

Meeting Minutes – September 17, 2014

Illinois Structural Pest Control Advisory Council (SPCAC)

General Meeting Information

A meeting of the Illinois Structural Pest Control Advisory Council was held on September 17, 2014. The meeting was held at the Illinois Department of Public Health (IDPH), 525 W. Jefferson, in Springfield, Illinois.

Participants and SPCAC Members Present

Subcommittee Members Present:

- Chris Haggerty, American Pest Control
- Cynthia Stricker, Archer Daniels Midland (ADM)
- Eric Ruesken, Arab Termite & Pest Control
- Ruth Kerzee, Midwest Pesticide Action Center (MPAC)
- Scott Beckerman, United States Department of Agriculture (USDA)
- Dr. Susan Ratcliffe, North Central IPM Center
- Warren Goetsch, Illinois Department of Agriculture (IDA)

Subcommittee Members Not Present:

- Gary Pietrucha, Envirosafe Pest Management Inc.

IDPH Representatives Present:

- Dr. Curt Colwell, Division of Environmental Health

Guests Present:

- Diane Kiddoo, University of Illinois

SPCAC Meeting Summary

- Dr. Curt Colwell, acting as Chairman designee for Ken McCann, called the meeting to order after determining a quorum would be present.
- Approval was sought for the Minutes of the Council's meeting of April 8, 2014. The Minutes were unanimously approved.

- Discussion of the first item of New Business, the Chicago Bed Bug Ordinance, was tabled do to the absence of the Council member Gary Pietrucha, the intended presenter.
- Dr. Curt Colwell congratulated and welcomed the Council's two new Governor-appointed members: Cynthia Stricker of Archer Daniels Midland, representing the food industry, and Ruth Kerzee of the Midwest Pesticide Action Center, representing the general public. Colwell then noted the recent resignations of two Council members, Joe Kath of IDNR, the wildlife/conservation/environmental organization representative, and Michael Boyle of the Grundy County Health Department, representing local health departments. Two resumes were circulated, offered by persons interested in representing the local health departments. Colwell solicited members for nominations for both open positions. It was determined that members would circulate the resumes of potential candidates for consideration, and that final decisions of who to nominate for the positions would be made at the Council's next meeting.
- Colwell next reported a decrease in passing percentages for most of the IDPH Structural Pest Control Program's (SPCP) certification examinations, despite the newly created General Standards Manual and Bird Control Manual, and the revised list of recommended study materials – all available for download from the SPCP website. It was believed the new General Standards Manual would make the entry-level certification exam easier and less expensive to study for. But the decrease in passing percentage since the new Manual and exam were implemented remained a conundrum. Colwell offered that the industry was still unaware of the existence of the new Manual and exam, and continuing to focus study on the former recommended materials and exam that were phased out as of March 2014. Eric Ruesken corroborated this, stating that at the recent conference of the Illinois Pest Control Association (IPCA), Colwell had asked the audience of over 100 for a show of hands of those who were aware there was a new General Standards Manual and a new exam. Only 2 or 3 persons raised their hands. Thus it seemed that word of the change had not yet circulated. Colwell said he had asked the SPCP administrative assistant, who incidentally received an award at the IPCA conference for distinguished service to the pest control industry, to insert an announcement in the letters sent to examinees confirming their exam date. Colwell said he would make sure this was done. Chris Haggerty believed the IPCA could help get the word out as well, but that its efforts might only reach about half of all pest control professionals in the State.

Scott Beckerman commented on the lowered passing rates of some of the subcategory exams, offering that the lower rates should not be of concern because not everyone is expected to pass – if so, there would be no significance in obtaining certification. Beckerman said he would not want to hire someone or have someone using pesticides if they were unable to pass the exams. He noted that passing the subcategory exams should required more study and knowledge than passing the General Standards exam. Other members added that subcategory exams were largely unnecessary because they

were meant to enable persons to use restricted-use pesticides, whereas no restricted-use pesticides remain in use for most of the subcategories.

A guest, Diane Kiddoo, felt that a sample test might be very instructive for examinees and improve passing rates for the General Standards exam. Dr. Susan Ratcliffe asked if training might be provided prior to examination, commenting that the University of Illinois (U of I) extension might not be opposed to helping with such training. She also asked if a video might be made to serve this purpose, one that would be available on-line. Warren Goetsch said that his department (IDA) was producing a similar video through the State's Central Management Systems. He said it remained unfinished, but was an inexpensive undertaking. Colwell said he would discuss these ideas further with Ratcliffe and Goetsch, but that Ms. Kiddoo's idea of making a sample General Standards exam available on the SPCP website was probably the most immediately doable suggestion.

Along with the passing rate information, Colwell circulated a pie graph characterizing the Program's citations for violations of the Structural Pest Control Act and Code, citations made by IDPH personnel over the present Federal Fiscal Year 2014. The violations generated questions from the Council, answered by Colwell, regarding exactly what types of violations were counted in each category, i.e., which types of violations were cited most commonly. Next Colwell referred the Council to graphs depicting the Program's progress in gaining the compliance of public schools and day care centers with the State's Integrated Pest Management (IPM) regulations. School compliance had gone from 82 percent to 99 percent, while day care compliance had improved from 60 percent to 92 percent between 2011 and 2014. Colwell cautioned that while this was a significant improvement, achieved only after great expenditure of time and effort, that "compliance" here meant the facilities had simply submitted the 2-page IPM form they were required to file with the Department. It did not, however, mean that any of the facilities were actually implementing the principles of IPM in their pest control operations – or that they even knew what IPM was. Dr. Ratcliffe agreed with the assessment, commenting how the law's intent had really not been met at many facilities. Colwell went on to say it was ironic that schools and daycares that had opted not to implement IPM (as allowed by the regulations) and were therefore required to attend a Department-approved IPM Seminar, probably knew more about IPM after attending the seminar than the staff of facilities that had declared they were implementing IPM (and were therefore not required to attend the IPM Seminar).

Colwell thanked Dr. Ratcliffe for the two IPM Seminars presented in 2014, as well as Chris Haggerty, Gary Pietrucha and James Hockenyos – pest management professionals who along with Colwell had also helped deliver the Seminars. Dr. Ratcliffe related that she would, unfortunately, not be able to continue her level of involvement in future seminars, due to increased demands on her time as Center director and a decrease in the U of I's IPM budget. She hoped that an understudy could replace her in this endeavor, but said that that too was presently in doubt due to

the budget shortfall. Chris Haggerty said the IPCA might entertain the notion of sponsoring the IPM Seminars for 2015. Colwell said he regretted the Department had had no money for its IPM Program since 2012, when it operated with a small grant from the Environmental Protection Agency to conduct several seminars. He stated that he had nevertheless devoted much time to IPM since then and would continue to do so, but that the Department could not be expected to sponsor IPM Seminars in 2015.

- Dr. Susan Ratcliffe introduced invited guest Diane Kiddoo of the University of Illinois. Kiddoo explained how she had done 3 *pro bono* bed bug treatments intending to help low-income residents who could not afford the high cost of professional bed bug control. She, along with Ratcliffe and Colwell, had been thinking of creating a not-for-profit entity that might serve the purpose of controlling bed bugs where they are not being controlled – and where they are spreading from – due to residents' inability to pay for professional control. Such residents needed to first be identified, according to Ratcliffe and Kiddoo. Secondly, many would require help to prepare their units for treatment, and in learning how to help prevent acquiring and spreading bed bugs. Finally, some means of providing bed bug treatment to the individuals' residences would need to be developed. Chris Haggerty explained how his company, for example, was already stretched thin with offering reduced-price bed bug services to the needy, such that it had no ability to make additional offers. Ratcliffe said that the United Way had expressed interest in collecting donations and funneling them to another organization that might implement the funds in the manner that Kiddoo and Ratcliffe envisioned. Ruth Kerzee mentioned that her Midwest Pesticide Action Center had held training for building managers, educating them on bed bug control procedures, to enable pest management to spend more time servicing bed bug accounts rather than repeating the same information to each building manager they encountered. Kiddoo, Ratcliffe and Kerzee agreed to confer at a later date on the possibilities of setting up such a program to help low-income persons battle bed bugs.
- Lastly, Colwell opened discussion of proposed changes to the Structural Pest Control Code. In reference to the proposal to eliminate the Department's Institutional and Multi-Unit Residential subcategory of technician certification, due to a general lack of industry participation in obtaining that certification, Ruth Kerzee asked if there could be a bed bug subcategory. She advised that many of her clients wanted to confirm that the technician treating for bed bugs was educated and trained to do so. She said, at present, there seemed no way to confirm if a particular technician was capable of managing bed bugs, as the present certification categories were not applicable. Colwell advised that he had thought of revising the Public Health Pest Control subcategory in response to the bed bug epidemic, to incorporate questions about bed bug management along with those covering mosquitoes, ticks, etc. As such the Public Health subcategory might essentially be examined more frequently by pest control professionals seeking to certify their competence in bed bug management. Kerzee agreed that such a revision would be beneficial.

In other discussion of the proposed rules, Chris Haggerty disagreed with the proposal to require technicians living more than 2 hours away from their licensed pest control business location to obtain a separate business license for their residence. Haggerty wanted clarification on the pesticide storage obligations of such remotely operating technicians, and moreover contended that all technicians essentially worked out of their homes. Colwell explained that pesticide storage was not of concern in this instance. He said the proposed rule was intended to further prevent companies from having an Illinois-licensed location outside of Illinois, e.g., Kentucky, and then simply hiring technicians across Illinois to work out of their homes, rarely if ever reporting to the licensed location. He said that the regulations currently prevented this, but the language could be clarified by the proposed amendment. Susan Ratcliffe said that the 2-hour rule would be arbitrary, and that drawing such a line might not be advisable. Colwell agreed that 2-hours was arbitrary, though it could be increased or decreased to suit. However, in deference to the Council members' objections, he offered to withdraw this license-requiring change to the Code.

Chris Haggerty questioned another proposed Code change requiring employers to keep on-the-job training (OJT) records of their technicians until the employee is no longer employed. Haggerty said he understood the possible advantage of keeping OJT records longer, but the form those records should take was not adequately specified in the Code. Colwell agreed and gave his interpretation of the Code section requiring that 2 jobs be done of every "type" and "type of pesticide" the employee would be expected to do once trained and working solo. He said that the type of job would apply to the site, e.g., the trainee might be required to be directly supervised on jobs done at a restaurant, a health care facility, and a school or daycare, for example. He said "type of pesticide" would refer to pesticide formulations, not brands or classes of pesticides. Haggerty asked if a matrix could be developed to advise companies more specifically on their OJT records obligations. Colwell said he would be able to issue a guideline on the subject, but asked Haggerty and Eric Ruesken to supply him with a list of their most common account sites, to help determine which sites were most pertinent to OJT training. Meanwhile, Scott Beckerman suggested that this proposal be modified to required employers to keep OJT records as long as the employee remained employed by them – *or until that employee became certified*. Colwell agreed to modify the proposal as such.

Finally, Haggerty asked about the proposal to change the fine for operating without a license from a Type A to a Type B. Colwell said that changing to a Type B would give the Program greater ability to deal with specific cases in which companies or individuals were found to be operating without a license. He explained that unlicensed operation violations were most commonly cited when a company: 1) simply "forgot" to renew its license due to a clerical error, e.g., 2) did not realize a structural pest control license was required, or, 3) purposely chose to operate without a license despite knowing one was required. In each situation, Colwell stated, a different level of enforcement is called for, and changing the fine to Type B would allow consideration on a case-by-case basis, assessing larger fines for the more

egregious violators, and lesser fines to those who simply failed to renew their license but had always done so in the past. Sensing a general consensus regarding this proposed Code change, Warren Goetsch suggested that a vote be taken to approve or disapprove the proposed rule changes plus the two changes Colwell had agreed to make in response to the Council's concerns. A vote was taken, and the Council approved unanimously.

- With no further comments regarding New Business, Dr. Colwell advised the next Council meeting would probably take place in February or March of 2015. The meeting was adjourned.