

EPA REGION 3
REPORT to Full SFIREG
State FIFIRA Issues, Research, and Evaluation Group Meeting
June 2-3, 2025, On-Line

The EPA Region 3 Pre-SFIREG Meeting was held February 25-26, 2025, at the EPA Region III office in Philadelphia, Pa (Home of the world champion Philadelphia Eagles). Attendees included: Christopher Wade and Jimmy Hughes (DE); Megan Wilkerson (DC); Rob Hofstetter and Alex Lehmann (MD); Daniel Duer, Dave Husner, and Frank Schneider (PA); Grant Bishop and Chad Carpenter (WV); Marlene Larios, Nicole Wilkins (VA); Michael Bauman, Ralph Brogdon, Dave Campbell, Christine Convery, Camille DeStefano, Marilyn Fragé, Courtenay Hoernemann, Debbie Moody, Kyla Townsend-McIntyre, Holly Raguza, Evelyn Velazquez (EPA Region 3).

As part of the meeting, EPA HQ staff provided an update on the following:

- FY26-29 Grant Applications.
- FY26-29 FGD Workplan Writing Guidance.
- Certification & Training.
- Worker Protection Standard.
- Integrated Pest Management & FY25 Region Specific Project.
- FIFIRA Credentials.
- New Cooperative Agreement Guidance.
- Oversight inspections/File Reviews.
- Sending in Inspections to EPA.
- FY25 Inspections.

The following items were specifically requested from full SFIREG and discussed during the PreSFIREG meeting.

1. C&T Plan Implementation

States are working through updating manuals and exams as needed. Most states are planning to use the national core manual and exam and other national manuals and exams where appropriate. States have not encountered any delays and do not expect any moving forward. Region 3 states have included PSEPs in the update and implementation process thus far and will continue to do so. No changes in how we collaborate with our PSEPs as we all already have good relationships with our PSEPs.

2. Atrazine surface water impact mitigation proposal

States were reminded to submit comments, as the deadline was extended.

3. Proposed listing of Monarch Butterfly under the Endangered Species Act

It appears this listing only effects California western population, thus no comments, except that the previous push in the east to improve habitat may now be yielding some dividends.

4. Issues with QAPP and QMP review and approval

Region 3 sticks to review timeframes while other regions seem to have a harder time.

5. ESA Strategy Implementation

a. Applicator outreach efforts and results

- West Virginia has been using a PowerPoint provided by region 3.
- Virginia has been providing around 10 slides on the topic at meetings.
- Pennsylvania has done some presentation and reached out to PSU.
- Delaware and Maryland are working together at a grower meeting that will have lots of stakeholders present, telling farmers this will be complaint driven. University of MD and DE are pulling together meetings with scenarios, discussing ways to get the points needed.
- NRCS practices are widely adopted in region 3 due to water quality programs, such as the Chesapeake Bay program.

b. Inspector training efforts

- The states need to walk through what this rule making will mean for inspectors and then develop training.

6. PFAs and pesticides

Maryland has a bill in the works. Pa is starting to investigate. Topic is still very much in its infancy.

7. Water quality data sharing

States will share data when requested, as its public information.

Pennsylvania shares data with USGS, Delaware posts their data on-line, and Virginia has a PFAS sampling dashboard.

New and Ongoing Issues

Not as much to discuss this time, do we need to change this meeting to the fall format of 2 half days versus a full day and a ½ day.

Next meeting is November 12-13, 2025

The following topics were discussed through many forms of communication, since released after region 3 states had already met.

8. Feed-through pesticides

- a. Are SLAs encountering any issues with these products?
- b. If so, can you provide examples of labels that are at issue

No issues have been seen and the decision tree is very helpful.

9. EPA Label Amendment Cover/Acceptance Letters

- a. What are states currently doing with the registration cover letters regarding enforcement?

MDA Pesticide Regulation does not register pesticides.

Delaware does not normally receive these letters during product registration. If we did receive it would be uploaded to the product profile on our salesforce database along with the label.

10. General use pesticides that are reclassified to RUP

Normally find out if registrant updates label on file or if AAPCO sends out notification about GUP to RUP.

11. Mosquito control back-pack mist blowers

- a. Have SLAs received any complaints regarding drift from these applications in the last two years?
- b. If so, what was the resolution of the complaint?

PA has numerous complaints. Some NOW's issued for those products found to have drifted or if there is video evidence of drift. When 25(b) product used sampling is useless as Chemist does not have a method to analyze.

MDA is all for additional restriction on the use of this type of equipment within a densely populated area. Use in larger areas (large lots, parks, etc.) have not seen as many complaints.

DE has had several cases involving these types of applications. Several NOW's and one Civil Penalty issued.

All agree that additional label restrictions, warnings are needed to help states enforce safe use of these products. SLAs already have language in their own regs for drift. I do think having the manufacturers add directions for mister-specific application rates and use directions, as stated in the summary sheet, would be helpful.

12. ESA Workplan and Strategy Implementation

- a. Which states are experiencing problems with these differences? If so, please provide some detail for future discussion with the agencies.
- b. ESI has identified some changes that are needed to the EPA Mitigation Menu and Educational Resources Toolbox websites to address inconsistencies and improve content/usability for applicators and SLAs. Any issues that states have found with these online resources that need to be addressed?
- c. We continue to work with EPA on issues related to BLT and communication, as well as others. In the near term, ESI is planning to continue discussions focusing on establishing an ESA listserv, improving BLT functionality/formatting and historical bulletin access. Are there any other needs that states can identify that should be prioritized?

States have not experienced any issues just yet. However, we have the same concerns other SLA's have with BLT functionality, formatting and access. After many meetings with EPA, they do not seem to understand that cell/internet signal is not readily available everywhere.

More official recorded presentations on how to interpret the label and then how to calculate mitigation numbers would be helpful.

It should be noted that one of the states is impacted by the FWS and NMFS mitigation menu discrepancies. As a reminder, NMFS had developed a mitigation menu with a 90(?) point scale to protect their species (marine and anadromous life) but then EPA and FWS made the 9-point scale with different values and mitigation options. If people are applying organophosphates within 300 meters of the lower Susquehanna, Schuylkill or Delaware rivers as well as the Brandywine Creek, they will have to comply with NMFS' mitigations instead of the more-commonly publicized FWS mitigations. The ESI group is trying to align these scales.

13. Recission of Federal Private Applicator Record Keeping rule.

SLAs were asked which states have state authority in rule or statute requiring record keeping by private applicators.

- Pennsylvania has our own record keeping provisions; however, we don't typically inspect most private applicators. Those individuals would be inspected for WPS inspection or during compliant investigation, which would only cover a small fraction of private applicators.
- Delaware rules and regulations do not cover private applicator RUP records
- Virginia currently does not have specific recordkeeping requirements for private applicators. Inspections are generally conducted as part of WPS inspections or in response to investigative complaints. Our investigators do encourage recordkeeping as part of the regulatory update for applicator recertification and private applicators will typically provide records when a complaint is being investigated.
- West Virginia has RUP record keeping requirements for Private Applicators.
- Maryland has Regulations in place requiring private applicators to keep records for applications of RUP's and general use pesticide products.

State Reports – Select Highlights *(complete reports available upon request)*

Delaware (as of March 10, 2025)

- **Staff Update** – Currently one vacancy in the section. New Castle County Inspector (Environmental Scientist II). Interviews have been conducted, offer pending.
- **Equipment/Technology** - DDA continues to support Fieldwatch / Driftwatch / BeeCheck website. Reviewing salesforce database capabilities. In talks with Salesforce developers for the possible addition of AI features. Basically, the addition of AI could help to user experience by allowing individuals to chat with AI prior to calling us with assistance. One issue being encountered is the federal restrictions on AI access to state databases.
- **Statute/Regulatory Changes** - Marijuana was legalized in Delaware; no pesticides are allowed to be used currently but Marijuana commission created a position within the Pesticide Section. Adding an inspector position for residue sample/testing. – still working on this implementation.
- **Program Specific Issues**
 - ***Water Quality***: Hydrologist is in the process of finalizing new web design of well data. DDA will also be starting a new water quality study in collaboration with DNREC Division of Water. This study will concentrate on saltwater intrusion and nutrient contamination, but some of the testing may include new pesticide residue testing.
 - ***Endangered Species***: When requested, DDA provides pesticide analytical testing for wildlife cases involving endangered species. DDA continues to follow the ESA updates and is trying to stay on top of any new outreach/education to implement any changes involving ESA.

- ***Disposal/Recycling:*** Recycling is currently being done at large plastic producers, but DDA staff has zero involvement with collection. Plastic producers are given the contractors information, and they contact them for container pickup.
- ***Obsolete Pesticide Disposal:*** Spring pickup was completed in 2024 with no issues, vendor was MXI.
- ***Certification and Training:*** Aerial exam has been given to several aerial applicators, overall, it has been well received by the pilots.
- **Enforcement Update** - Despite being short an inspector for most of the calendar year DDA inspectors are on schedule with the FY25 commitments.
 - Major issues this past season were unregistered employees, business license compliance, 2,4D drift on vineyards and other vegetable crops and 2,4D drift on residential areas. These issues were a focus point during our records inspections and outreach events, several presentations outlined the most common violations to educate applicators on ways to come into compliance.
 - DDA has encountered a large increase in out of state companies not being compliant with the registered service employee rule. DDA has issued several civil penalties for these violations. – Already in 2024 calendar year DDA has stopped two out of state applicators that were having compliance issues. DDA will monitor progress in spring of 2025.
 - DDA inspectors have seen many issues with inconsistent label messaging for many of the mosquito control products, mainly concerning PPE requirements. James Hughes is working through POM to potentially address some of these issues with EPA, which hopefully will trickle down to the registrants.
 - DDA issued on civil penalty for WPS violations at a nursery in Sussex County, first WPS civil penalty in several years, violations occurred due to office staff change, new staff did not continue programs that had been in place. Hughes discovered these violations during a WPS inspection, Delaware Alcohol Tobacco Enforcement (DATE) was present during this inspection for a joint taskforce training exercise, so it turned out to be a good experience for them to learn from.
 - DDA saw a slight increase in unregistered products in the marketplace, most companies registered products immediately after discovery.

District of Columbia(as of March 10, 2025)

- **DOEE Pesticides Program Staff Updates** - Alvin Harris, a longstanding and dedicated team member, has officially retired, leaving a vacancy in the Pesticides Program. We are currently assessing staffing needs and exploring options to ensure a seamless transition and continued efficiency in program operations.
- **C&T** –
 - We seek a contractor to facilitate monthly pesticide safety courses virtually, ensuring continued education and compliance for pesticide applicators.
 - The pesticide licensing period will not be extended for an additional 60 days. Licensed applicators must adhere to current renewal deadlines to maintain compliance.
 - A virtual recertification presentation is being developed to streamline the recertification process, making it more accessible and user-friendly while maintaining rigorous standards.

- **Everblue** - All pesticide certification exams are now entirely online, allowing for a more flexible and accessible testing experience.
- **Inspection and Enforcement** –
 - No bee kill incidents have been reported within the district. We continue to monitor and investigate any potential environmental impacts related to pesticide use.
 - We are in the process of updating our Integrated Pest Management (IPM) in schools' presentation. This updated material will be made available on our website to provide schools with comprehensive guidance on sustainable pest control strategies.
 - Our inspection plan has been revised to ensure equitable service across all Wards. This includes increased oversight in historically underserved areas and a broader focus on diverse marketplaces to enhance regulatory compliance and public safety.
- **Regulations** - Specifically, the Department will establish categories and subcategories for the certification of private applicators and revise the current categories for commercial applicators. The rulemaking will also amend: (1) commercial applicator and restricted use pesticide dealer recordkeeping requirements; (2) private and commercial applicator standards for certification; (3) minimum age requirements for certification; (4) core standards; (5) examination standards; (6) recertification standards; and (7) supervision of noncertified applicators.

The Pesticide Operations Amendment Act of 2024 was enacted on January 15, 2025 (D.C. Act 25-697). It still needs to go through congressional review. This legislation is needed to enable DOEE to implement regulatory changes related to pesticide applicators. On January 24, 2025, DOEE obtained OAG legal sufficiency for the Notice of Proposed Rulemaking.

Maryland (as of March 10, 2025)

- **Staff and Budget** – MDA Pesticide Regulation Section (PRS) remains at full staff, currently. In addition to the 150 million MDA was asked to cut from its FY 25 budget, MDA was asked to cut another 5%. Trying to fill a nearly 3-billion-dollar hole state-wide.
- **Plastic Pesticide Container Recycling/Pesticide Disposal** - PRS has not sponsored a recycling program for the last two years. However, we do share contact information for Ag Plastic Solutions, the contractor working with the Ag Container Recycling Council (ACRC). PRS received a report that Ag Container Solutions collected around 26,000 lbs. from Maryland growers during CY2024. During a recent association meeting we met with a representative from another recycling firm who can handle all the plastic we can provide. However, there will be a cost.

The Pesticide Disposal Program was announced at the beginning of FY 25. Registration for the program has ended. Our contract is being reviewed by MDA's Assistant Attorney

General and Procurement. We hope to have it out to bid soon. We have just over 25,000 lbs. of unwanted pesticide registered for pick up at 35 sites spanning 15 counties.

- **Enforcement/Inspection Activities** - With current inspection staff, PRS expects to exceed EPA inspection commitments for FY25.

Neighbor vs Neighbor complaints continue to increase, and we are still dealing with a lot of mothball calls. As stated before, most mothball cases are issued a Notice of Warning and Cease order immediately with no site visit. In certain situations, we may have to make a site visit, which results in the issuance of a civil penalty. Recently found a significant amount of Chlorpyrifos sales to a golf course from late summer through fall. Chlorpyrifos use and sales have been banned in Maryland since 2021.

New ESA requirements are still a hot topic. UMD is hosting ESA meetings around the state including one at MDA Headquarters. These half-day meetings will be focused on what growers need to do to comply and will include an exercise on mitigation measures, as well as a live demonstrations of BLT.

- **Certification and Training** - Changes to our Statute because of the C&T Rule were submitted to Legislature for approval. Once approved, companion regulations will be drafted. PRS should be on track to meet its 2026 timeframe for implementation if the Statute changes are passed.

PRS continues to meet with UMD Extension yearly and has a great relationship with our PSEP. While we have discussed the new C&T changes for Maryland at past recertification meetings (since the Rule was published), we have asked Extension to make this part of the required training they provide to growers and applicators. We have also asked them to focus on ESA (BLT, Herbicide Strategy, Insecticide Strategy).

UMD PSEP has put together a very basic exercise that can be used at grower meetings to help with mitigation measures.

We are continuing our relationship with Everblue to provide online examinations at no cost to MDA (\$27.05 per exam paid by the applicant). In-person commercial and private examinations will still be offered, as usual, as we transition too online. The goal is not to necessarily eliminate in-person exams but to conduct them less frequently and at fewer sites.

- **Pesticide Use Survey** - PRS has contracted with USDA's National Agricultural Statistics Service (NASS) for a 2024 Pesticide Use Survey. We have been doing these voluntary surveys since 1981. The most recent Survey was conducted in 2022 with a 43% response rate. We do offer full recertification credit for those that complete the survey. However, this has been a sore spot with Extension. After this year's survey, we will look at whether offering the credit provides a boost to our participation. The 2022 survey is available on our [website](#). Data collection for the 2024 Survey will begin in January of 2025. Funding for the survey comes from pesticide registrations. If a PFAS bill passes, it will delay or may end future surveys.

MDA has received a Petition from Earth Justice and other groups asking MDA to require mandatory pesticide use reporting once a pesticide application has been conducted. They have also requested that these records be available online to the public.

- **Legislative/Regulatory Update** - MDA's Pesticide Regulation Section receives no pesticide registration money. More than 75% of our budget is through fees which have not been increased in more than 20 years. We have sent legislation to the Governor's Office requesting an increase in our licensing and certification fees. It has been forwarded to the legislature. If approved Fees will increase as follows:

Pesticide business license - \$150/yr, increase to \$225

Certified Commercial Applicator - \$75/yr, increase to \$100

Certified Private Applicator - \$7/3yr, increase to \$15

RUP Dealer Permit - \$25/yr, increase to \$50

Registered Employee - \$30/yr, increase to \$35

Reprint of lost/stolen ID Card - \$20 per incident (This is a newly proposed fee)

C&T Statute changes have also been sent to the Governor's Office and forwarded to the legislature to be approved. Session officially starts in January. We expect a busy year with PFAS legislation, like what was discussed in our last report. Mandatory pesticide use reporting and changes to IPM in School Regulations may also be a hot topic for this year.

- **Legislative/Regulatory Update**

SB0249/HB0114 – Bill to remove obsolete pesticides (Chlordane, TBT) from Statute.

Also included changes to reflect C&T Plan. Hearings were held the end of January and early February. Have not seen any additional movement at this time. This bill has received some pushback from the regulated community as well as from some legislators.

SB0932/HB1342 - Authorizing a person to apply a pesticide on State-owned property only if the person is applying a listed pesticide or a registered pesticide for specified purposes; requiring the Department of Agriculture to develop a model pesticide and pollinator habitat management plan to be implemented on State-owned and managed property; and requiring a unit of State government that manages tracts of State-owned property to work with the Department to adapt the model plan.

Basically, states that MDA will develop a Pesticide Management Plan that will include a list of pesticides to be used on state owned property that are not toxic to pollinators.

While nothing is excluded, it generally only entails pesticides used for aesthetic purposes. No movement yet, hearings to be held February 18 and March 5.

SB0815 (no companion Bill listed) - Altering certain provisions of law regarding the prohibition on certain departments of State government denying an occupational license or certificate to an applicant solely based on the criminal history of the applicant by prohibiting the Maryland Department of Labor from requiring disclosure of certain actions on an application.

SB0345/HB0386 - Requiring, by January 1, 2026, the Department of Agriculture to develop and maintain a list of certain registered pesticides that list PFAS chemicals as

an active ingredient on the labeling accompanying the pesticide; prohibiting, beginning June 1, 2026, a person from using, for certain purposes, PFAS pesticides listed by the Department; prohibiting, beginning June 1, 2028, a person from using PFAS pesticides in the State; etc.

Maryland is using the 1 fluorinated carbon molecule definition. This will affect 60 plus pesticide active ingredients or around 1,090 pesticide products. Many mainstream products such as Bifenthrin, Fipronil and more than 40% of soybean herbicides and several Ag and T/O fungicides and insecticides

Hearings were on February 12 and 18. as well.

Fee Bill – Zero movement on this. As stated in previous reports, 85% of Pesticide Regulation Budget is Special funds (fees from licensing, certification, registered employees, etc.). We do not register pesticides. We have not increased our fees since 2003. Without passage, budget does not look good past SFY 2026. The Governor's

Office did not green light this and told MDA to shop around for a sponsor.

May 14, 2025, update: The House Bill was amended to add additional time for compliance and would (more or less) change the definition to more align with EPA's, dropping the number of pesticides affected from 1,000 to about 43. Advocacy groups stated that was not acceptable and dropped all support. Bill never was voted on in the Senate and therefore did not pass.

Pennsylvania (as of March 10, 2025)

- **Staffing:** Dave Husner has joined us as the new Division Chief for Health and Safety, replacing Jessica Lenker. Dave comes from within working from a plant inspector to running the feed and fertilizer programs in Pa.
- **Funding:** The pesticide program is supported by a combination of funding sources: general state funds; fees for pesticide licenses and registrations which are placed in a restricted fund for program use; and grants and cooperative agreements. This combination of funding sources continues to provide stable funding for the program.

There are concerns with the Federal budget and the freezing of federal funds but should be able to continue without federal funding for a small amount of time.

- **Enforcement:** The PDA Enforcement Program continues to provide a strong enforcement presence while at the same time promoting education and compliance assistance during inspection opportunities. Civil penalty assessments have continued and are an effective enforcement tool. For the first eight months of FFY2024-25, 97 actions were taken with 38 Notices of Proposed Civil Penalty and 59 Notices of Warning/Request for Compliance.

We just recently started an e-market place inspection program that found several unregistered pesticides being offered for sale into Pennsylvania. So far nine “virtual marketplace inspections” have been submitted for review. No Stop Sale, Use, or Removal Orders have been issued so far.

- **Pollinators**: We have only had one bee related case since July 1, 2024, that resulted in an enforcement action, and it is still an open case. It's one of the drift investigations involved with the license revocation.
- **Worker Protection Standard**: PDA continues to contract with the Pennsylvania Office of Rural Health (PORH) to provide WPS compliance assistance to all Pennsylvania growers. PDA Staff continues to provide support to the MANTS trade show regarding the WPS program.
- **Pesticide Product Registration**: The sale and use of pesticide products in the Commonwealth of Pennsylvania must comply with both state and federal law. The PDA registers nearly 15,000 pesticides for use and distribution in the state. The United States Environmental Protection Agency (EPA) allows some pesticide products, which meet very specific criteria, to be sold and used without federal registration as "reduced risk pesticides." However, the Pennsylvania Pesticide Control Act does not provide an exemption for "minimum risk pesticides" and therefore "minimum risk pesticides" must be state registered in Pennsylvania.
- **Certification & Training**: PDA is currently working to update the Pesticide Rules and Regulations to accommodate the updated EPA Certification and Training Rule. Although there are not many changes needed to meet the actual requirements, our regulation may need to be expanded significantly with additional language to satisfy EPA's requirement as to what needs to be stated in regulation. Additionally, we are taking a close look at current regulations to determine where additional changes should be made to better serve the Commonwealth.

PDA continues the process to transition category exams to closed book status. As category exams or study materials are revised, the process to change previously open book exams to closed book status is put in place. Currently, 22 of our 28 exams have been transitioned to a closed book exam.

Number of applicators are mostly holding steady. We are seeing unique renewal patterns across the board of all pesticide licenses including private applicators, commercial applicators, registered technicians, and pesticide businesses. It is hard to tell if the change in renewal patterns is due to COVID or general demographic shifts.

In addition to inspector administered exams, PDA is working with Metro Institute to provide computer-based testing at several locations throughout the Commonwealth. Currently only closed book exams are offered through third party locations.

Currently, there are no plans to take pesticide certification exams to an online platform, however we are keeping an eye on the technology progress with online exams.

- **Water Quality-Groundwater Monitoring**: A five-year Joint Funding Agreement continues with USGS and running through December 2026 with a focus on sampling and analysis in the most vulnerable settings in PA. USGS samples 30 wells each season with additional wells repeated the following season if higher levels of pesticides were detected. PDA has

added to the five-year agreement sampling for PFAS at 10 sites each season since this is a chemical complex of major concern.

Areas sampled for 2024 include both Glaciated Pittsburgh Plateau siliclastic and the Northwestern Glaciated surficial hydrogeologic settings. We have not received our 2024 sampling results. PDA will continue to evaluate the fifty-seven EPA pesticides of interest (POI) and their degradates. USGS continues to use schedule 2437 for our samples.

- **CHEMSWEEP Waste Pesticide Disposal Program:** PDA continues to support the waste pesticide disposal stewardship program. 2024 activities included:
 - Farm-to-farm collections in 17 counties totaling 43,702 pounds.
 - 18 counties holding 24 Household Hazardous Waste (HHW) events collecting 94,711 pounds of homeowner pesticides. HHW pesticide collected has increased 160 percent from 2022, mostly from additional counties requesting support and more urban counties being included. As a result, PDA has increased funding for these events.
 - Total of 138,413 pounds collected for the 2024 season.

For 2025, 15 counties are included for farm-to-farm collections and there are 43 HHW events scheduled to be conducted by 19 counties. PDA has sent 5,668 ChemSweep announcements to applicators and businesses with collections to begin in June.

PDA has signed a new 5-year contract with MXI.

- **Plastic Pesticide Container Recycling Program (PPCR):** PDA continues to offer the PPCR program to the agricultural and professional pesticide application industries. Single-use jugs and drums are collected and granulated from 151 locations across Pennsylvania. In 2024 PDA granulated 87,800 pounds of pesticide containers. Granulated plastic is sold to help offset operating costs.

Virginia(as of March 10, 2025)

- **Legislative Update:** VDACS submitted a proposal for consideration by the 2025 General Assembly to grant VDACS the right to enter any public or private premises where it is necessary to conduct routine inspections and investigations of allegations related to compliance with the Pesticide Control Act (Act) and if refused, warrant authority. Ultimately, it was decided that the proposal would not be considered during the 2025 session. VDACS intends to propose again for the 2026 General Assembly Session.

During the 2025 General Assembly, legislation was introduced that would require any commercial or private applicator performing an aerial pesticide application to submit prior notice.

Aerial pesticide application; Virginia Pollinator Protection Strategy; civil penalty. Requires any commercial or private pesticide applicator performing an aerial pesticide application, as defined in the bill, to submit certain relevant information to the Department of Agriculture and Consumer Services and to certain beekeepers located within a five-mile radius no less than five days prior to such application. The bill provides that any commercial applicator or private applicator who violates the provisions of the bill is subject to a civil penalty of \$500 for a first offense and \$2,500 for each additional offense. The bill requires the Department to post and maintain on its website certain information related to aerial pesticide applications and allows any aggrieved person to institute a proceeding for injunction or mandamus against any

person or agency that has engaged, is engaged, or is about to engage in any acts or practices in violation of the provisions of the bill. The bill also requires the Virginia Pollinator Protection Strategy plan to support awareness among beekeepers and the general public of proposed aerial pesticide applications submitted to the Department and posted on its website.

This bill was passed by indefinitely.

- **Regulatory Update:** CT Plan...A draft of proposed amendments to the regulations to meet the requirements of the finalized revisions to the federal Certification of Pesticide Applicators were presented to and approved by the Board of Agriculture and Consumer Services at the July 2024 meeting. The proposed text was provided to EPA for review and comment on July 16, 2024, with comments reviewed and considered. VDACS submitted the proposed regulations to Virginia's Regulatory Town Hall within 180 days of the closure of the NOIRA public comment period to initiate the Executive Branch Review. Executive Branch review is currently in progress.
- **Personnel:** Michelle Lee was promoted to Senior Compliance Officer on January 25, 2025. Her previous position, Compliance Specialist III is now vacant. Recruitment is underway and is anticipated to be filled by April 2025. Recruitment is also underway for an executive secretary position anticipated to be filled by April 2025. Enforcement: Sue Odom transferred to an investigator position in North Region (previously held by Kasey Chambers) effective November 25, 2024. CLRT: With Sue Odom's transfer, the Worker Safety Coordinator position is now vacant. This position is currently being re-evaluated to better address staffing needs. Another vacant FTE position expected to be filled by next month.
- **Certification, License, Registration & Training:** Lower fees became effective January 2, 2025. New fee structure:
 - Commercial applicator fee reduced to \$25 from \$100.
 - Registered technician fee reduced to \$25 from \$50.
 - Business license fee reduced to \$75 from \$150.
 - Commercial applicator certification reexamination fee reduced to \$25 from \$100.
 - Add a commercial applicator category or subcategory fee reduced to \$25 from \$35.
 - Product Registration fee remains unchanged (\$225)

Staff reviewed and approved 134 recertification courses. Staff also monitored and provided outreach at 72 of those courses.

- **Enforcement & Compliance:** For FY25 Midyear, Field Staff conducted 2,370 routine inspections and related activities and initiated 162 investigations, including complaints, incidents, accidents, and related activities throughout Virginia. In addition, VDACS assessed 19 civil penalties totaling \$11,040; and 14 letters of caution. These were contained within 36 unique cases.
- **Environmental Stewardship Programs**
 - **Pollinator Protection** - Continued to support FieldWatch's online communication tools used to facilitate communication between beekeepers and

pesticide applicators as part of *Virginia's Voluntary Plan to Mitigate the Risk of Pesticides to Managed Pollinators* (Plan). Virginia now has 2,409 apiaries mapped and 4,880 beehives (BeeCheck). In addition, 422 applicators have registered in Virginia (FieldCheck). Information on FieldWatch continues to be available on the agency website and included in the required pesticide regulatory updates at applicator recertification courses. The Plan also includes best management practices that may be implemented by beekeepers, applicators, and landowners to reduce pollinators' exposure to pesticides.

- Pesticide Collection Program – For CY25, the Pesticide Collection Program is scheduled to be held in Southeast Virginia. It is anticipated there will be a total of 6 collection events during the month of August. The sites details will be published during the upcoming Spring weeks. During CY24 a total of 73,080 pounds were collected in Southwest Virginia, making a grand total of 1.9 million pounds of pesticides since program inception.

West Virginia (as of March 10, 2025)

- **Personnel**

Jack Piekarski was hired in January for the vacant Pesticide Regulatory Officer position in Teays Valley. Currently fully staffed.

- **CT Plan**

Revised Rules became effective April 15, 2024.

- 61CSR12 A Certified Pesticide Applicator Rule
- 61CSR12B Licensing of Pesticide Businesses

Implementation goals...

Proctored Exams for Private Applicators started January 1, 2025.

Categories updated by July 1, 2025 (WVPlants programming).

- **WV Plants**

Renewal season is November 1- April 01 for Pesticide Business/Dealer/Applicator/Technician licensing/Products. Miscellaneous categories have been added to CSR and will be updated in WVPlants Program. Currently working with Acclaim to on programming and testing.

- **WPS Outreach and Ag Safety Days**

WPS outreach continues statewide. Ag Health and Safety Coordinator has been training and contacting growers to offer site visits to determine compliance and to provide all WPS required training including respiratory protection and farm equipment safety training. An Ag Safety Days event hosted on February 4th-6th with 100 total attendees. To date, a total of 33 workers and 17 handlers have been WPS trained. Ag Health and Safety Coordinator is now a CPR/First Aid/AED instructor.

- **Plastic Pesticide Container Recycling**

9 sites available for collecting plastic pesticide containers for recycling. WVDA has purchased and rented sea containers set up at WVDA field offices, grower locations, custom applicator sites and golf courses.

- 2024- 5740 lbs. of plastic recycled
- WVDA continues traveling to sites to give proper rinsing training with growers. This has drastically reduced rejection rate from Ag Plastic Solutions.

- **Waste and Unwanted Pesticides**

7,330 lbs. of liquid and 8,589 lbs. of dry waste pesticides collected to date during 4 collection events in 2024.

- **Endangered Species Act**

Will include ESA presentation provided by region 3 at grower meetings and recertification trainings. Nutrient Management Program to add three new Nutrient Management Specialists to write plans in the Ohio River watershed. This will provide opportunities for ESA training and ensure conservation practices are in place for growers needing to comply with ESA labeling.

- **Inspections and Enforcement**

No bee kill investigations during FY 2024. Most common violations are IPM in schools and day care centers.

Noteworthy enforcement action- unlicensed applicator operating without certification for 15 months was fined \$32,400.

Next Meeting – The Region 3 Spring Pre-SFIREG Meeting is scheduled for November 12-13, 2025. The meeting will be held at the EPA Region 3 office in Philadelphia, PA.

Frank Schneider is filling in at the SFIREG representative for the June 2025 meeting. The current representation will be filled by Pennsylvania Pesticide Program Administrator, Dave Husner, who will serve through June 30, 2026.