

April 22, 2012

Chair and OPM Task Force,

I would like to comment on the proposed regulatory changes discussed at the April 18, 2012 OPM (Office of Pest Management) Task Force meeting. You will find a video of the meeting at:

<http://its-our-turn.com/OpmTaskForce.html>

and I will reference the time stamps in the video so you can conveniently go back and listen to everything that was said.

The meeting started off with a discussion the issue of the ground water protection from the standpoint of record keeping and reporting requirements at 0:06:17. The Arizona Department of Environmental Quality's (ADEQ) pesticide page lists the areas that require reporting and none of those areas concern structural pest control, including right-of-way and golf courses.

Currently there are no reporting requirements for homeowners or the structural pest control industry. However, at least some of the products listed on the ADEQ's ground water protection list are commonly used by both groups and never reported. One example is the termiticide Premise with the active ingredient Imidacloprid.

The issue raised is that if homeowners and the structural pest control industry are using significant amounts of these pesticides and these pesticides are detected in monitoring wells, it might have an adverse affect on pesticide registration and pesticide availability for agriculture. The data may falsely indicate higher potential harm due to significant under reporting.

The second issue raised is the high overhead from just the sheer number of separate applications when compared to agriculture.

At 0:46:18 starts the review of the statutory language.

The OPM Task Force is moving in the direction of trying to keep the QP under all possible conditions. Its-Our-Turn.com is opposed to such regulations for the reasons stated in our white paper titled Responsible Parties in Pest Control. I will also note that 47 petitions have been sent in to the OPM Task Force against requiring QPs when only unrestricted pesticides are used. Further, 54 petitions have been sent to the OPM Task Force against arbitrary experience requirements for QPs.

1:15:50 John Boelts goes on about QPs and what they should do. At 1:21:15, he mentions being perplexed at being back to the same place the task force started at and at maintaining the status quo. Assigning responsibility to a person who only has to show up once a month is not reasonable. John, you need to be more assertive -

don't get sucked up into the power hog think that has plagued our industry for 30 years. Don't let them bully you into something you know is not right. Look at the petitions you have been receiving. These petitioners want a legitimate business model and rational regulations to match. Stand up for doing the right thing.

At 1:49:30 the discussion moved on to verification of experience. We think there should be no experience requirements - comprehensive testing should be used to determine if someone is qualified. So there should be no requirement to verify experience. It appeared that Jack Peterson's suggestion that hours be verified for the QP was resoundingly defeted. Good.

At 2:05:30, Andrew Witcher, President of AzPPO stood up to provide a summary of the AzPPO Town Hall meetings held in Chandler and Tucson on March 29th and 30th, respectively. Previously, AzPPO had published the summary on their web site and sent out a summary on April 3, 2012. Andrew got the dates of the Town Hall meetings wrong, but that is not the worst of his transgressions.

Two significant items should be mentioned. First, the summary said that roughly 65 people had attended the Town Hall meetings - roughly 15 people at the Chandler Town Hall meeting and 50 at the Tucson Town Hall meeting. Saying that 50 people showed up for the Tucson Town Hall is pure fantasy. There was no break between Jack Peterson's presentation and the Town Hall meeting - they were simply run together without even a pause and so no one was given the opportunity to get up and leave. With theater seating, the people away from the isles were blocked from leaving by the people closer to the isles. It was clear that the vast majority of the people in the room at the time the meeting started did not want to be there and that was a convenient excuse to quickly end the meeting - before it was scheduled to start.

Second, at 2:07:32, Andrew states: "In fact I would say it is probably safe to conclude that at both locations there was unanimous consent that the \$8 dollar TARF fee is [??]." This clearly never happened Andrew - listen to the Tucson Town Hall meeting video. The word TARF was never mentioned during the Tucson Town Hall meeting - so how could there be unanimous consent related to TARFs? It was just as much a fabrication as the summary posted on the AzPPO web site and the summery sent out to your mailing list two weeks earlier.

Chairman Jack Peterson made no attempt to correct Andrew's misstatements even though Jack knew the statements were false - after all, Jack was there. Jack and the rest of the OPM Task Force was sent an e-mail on April 9, 2012 documenting that there was no mention of TARFs at the Tucson Town Hall meeting. Shame on you Jack.

By the way, there have now been 58 petitions sent to the OPM Task Force asking the OPM Task Force to abolish the TARF system and database. Oh, but wait. These 58 independent thinkers are not part of the AzPPO cronies pushing the AzPPO agenda. So Jack, does that mean you do not have to listen to them? Soon we will have more signed petitions than AzPPO has paid members. Will you listen to us then, Jack?

Sincerely,

Phyllis M. Farenga  
Its-Our-Turn.com