Message

From: Miller, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=40BB39F199A74C5CB3956D35D6F468DF-AMILLE06]
Sent: 1/6/2017 7:04:54 PM
To: Martinez, Brittany [Martinez.Brittany@epa.gov]
Subject: FW: Hawaii Title VI

Ex. 5 Deliberative Process (DP)

Amy C. Miller
Senior Policy Advisor
Office of Regional Administrator
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(415) 947-4198
miller.amy@epa.gov

From: TenBrook, Patti
Sent: Friday, January 6, 2017 9:14 AM
To: Miller, Amy <Miller.Amy@epa.gov>
Cc: Grisier, Mary <Grisier.Mary@epa.gov>
Subject: RE: Hawaii Title VI

Amy,

Ex. 5 Deliberative Process (DP)

§4-66-32 Restricted use pesticides. (a) A pesticide or pesticide use classified for restricted use under FIFRA shall be classified as a restricted use pesticide.

(b) Any pesticides or pesticide uses meeting or exceeding any of the following criteria shall be a candidate for State restricted use classification:

(1) Pesticides in toxicity categories I and II as defined in section 4-66-18;

(2) Pesticides or pesticide uses which are determined to be a health hazard for one or more reasons including but not

limited to toxicity, body storage, oncogenicity, mutagenicity, and teratogenicity or other reproductive effects;

(3) Pesticides or pesticide uses which can reasonably be anticipated to result in contamination of groundwater or significant reductions in nontarget organisms, or fatality to members of endangered species; and

(4) Pesticides or pesticide uses authorized under section 18, of FIFRA.

(c) The head may classify a pesticide or pesticide use meeting or exceeding the criteria set forth in section 4-66-32(b) for nonrestricted use if it is determined that measures such as packaging, type of formulation, or method of application eliminate or reduce hazards associated with the pesticide or its use.

(d) The head, in consultation with the advisory committee, shall determine those pesticides or pesticide uses meeting or exceeding the criteria set forth in section 4-66-32(b) and submit a list of those pesticides and pesticide uses for adoption by the board.

(e) The following pesticides, pesticide formulations, or pesticide products for reasons based on the criteria set forth in section 4-66-32(b) are classified as restricted use pesticides:

Restricted Use Pesticides	Restricted Concentration
Alachlor	All
Atrazine	All
Bromacil	All
Chlorine gas (effective January 1, 2008)	All
Chloropicrin Including its use as an irritant or warning agent when used with any pesticide	All
Cyanazine	All
Hexazinone	All
Metolachlor and its isomers	All
Paraquat	All above 0.2% cation
Picloram	All

2734

§4-66-32

Simazine	All

[Eff. 7/13/81; am and comp DEC 16 2006]
(Auth: HRS §§149A-19, 149A-33, 7 USC 136 v,(a)-(b), 7 USC 136 w-1,(a)-(b)) (Imp: HRS §§149A-19, 149A-33)

Patti L. TenBrook, Ph.D.
Manager, Pesticides Section
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From: Miller, Amy
Sent: Friday, January 6, 2017 8:13 AM
To: TenBrook, Patti <TenBrook.Patti@epa.gov>
Subject: RE: Hawaii Title VI

Ex. 5 Deliberative Process (DP)

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From: TenBrook, Patti
Sent: Friday, January 6, 2017 8:06 AM
To: Miller, Amy <Miller.Amy@epa.gov>
Subject: RE: Hawaii Title VI

Amy,

Ex. 5 Deliberative Process (DP)

CHAPTER 149A
HAWAII PESTICIDES LAW
Part II. PESTICIDE LICENSING AND SALES
§149A-13 Procedure for licensing pesticides. (a) Any pesticide which is received, used, sold, offered for sale, or distributed within this State shall be licensed by the board. Any pesticide product which has been sold in this State but for which the license is not renewed can be used by the purchaser. However, the product cannot be sold, resold, or distributed within the State before its license is renewed. The licensee shall file with the department a statement including:

(1) The name and address of the licensee and the name and address of the person whose name will appear on the label, if other than the licensee;

(2) The name of the pesticide;

(3) A complete copy of the labeling accompanying the pesticide and a statement of all claims to be made for it, including directions for use; and

(4) If requested by the department, a full description of the tests made and the results thereof upon which the claims are based.

(b) The licensee shall pay $75 for each year, or fraction thereof, that the pesticide is licensed. Licensing fees may be increased or decreased from time to time by rules and may vary according to the amount or quantity of pesticide to be sold, offered for sale, or distributed. The term of the license shall be for a period of up to three years. A license shall expire on December 31 of the third year. In case of renewal of license, a statement shall be required only with respect to information which is different from that furnished when the pesticide was licensed or last relicensed.

(c) When a licensee discontinues the distribution of a pesticide which has been licensed in this State, the licensee will be required to continue licensing of this pesticide until no more remains on the retailer's shelves, or for three years after written notice to the department of the date of discontinuance; provided that the continued sale is not specifically prohibited by the department or the EPA.

(d) The department, whenever it deems necessary in the administration of this chapter, may require the submission of the complete formula of any pesticide. If it appears to the department that the composition of the pesticide is complete as to warrant the proposed claims for it and if the

pesticide and its labeling and other material required to be submitted comply with the requirements of section 149A-15, the department shall license the pesticide.

(e) Notwithstanding any other provision of this chapter, licensing of a pesticide is not required in the case of a pesticide shipped from one plant within this State to another plant within this State when both plants are operated by the same person. [L 1972, c 58, pt of §1; am L 1975, c 126, pt of §1; am L 1981, c 33, §3; am L 1985, c 243, §1; am L 1987, c 310, §5; am L 1996, c 281, §2]

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From: Miller, Amy
Sent: Friday, January 6, 2017 7:53 AM
To: TenBrook, Patti <TenBrook.Patti@epa.gov>
Subject: FW: Hawaii Title VI

Ex. 5 Deliberative Process (DP)

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From: Martinez, Brittany
Sent: Friday, January 6, 2017 5:17 AM
To: Miller, Amy <Miller.Amy@epa.gov>
Subject: RE: Hawaii Title VI

Ex. 5 Deliberative Process (DP)

From: Miller, Amy
Sent: Tuesday, January 03, 2017 5:56 PM
To: Martinez, Brittany <Martinez.Brittany@epa.gov>
Subject: FW: Hawaii Title VI

Here is a list

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From: Grisier, Mary
Sent: Tuesday, January 3, 2017 2:04 PM
To: Miller, Amy <Miller.Amy@epa.gov>
Subject: FW: Hawaii Title VI

Hi Amy,

Ex. 5 Deliberative Process (DP)

Mary

From: Miller, Amy
Sent: Friday, December 09, 2016 10:42 AM
To: Grisier, Mary <Grisier.Mary@epa.gov>
Subject: FW: Hawaii Title VI

Ex. 5 Deliberative Process (DP)

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From: Martinez, Brittany
Sent: Friday, December 9, 2016 10:40 AM
To: Miller, Amy <Miller.Amy@epa.gov>; Spiegelman, Nina <Spiegelman.Nina@epa.gov>
Subject: RE: Hawaii Title VI

Ex. 5 Deliberative Process (DP)

From: Miller, Amy
Sent: Thursday, December 08, 2016 12:06 PM
To: Spiegelman, Nina <Spiegelman.Nina@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>
Subject: Hawaii Title VI

Ex. 5 Deliberative Process (DP)

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From: Grisier, Mary
Sent: Thursday, December 8, 2016 8:39 AM
To: Miller, Amy <Miller.Amy@epa.gov>
Subject: List of licensed pesticides in HI

Check this link out.

http://hdoa.hawaii.gov/pi/pest/licensed-pesticides/

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