND STATUS REPORT

Mr. Fields handed out the current financial and status reports.

OTHER BUSINESS

Mr. Fields announced that an LDAF employee, John Walther had been nominated for the Hero of Conservation Award and was in Washington DC this week for the Awards ceremony.

Mr. Fields said that there will be a Public Hearing on October 28th for the change in the Rules. The notifications have been sent out to all Licensees and that the deadline for written comments is October 25th. There will be a slight administrative change to be proposed at the public hearing, 104 Q on page 3 will be proposed to be deleted.

There will be a SPCC meeting on December 21, 2010 to adopt the rule changes. The time frame is set by the time that the rule change ran in the register.

Mr. Fields announced that Dr. Boethel will be retiring and will be resigning from the commission. Mr. Fields thanked Dr. Boethel on behalf of the staff for his years of faithful service to the board.

OLD BUSINESS

Update on Lawsuit

Motion: Mr. Kunst made a motion to go into Executive Session at this time. Mr. Bass called for Public Comment. There was no Public Comment. This motion was seconded by Mr. Foster and passed unanimously. Everyone left the meeting room except the Commission board members, staff and the Attorney working with the Department. There were no votes or action taken in the Executive Session. The SPCC meeting resumed after the Executive Session met. All members were present.

FUTURE MEETINGS

The staff recommends the next SPCC meeting to be held on January 20, 2011 at 9:00 am.

ADJOURN

Motion: Mr. Kunst made a motion to adjourn. This motion was seconded by Dr. Boethel and passed unanimously.