To our Readers:

July 1st signals the beginning of a new fiscal year, FY88—truly a benchmark year for the Bureau and pesticide use management in the Commonwealth.

We are committed to our policy of decreasing public exposure to pesticides, so I want to take this opportunity to sketch our general goals for the upcoming fiscal year:

--To develop comprehensive management strategies to minimize risk of adverse health or environmental effects from pesticides.
--To reduce reliance on pesticide use in Massachusetts.
--To increase compliance with the law.
--To increase the quality of scientific assessments related to registration decisions and regulatory action.

In the coming fiscal year, the program will work toward these goals by through the following priorities:

1- Establish a task force to evaluate the certification and training program and recommend any changes, if needed, to the Commissioner.
2- Finalize the Groundwater Protection Strategy.
3- Organize a conference on Integrated Pest Management.
4- Finalize the proposal for a consumer education campaign on proper pesticide use.
5- Finalize agricultural pesticide disposal survey & prepare a proposal to address agricultural pesticide storage and disposal problems.
6- Finalize a Memorandum of Understanding with the Dept. of Fisheries, Wildlife & Environmental Law Enforcement for responding to fish kills.
7- Implement the newly promulgated new Rights-of-Way Management regulations.
8- Finalize Indoor Use Advisory statement.
9- Seek resources to continue enforcement regionalization effort.

Although this does not represent all of the activities of the Bureau, accomplishing these objectives will go a far way to meeting our goals.

I welcome your response to our working plan for the coming fiscal year, your support of our efforts and your participation in the regulatory process.

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This is the last Quarterly Janet Bond Wood will be writing for us. She is leaving the Bureau to pursue her writing career. I thank her very much for her dedicated work and wish her the best of luck.

Jeffrey L. Carlson,
Pesticide Bureau Chief.
REGULATION UPDATE

R-O-W Regulations Promulgated

After several years of research, meetings, and many drafts, the Department promulgated 333 CMR 11, Rights-of-Way Management on Friday, June 26, 1987.

The regulations call for Vegetation Management Plans (VMP) to be drawn up by municipalities, utilities, and other organizations responsible for controlling vegetation on any utility, railroad or highway right-of-way.

The VMP describes the intended program for vegetation control over a five year period. Yearly Operational Plans (YOP), based on the five-year plan, detail vegetation control procedures for a calendar year.

There is an emergency provision in the regulations requiring the railroads to submit both a VMP and their Yearly Operational Plan (YOP) this year in order to apply herbicides next year.

In 1989, the utility companies must submit their plans and highway departments must submit their plans in 1990.

Both the VMP and the YOP need approval by the department.

An advisory committee, appointed by the Commissioner of Food and Agriculture, will review the Vegetation Management Plans and advise the department to accept, modify or deny them.

The VMPs are also subject to regional hearings.

The regulations establish buffer zones around such sensitive areas as wetlands and residential areas.

Copies of the regulations are available upon a written request to the Bureau, att: Paul Gosselin.

Aerial Application Regulations

Proposed amendments to 333 CMR 10.03 (32), regarding the aerial application of pesticides, will go to the Pesticide Board for its approval on July 1.

The amendments will tighten restrictions on fixed-wing applications by requiring fields to be permitted by the department.

Restrictions on any aerial application will be tightened by establishing buffer zones and sensitive areas in which an applicator may not spray by air, as well as other requirements.

Public hearings on the proposed regulations were held in March.

ENFORCEMENT

New Inspectors

Four inspectors have been added to the enforcement section of the Bureau. This brings total number of field inspectors to six.

The new inspectors, and their respective areas, follow:

Deborah V. Karan: Essex and norther Middlesex counties.

Wayne R. Tolland: southern Middlesex, Bristol, Norfolk and Suffolk counties.

John E. Kenney: Plymouth, Bristol, Barnstable counties and the islands.


The western part of Massachusetts is covered by:

Paul J. Ricco: Franklin, northern Berkshire and Hampshire counties.

Stanley L. Burton: Hampton, southern berkshire and Hampshire counties.

The inspectors conduct a variety of enforcement activities including pesticide use inspections, record keeping compliance, consumer complaints and producer establishment inspections. Persons having a complaint should contact the Pesticide Bureau at the department.

(617) 727-2863 or 727-7712.
REGISTRATION

Section 18 for Ridomil

The EPA granted an emergency exemption request from the DFA to allow the use of Ridomil (TM) on cranberries infested with the fungus Phytophthora cinnamomi. The DFA requested the exemption under Section 18 of FIFRA because there is no pesticide registered for use on cranberries which would be effective against the fungus. The fungus was first identified in bogs in the fall of 1986. Since then, it has been found in at least 18 bogs and is feared to be spreading.

The fungus causes vine root rot and can render a bog completely unusable since it persists in the soil for years if not treated.

Growers are allowed to use Ridomil only if the vines are certified to be contaminated by the fungus by scientists at the UMass Cranberry Experiment Station in Wareham.

The emergency exemption is valid for the current growing season only.

Alachlor Registrations Revoked

On May 12, 1987, the Pesticide Board Subcommittee concluded its state individual review of alachlor and revoked the registration of all pesticide products containing alachlor effective January 1, 1988.

The motion contained a proviso requiring the subcommittee to review any information pertaining to the leaching potential of alachlor in Massachusetts and determine whether there are feasible management options to mitigate groundwater contamination. The subcommittee will decide whether to reconsider the decision in December of 1987.

Alachlor, a herbicide, is mainly used on corn. The subcommittee made its decision after conducting a review of the chemical.

State Individual Review of 2,4-D by the Subcommittee on August 12.

Disposal and Financial help for 2,4,5-T/Silvex & Dinoseb

The EPA has set deadlines of July 7, and July 14, for persons filing disposal and indemnification claims for 2,4,5-T/silvex products and dinoseb products, respectively.

The program is provided for under FIFRA. Anyone who experiences financial loss as a result of cancellation of pesticide products is entitled to compensation and help with disposal.

The Department, in assisting with the EPA program, issued press releases, notified licensed dealers and contacted other agencies about the disposal/indemnification process.

To date, as many as 40 requests for EPA filing forms have been received.

Experimental Use Permit for Bt

An Experimental Use Permit for M-ONE (TM) a new strain of Bacillus thuringiensis (Bt) has been granted by both the EPA and the Pesticide Board Subcommittee for use on the Colorado Potato Beetle in western Massachusetts.

The subcommittee granted the EUP for the insecticide on June 16. Experiments on M-ONE's ability to control the Colorado Potato Beetle will begin this summer. If successful, Bt could become an integral part of the potato Integrated Pest Management program in Massachusetts.

Researchers at UMass-Amherst, with funding from the department, are studying the potential for using Bt to destroy Colorado Potato Beetle larvae. If successful, using Bt to control the Beetle will greatly enhance the Potato IPM program. One expected advantage of using Bt is that it may provide control of the Beetle without harming beneficial insects in the potato fields.
CERTIFICATION

Pollution Insurance Hearings

Hearing dates have been set to consider amending the financial responsibility regulations, 333 CMR 10.14 (4).

The proposed amendment would still require pollution liability insurance coverage, but it would allow the department to waive that requirement if a segment of the applicator industry can document that the coverage was not available.

May 23, the department extended for 90 days the one-year waiver on pollution liability insurance granted a year ago to pesticide applicators.

Last year, a crisis in the national liability insurance market made pollution liability insurance widely unavailable.

Hearing dates are:

July 8, 1987 at 6:00 PM
Holyoke Community College
Frost 271, Building B
Holyoke, MA

July 9, 1987 at 10:00 AM
McCormack Building
One Ashburton Place
21st Floor, room 1
Boston, MA

From: Department of Food and Agriculture
Pesticide Bureau
100 Cambridge Street
Boston, MA 02202

To:

The Information Quarterly is written by Janet Bond Wood who has appreciated the support of the staff in preparing these reports.

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