

Burgos, Alexander N

Subject: FW: NC Pesticide Board

From: Hayworth, Anna <Anna.Hayworth@ncagr.gov>

Sent: Wednesday, June 8, 2022 2:46 PM

To: Liebman, Brian R <brian.liebman@oah.nc.gov>; Burnette, James <james.burnette@ncagr.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: NC Pesticide Board

Thank you Brian, I will plan to attend the meeting in person. Please move forward with Dana.

I appreciate all your help!

Anna R. Hayworth | Agricultural Programs Specialist

Office of the Assistant Commissioner of Consumer Protection

NC Department of Agriculture and Consumer Services

1002 Mail Service Center | Raleigh, NC 27699

Office: (984) 236-4509 (new office)

Cell: (919) 745-9356

anna.hayworth@ncagr.gov

Burgos, Alexander N

Subject: FW: NC Pesticide Board

From: Liebman, Brian R <brian.liebman@oah.nc.gov>
Sent: Wednesday, June 8, 2022 11:59 AM
To: Hayworth, Anna <Anna.Hayworth@ncagr.gov>; Burnette, James <james.burnette@ncagr.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: NC Pesticide Board

Hi Anna,

These look great, and I will recommend approval of these rules at the meeting next week.

With your OK, I'll send these over to Dana for filing.

Please let me know if you or anyone else from the agency will appear in person or via Webex, so we can get an evite out to you.

Thanks!
Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

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Burgos, Alexander N

Subject: FW: NC Pesticide Board
Attachments: 02 NCAC 09L .0530.docx; 02 NCAC 09L .1112.docx

From: Hayworth, Anna <Anna.Hayworth@ncagr.gov>
Sent: Monday, June 6, 2022 1:34 PM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>; Burnette, James <james.burnette@ncagr.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: NC Pesticide Board

Good afternoon Brian,

Please see attached technical changes for the referenced rules. Please let me know if you have any questions or need anything prior to the June RRC meeting.

Thank you!

Anna R. Hayworth | Agricultural Programs Specialist
Office of the Assistant Commissioner of Consumer Protection
NC Department of Agriculture and Consumer Services
1002 Mail Service Center | Raleigh, NC 27699
Office: (984) 236-4509 (new office)
Cell: (919) 745-9356
anna.hayworth@ncagr.gov

02 NCAC 09L .0530 is adopted with changes as published in 36:17 NCR 1430-1431 as follows:

02 NCAC 09L .0530 PROHIBITED ACTS

A final order imposing civil liability under Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (codified at ~~(7~~ 7 USC § 136l(a)) against any pesticide dealer, pesticide applicator, public operator, or pest control consultant, or a criminal ~~conviction,~~ conviction or entry of a plea of ~~guilty,~~ guilty or of nolo contendere under Section 14(b) of FIFRA (7 USC 136l(b)) by any pesticide dealer, pesticide applicator, public operator, or pest control consultant shall constitute grounds for the denial, suspension, or revocation of any license or certification issued by the ~~board.~~ Board.

History Note: *Authority G.S. 143-437; 143-451(a)(3); 143-456(a)(5); 143-461(1);*
 Eff. July 1, 2022.

02 NCAC 09L .1112 is adopted with changes as published in 36:17 NCR 1430-1431 as follows:

02 NCAC 09L .1112 PROHIBITED ACTS

A final order imposing civil liability under Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (codified at ~~[(7~~ USC § 136l(a)) against any private pesticide applicator, or a criminal ~~[conviction,]~~ conviction or entry of a plea of ~~[guilty,]~~ guilty or of nolo contendere under Section 14(b) of FIFRA (7 USC 136l(b)) by any private pesticide applicator, shall constitute grounds for the denial, suspension, or revocation of any license or certification issued by the ~~[board.]~~ Board.

*History Note: Authority G.S. 143-437(1); 143-451(a)(3); 143-456(a)(5); 143-461(1);
 Eff. July 1, 2022.*

Burgos, Alexander N

From: Liebman, Brian R
Sent: Thursday, May 26, 2022 12:17 PM
To: Hayworth, Anna; Burnette, James
Cc: Burgos, Alexander N
Subject: NC Pesticide Board
Attachments: 05.2022 - Pesticide Board Request for Changes.docx

Good afternoon,

I'm the attorney who reviewed the Rules submitted by the North Carolina Pesticide Board for the May 2022 RRC meeting. The RRC will formally review these Rules at its meeting on Thursday, June 16, 2022, at 9:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get closer to the meeting. If there are any other representatives from your agency who will want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

Please submit the revised Rules to me via email, no later than 5 p.m. on Thursday, June 10, 2022. In the meantime, please feel free to reach out to me via email with any questions or concerns.

Thanks,
Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

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