

NOTICE OF PUBLIC HEARING
HAWAII DEPARTMENT OF AGRICULTURE
PROPOSED AMENDMENTS TO ADMINISTRATIVE RULES RELATING TO PESTICIDES

NOTICE IS HEREBY GIVEN that the Department of Agriculture pursuant to Chapter 91 *Hawaii Revised Statutes* (HRS) will hold public hearings as follows:

Thursday, November 1, 2018, 2 p.m. to 4 p.m.
Department of Agriculture Conference Room
635 Mua Street, Kahului, HI 96732

Friday, November 2, 2018, 5 p.m. to 7 p.m.
Plant Quarantine Conference Room
1849 Auiki Street, Honolulu, HI 96819

Monday, November 5, 2018, 2 p.m. to 4 p.m.
Department of Agriculture Conference Room
4398A Pua Loke Street, Lihue, HI 96766

Wednesday, November 7, 2018, 9 to 11 a.m.
Department of Agriculture Conference Room
16 E. Lanikaula Street, Hilo, HI 96720

Wednesday, November 7, 2018 3 p.m. to 5 p.m.
Hale Iako Building - Natural Energy Lab. of HI Auth.
73-790 Makoko Bay Drive, Kailua-Kona, HI 96740

Thursday, November 8, 2018, 10 a.m. to 12 p.m.
Kulana Oihi - DHHL/OHA Conference Room
600 Maunaloa Highway, Kaunakakai, HI 96748

The purpose of the public hearings is to receive testimony regarding proposed amendments to Hawaii Administrative Rules Section 4-66 to conform to changes in Federal law by adopting the labeling requirements established in part 156 of Title 40, *Code of Federal Regulations* (CFR) (2017), the Worker Protection Standards in 40 CFR part 170 (2017), and the pesticide applicator education, training, and certification standards in 40 CFR part 171 (2018). The definitions section was amended to aid in rule interpretation; the list of State restricted use pesticides was removed from the rules to allow for the efficient addition or removal of high risk pesticides from the list; procedures were established for maintaining the State restricted use pesticide list external to the rules; a new section was added to address aerial pesticide applications; increased oversight of experimental use permittees was added; requirements for restricted use pesticide reporting and use within buffer zones to comply with Act 045, *Session Laws of Hawai'i* 2018 were adopted; the penalties section reiterates the sanctions available in HRS chapter 149A; fees were increased to a level commensurate with other states; and, nonsubstantive changes were made to comply with the *Administrative Rules Drafting Manual* (2016).

The proposed rules are available for review in person at the following Department of Agriculture offices during regular business hours of 7:45 a.m. to 4:30 p.m., Monday to Friday, from September 28, 2018 to November 19, 2018.

Honolulu	1428 S. King St., Honolulu, HI 96814	Phone - 973-9560
Hilo	16 E. Lanikaula St., Hilo, HI 96720	Phone - 974-4142
Maui	635 Mua St., Kahului, HI 96732	Phone - 873-3556
Kauai	4398A Pua Loke St., Lihue, HI 96766	Phone - 241-7134

Copies of the proposed rules may also be obtained at the above offices by paying a fee for photocopying or sent by mail upon payment of a fee for photocopying and postage. Copies may also be reviewed or downloaded at the Department of Agriculture website at <http://hdoa.hawaii.gov/meetings-reports/proposedadministrativerules/> or at the website of the lieutenant governor.

All interested persons may attend the public hearings and submit comments orally or in writing. Written testimony may be submitted prior to the hearing via postal mail to the Pesticides Branch, Department of Agriculture, 1428 S. King St., Honolulu, HI 96814, or via fax at (808) 973-9418, or email HDOA.PB@hawaii.gov until close of business, November 8, 2018. Please include the word "testimony" in the subject line. If possible, submit 5 written copies of the testimony prior to the hearing.

Persons requiring special accommodations at the hearing may call Department of Agriculture at (808) 973-9579. Accommodation requests must be received at least 5 working days prior to the hearing.