

**MINUTES OF THE MEETING OF THE
STRUCTURAL PEST CONTROL BOARD**

The Meeting was held July 14, 2016, at the Department of Consumer Affairs,
Hearing Room, 2005 Evergreen Street, Sacramento, California.

Board Members Present:

Curtis Good, Vice President
Ronna Brand
Naresh Duggal
Mike Duran
Darren Van Steenwyk

Board Members Absent:

Dave Tamayo

Board Staff Present:

Susan Saylor, Executive Officer
Robert Lucas, Assistant Executive Officer
David Skelton, Administrative Analyst

Departmental Staff Present:

Frederic Chan-You, Legal Counsel

ROLL CALL / ESTABLISHMENT OF QUORUM

Mr. Good called the meeting to order and Ms. Saylor called roll.

Board members Good, Brand, Duggal, Duran, and Van Steenwyk were present.

Board member Dave Tamayo was absent.

A quorum of the Board was established.

FLAG SALUTE / PLEDGE OF ALLEGIANCE

Mr. Good led everyone in the flag salute and recitation of Pledge of Allegiance.

Mr. Good announced Mr. Van Steenwyk as a new Board member and welcomed him.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Jim Truslow and Jeremy Davis, BASF, spoke about a new product being offered by BASF that significantly reduces water usage and more precisely measures the volume of pesticides that are used in the treatment of wood destroying organisms.

There were no other comments from the public for items not on the agenda.

APPROVAL OF MINUTES OF THE APRIL 6 & 7, 2016 BOARD MEETING

Mr. Duran moved and Mr. Van Steenwyk seconded to approve the minutes of the April 6 & 7, 2016 Board Meeting. Passed unanimously. (AYES: GOOD, BRAND, DUGGAL, DURAN, VAN STEENWYK. NOES: NONE. ABSTENTIONS: NONE.)

EXECUTIVE OFFICER'S REPORT

Ms. Saylor reported to the Board on licensing and enforcement survey results and statistics, CAC training, examination statistics, staffing changes, WDO statistics, examination development, the Board specialist examination, and provided regulatory and legislative updates.

Ms. Saylor stated that due to various circumstances the Board has experienced some staffing changes recently and that she wanted to thank and congratulate Board staff on the great job they've done managing the workload while being understaffed.

Mr. Good stated that the passing rates for the licensing examinations have improved.

Ms. Saylor stated that the passing rates shown in the Board materials were for May, 2016 and that the passing rates for June, 2016 were even better.

Mr. Good inquired about turnaround times for applicants to schedule an exam.

Ms. Saylor stated that PSI has 5 days to find an applicant a place to take their examination and that the Board has no backlog in processing applications.

Ms. Saylor updated the Board on the status of various regulations and stated that a 15 Day Notice of Modified Text was issued for the Board's Application Form Revision proposal which affects CCR sections 1936, 1936.1, and 1936.2 and the Board's license application forms.

Mr. Chan-You stated that the Board has not yet granted authority for the Executive Officer to make technical or non-substantive changes to the Application Form Revision regulatory proposal and recommended that the Board do so if it were so inclined.

Mr. Duran moved and Mr. Van Steenwyk seconded to grant authority to the Executive Officer to make technical or non-substantive changes to the Application Form Revision

regulatory proposal. Passed unanimously. (AYES: GOOD, BRAND, DUGGAL, DURAN, VAN STEENWYK. NOES: NONE. ABSTENTIONS: NONE.)

BOARD DISCUSSION AND POSSIBLE POSITION ON ASSEMBLY BILL 2596 TO PROHIBIT THE USE OF SPECIFIED ANTICOAGULANTS IN CALIFORNIA

Mr. Good stated that AB-2596, which proposes to ban anti-coagulant rodenticides in California has twice had hearings cancelled at the request of the author, Assemblyman Bloom. Mr. Good further stated that while AB-2596 raises important issues about the environmental impacts of pesticide misuse, a total ban would remove an important tool the industry uses to do its job. Mr. Good asked Mr. Van Steenwyk, who is chairing a committee on the topic for the Pest Control Operators of California (PCOC) to speak about the issues surrounding AB-2596.

Mr. Van Steenwyk stated that PCOC is in the process of developing educational programs and online training to highlight the negative impacts of rodenticide misuse.

Jim Steed, Neighborly Pest Management, stated that PCOC members have been in constant contact with Assemblyman Bloom's office and are trying to have a discussion and find common ground with the Bill's sponsor but so far they are not interested in having a discussion. Mr. Steed further stated that PCOC is currently preparing to argue against a ban of anti-coagulant rodenticides.

Mr. Duggal suggested making an effort to educate the author as to where the misuse of rodenticides most often occurs.

Baron McDonald, Clark Pest Control, stated that banning anti-coagulant rodenticides would make it extremely difficult for pest control operators to effectively control rodents and would likely lead to an increase in their population.

CONSIDERATION AND POSSIBLE BOARD ACTION TO CONSIDER SEEKING AN AMENDMENT TO BUSINESS AND PROFESSIONS (B&P) CODE SECTION 8621 IN ORDER TO EXTEND THE LENGTH OF TIME FOR THE BOARD TO TAKE FORMAL ACTION ON A COMPLAINT

Mr. Chan-You stated that he has reviewed staff's recommended changes to B&P Code section 8621 and does not have any problem with them.

Mr. Van Steenwyk asked Mr. Chan-You to define "gross negligence".

Mr. Chan-You stated that gross negligence is when a licensee acts in a manner which would be below the standard of care.

Mr. Duggal stated that gross negligence is unintentional or intentional conduct that results in great harm to the consumer.

Mr. Van Steenwyk moved and Mr. Duran seconded to approve the changes to B&P Code section 8621 and for the Executive Officer to seek an author to implement them. Passed unanimously. (AYES: GOOD, BRAND, DUGGAL, DURAN, VAN STEENWYK. NOES: NONE. ABSTENTIONS: NONE.)

DISCUSSION AND POSSIBLE BOARD ACTION TO AMEND TITLE 16, CCR SECTION 1920 TO UPDATE NOTIFICATION REQUIREMENTS PERTAINING TO INFORMAL CONFERENCES

Ms. Saylor presented the recommended changes to CCR section 1920 to extend the time period for the Board to notify a licensee of the result of an informal conference from 10 to 30 days.

Mr. Good stated that the extra time is needed.

Mr. Duran moved and Ms. Brand seconded to approve the changes to CCR section 1920 and for staff to begin the rulemaking process with the authority for the Executive Officer to make any necessary technical or non-substantive changes during the process. Passed unanimously. (AYES: GOOD, BRAND, DUGGAL, DURAN, VAN STEENWYK. NOES: NONE. ABSTENTIONS: NONE.)

BOARD CALENDAR

The following 4 meetings were scheduled for October 12 & 13, 2016 in Sacramento, January 11 & 12, 2017 in San Diego, April 5 & 6, 2017 in Sacramento, and July 12 & 13, 2017 at a location to be determined in southern California.

The July 12 & 13, 2017 meeting was tentatively scheduled for southern California pending the availability of a venue that could offer the state rate. If no such venue is found the meeting will be relocated to Sacramento.

FUTURE AGENDA ITEMS

Mr. Duggal requested a future agenda item to discuss the Research Fund.

Mr. Steed requested a future agenda item to discuss CCR section 1914.

PETITION FOR REINSTATEMENT
RYAN CHRISTOPHER VAN VELZER / FR 35866 / BRANCHES 2 & 3

Administrative Law Judge Ed Washington sat with the Board to hear the Petition for Reinstatement for Ryan Christopher Van Velzer, Field Representative License Number 35866. Mr. Van Velzer was informed that he would be notified by mail of the Board's decision.

CLOSED SESSION

Pursuant to subdivision (c) (3) of section 11126 of the Government Code, the Board met in closed session to consider proposed disciplinary actions, stipulated settlements, and petitions for modification / termination of probation and reinstatement.

Return to Open Session

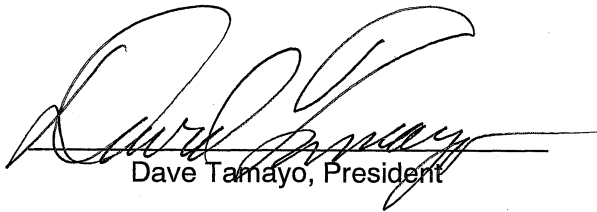
EXECUTIVE OFFICER'S REPORT (cont.)

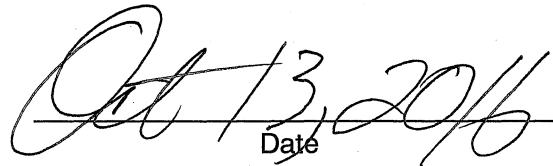
Mr. Chan-You presented the Board with copies of the 15 Day Notice of Modified Text from the Application Form Revision regulatory proposal for CCR sections 1936, 1936.1, and 1936.2 so they could review the modified forms.

Mr. Van Steenwyk moved and Mr. Duran seconded to approve the modified text shown in the 15 Day Notice of Modified Text within the Application Form Revision regulatory proposal for CCR sections 1936, 1936.1, and 1936.2. Passed unanimously. (AYES: GOOD, BRAND, DUGGAL, DURAN, VAN STEENWYK. NOES: NONE. ABSTENTIONS: NONE.)

ADJOURNMENT

The meeting adjourned at 12:55 P.M.


Dave Tamayo, President


Date