

## ARKANSAS STATE PLANT BOARD

### Minutes

June 6, 2024

9:30 a.m.

Chair Matthew Marsh called the quarterly Board meeting to order.

Members present: Bruce Alford, Sammy Angel, Kyle Baltz, Jon Bierbaum, George Dunklin, Garrett Frost, David Gammill, Matthew Marsh, Reynold Meyer, Matthew Miles, Robin Ralston, Travis Senter, Sam Stuckey, Robert Thorne, David Wallace, Jr.

Members present via Zoom: Dr. Ken Korth, Dr. Nathan Slaton

Members absent: Nathan Reed

Scott Bray, Director, Plant Industries Division, and other Arkansas Department of Agriculture staff were in attendance.

#### 1. Opening comments and introductions

Chair Marsh welcomed all who were in attendance and asked each member to introduce themselves and state who they represent.

#### 2. Consider minutes of the March 5, 2024 Plant Board meeting

**Moved by Dunklin, seconded by Angel, to approve the Plant Board meeting minutes as presented.**

**Motion carried.**

#### 3. Pest Control Section

Committee Chair Dr. Korth summarized the minutes of the May 28, 2024 Pest Control Committee meeting. **Attachment 3A.**

It was brought to the committee's attention by Scott Bray, Director, Plant Industries Division, the pest control regulations state "This Committee shall consist of the Board member who represents the Head of the Department of Entomology, University of Arkansas, who shall act as the Chairman,". Bray stated that he was reminded of the regulation while recently reviewing the rules.

It was discussed that the Committee chair position shifted from the U of A member to other Plant Board members because the U of A Board member that filled this position reassigned. The U of A position was vacant, or an interim person was assigned, or the position was combined with another position within the U of A during a period of reorganization. During this time other Board members were assigned to chair this Committee. After discussion it was determined that Dr. Ken Korth should replace Mr. Bruce Alford as the Pest Control Committee Chairman, effective immediately.

Two Informal Resolution Agreements of pest control incidents were presented by staff:

- Case File #24.166 – Brightview – 3<sup>rd</sup> level of enforcement action for failure to register agents and agreed to an informal resolution of \$1,400.00 dollars.

**Moved by Dr. Korth, seconded by Meyer to approve the Committee's recommendation as presented.**

**Motion carried.**

- Case File #24.167 – N. E. A. Turf Care – major level violation due to agents making a pesticide application with lack of PPE agreed to an informal resolution of \$600.00 dollars.

**Moved by Dr. Korth, seconded by Alford to approve the Committee's recommendation as presented.**

**Motion carried.**

**Moved by Dr. Korth, seconded by Alford to approve the minutes of the May 28, 2024 Pest Control meeting as presented.**

**Motion carried.**

Dr. Korth presented the pest control examination results for the months of March through May 2024. **Attachment 3B**

**Moved by Dr. Korth, seconded by Alford to approve the exam results as presented.**

**Motion carried.**

**4. Pesticide Program**

Committee Chair Dunklin summarized the minutes of the May 22, 2024 Pesticide Committee meeting. **Attachment 4A.**

Leigh Gibson, Pesticide Enforcement Program Manager provided an overview of case file documents and investigation procedures.

Staff presented 16 warning letters and 5 civil penalties to the Committee for review and recommendation to the Board.

The Committee voted to present the enforcement actions to the Plant Board for final approval. Garrett Frost recused himself from Enforcement actions 1, 3, 8, 15, 16, 17, 18, 19, 20 and 21.

**Moved by Dunklin, seconded by Gammill to approve the enforcements actions as presented. Noted that Frost recusing his vote as stated above.**

**Motion carried.**

Susie Nichols, Pesticide Section Manager, provided the Committee an update and example of the new semi-automated license database and process.

Nichols provided an update to the Committee on general information, type of license needed, FAA requirements, and contact information regarding drone use for pesticide applications.

Chair Dunklin introduced Dr. Jason Davis, Assistant Professor of Remote Sensing and Pesticide Application, University of Arkansas Systems Division of Agriculture.

Dr. Davis discussed evolving technology of spray drones for agricultural applications. PowerPoint presentation shown as **Attachment 4B.**

Board discussion followed.

Chair Dunklin continued, stating Bray provided the Committee with an update on the webinar regarding the future in-crop use of dicamba.

Bray stated no one has challenged the EPA ruling not to register the three in-crop dicamba products. Bayer and BASF are in the beginning stages of having new products introduced to be registered. Therefore, there will not be a registered in-crop dicamba product available for next year's growing season.

**Moved by Dunklin, seconded by Meyer to approve the minutes of the May 22, 2024 Pesticide Committee meeting as presented.**

**Motion carried.**

**5. Bureau of Standards Program**

Committee Chair Robin Ralston summarized the minutes of the Bureau of Standards Committee meeting held May 14, 2024. **Attachment 5**

Staff presented 96 civil penalties to the committee for review and recommendation to the Board:

**Seventy-nine for Expired or No Decal – Table 1**

- 67 first offense
- 9 second offense
- 3 third offense

**Five for Misrepresentation of Pricing – Table 2**

- 3 first offense
- 2 eighth offense
- 1 ninth offense

**Twelve for Water Contamination – Table 3**

- 12 first offense

**Moved by Ralston, seconded by Angel to approve the Committee's recommendations as presented.**

Motion carried.

Moved by Ralston, seconded by Baltz to approve the May 14, 2024 Bureau of Standards Committee meeting as presented.

Motion carried.

6. Other business

Bray gave an update to the Board on pesticide complaints; 92 total complaints have been received as of this morning, 4 alleged dicamba, compared to this time last year there were 133 total, 17 alleged dicamba.

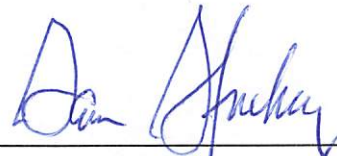
7. Date for the next quarterly Board meeting. The next quarterly Board meeting is scheduled for September 5, 2024, at 9:30 a.m.

8. Meeting adjourned.



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Matthew Marsh, Chairman



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Sam Stuckey, Secretary

Minutes for Pest Control Committee Meeting  
May 28, 2024  
Little Rock, Arkansas

**Present via Zoom were:**

Committee Chair, Dr. Ken Korth  
Bruce Alford  
Jon Bierbaum  
Garrett Frost  
Kyle Baltz  
Sammy Angel  
Travis Senter  
David Gammill

Others Present via Zoom were:

Seth Dunlap, ADA  
Scott Bray, ADA  
Donna Wilkerson, ADA

The meeting was called to order at 9:03 AM by the interim committee chair, Bruce Alford.

Scott Bray, Arkansas Department of Agriculture, brought to the attention of the committee that the pest control regulations state that the chairman of the committee shall be the U of A representative from the Entomology Department. Bray stated that he was reminded of the regulation while recently reviewing the rules. Bray and Dr. Ken Korth proceeded to discuss their memories of how the committee chair position shifted from the U of A member to other Plant Board members. They noted that several years ago the U of A Board member that filled this position resigned and that there were several years when either an interim person was assigned, or the position was combined with another position within the U of A system. During this time other Board members were assigned to chair this committee. After discussion it was determined that Dr. Ken Korth should replace Mr. Bruce Alford as the Pest Control Committee Chairman. For the remainder of the meeting Dr. Korth conducted the process.

Dr. Korth called on Seth Dunlap to present to the committee members with the following:

1. Resolution of Pest Control Incident (attachment 1)
2. Resolution of Pest Control Incident (attachment 2)

Mr. Dunlap gave a summary of the first Resolution Agreement for Case File #24.166 (See attachment 1). The incident occurred on April 3, 2024, with Brightview. Mr. Dunlap listed the findings of the case file. He notes that the \$1400 civil penalty was agreed to be paid.

Mr. Dunlap confirmed verified compliance was conducted at the conclusion to ensure that everything was in order.

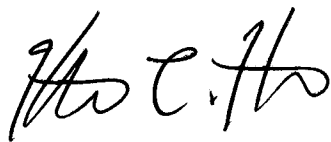
Committee Chair Dr. Korth requested a motion to accept the agreement. Baltz made the motion. Angel seconded. Vote was made and motion carried.

Mr. Dunlap gave a summary of the second Resolution Agreement for Case File #24.167 (See attachment 2). The incident occurred on April 10, 2024, with N.E.A. Turf Care, Inc. Mr. Dunlap listed the findings of the case file. He notes that the \$600 civil penalty was agreed to be paid.

Committee Chair Dr. Korth requested a motion to accept the agreement. Allford made the motion. Frost seconded. Vote was made and motion carried.

Committee Chair Dr. Korth stated that both agreements will be brought before the board on June 6<sup>th</sup>, 2024.

Committee Chair Dr. Korth requested a motion to adjourn the meeting. Allford made the motion. Baltz seconded. Meeting was adjourned.



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Dr. Ken Korth



Sarah Huckabee Sanders  
Governor

# ARKANSAS DEPARTMENT OF AGRICULTURE

1 Natural Resources Drive, Little Rock, AR 72205  
agriculture.arkansas.gov  
(501) 225-1598

Attachment 1



Wes Ward  
Secretary of Agriculture

## IN THE MATTER OF:

Brightview, Shaun Henderson, Josh Luttrell and Philip Moore

### ***RESOLUTION OF PEST CONTROL INCIDENT***

This resolution of a pest control incident is entered into by the Arkansas Department of Agriculture (Department) and Brightview, Shaun Henderson, Josh Luttrell and Philip Moore (Respondents) pursuant to the authority of the Arkansas Pest Control Law, Act 488 of 1975, as amended, codified at Ark. Code Ann. § 17-37-101 et. seq. and the rules promulgated thereunder by the Arkansas State Plant Board (Plant Board).

In lieu of a formal hearing on this complaint, and in the interest of prompt and speedy settlement of the alleged violations specifically addressed herein, consistent with the public interest, statutory requirements, and the responsibilities of the Plant Board, the undersigned parties enter into this Consent Agreement as a final disposition of this matter. This agreement shall settle and resolve only those alleged violations specifically addressed herein. It is agreed and stipulated by the parties as follows:

#### **FINDINGS OF FACT**

1. Respondent Brightview employs Respondent Shaun Henderson as the License Holder Representative and Licensed Operator.
2. On April 3, 2024, Respondent Brightview was found to have two unregistered Agents performing a pest control service without being under the direct supervision of a qualified trainer. The Department inspector observed Respondents Josh Luttrell and Phillip Moore making suspected pesticide applications at the ASU farm complex in Jonesboro. Upon inspection it was confirmed that they were applying pesticides without being registered as agents and not under the direct supervision of a qualified trainer.
3. Arkansas Pest Control Law states in part the following,  
"17-37-102. Definitions.  
...(13) "Pest control service" means any person who, for compensation, gives advice or engages in work to prevent, control, or repel arthropods, mammals, birds, reptiles, or wood-damaging or wood-destroying organisms that may invade or infest homes, other buildings, or similar structures and shall include arthropods, mammals, birds, reptiles, weeds, and plant diseases that may invade, infest, or infect shade trees, shrubs, lawns, turf, and pecan



groves. This term shall also include any person who issues letters of clearance, or who shall solicit such work in any manner, but the term shall not be construed to include agricultural crops from planting to harvest other than those mentioned above...

17-37-213. Agents and solicitors generally.

(a) Each licensed operator shall register with the board the name and address of each agent or solicitor and shall pay to the board a registration fee annually for each solicitor and agent, at the time of registration..."

5. Rules and Regulations of the State Plant Board contained in the Circular 6 state in part the following,

"5. Agent Training, Examination, and Registration:

...Until registered, and only during the initial 45 day on the job training and examination period, the agent trainee may apply pesticides only in the physical presence of a commercial applicator or registered agent.... If at any time an employee, other than a commercial applicator, registered agent, or agent trainee undergoing the initial 45 days of on-the-job training and examination preparation, is found handling pesticides or performing pesticide applications the license holder and/or the licensed operator/s will be subject to enforcement action as per the Arkansas State Plant Board Pest Control Enforcement Response Regulations – Penalty Matrix – Violation #9 – beginning at the 3rd level of enforcement..."

### **SETTLEMENT AGREEMENT**

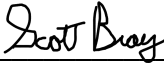
For the purpose of settlement, as a resolution to the alleged violation and without an evidentiary hearing, Respondents agree and stipulate to the following:


1. Pursuant to the provisions of the ASPB Pest Control Enforcement Response Regulations, Penalty Matrix Violation # 9 Major (Failure of licensee to register agents or solicitors), Respondents shall pay a civil penalty in the amount of \$1400.00 to which Respondents shall be jointly and severally liable for payment.
2. Respondents acknowledge and agree that subsequent like violations of the Pest Control Law within three years of April 3, 2024, will be enforced at the next level of the ASPB Enforcement Response Policy Penalty Matrix and will be subject to penalties as allowed for in Ark. Code Ann. § 17-37-103.

3. Respondents shall remit payment to the Department the above amount no later than forty-five (45) days after the acceptance and approval of this agreement by the Plant Board.
4. This agreement shall not become a valid and enforceable order of the Plant Board unless and until accepted and approved by the Plant Board at an official meeting and executed by the Chair of the Board or designee.

**Scott Bray, Director**  
**Arkansas Department of Agriculture**  
**Plant Industries Division**

**Shaun Henderson, License Holder Representative**  
**Brightview**

  
\_\_\_\_\_  
**Signature**

  
\_\_\_\_\_  
**Signature**

4/9/2024  
\_\_\_\_\_  
**Date**

4/9/2024  
\_\_\_\_\_  
**Date**



Sarah Huckabee Sanders  
Governor

# ARKANSAS DEPARTMENT OF AGRICULTURE

1 Natural Resources Drive, Little Rock, AR 72205  
agriculture.arkansas.gov  
(501) 225-1598



Wes Ward  
Secretary of Agriculture

## **IN THE MATTER OF:**

N. E. A. Turf Care, Inc., Gary Camp, Zach Johnson, and Brady Sterns

## ***RESOLUTION OF PEST CONTROL INCIDENT***

This resolution of a pest control incident is entered into by the Arkansas Department of Agriculture (Department) and N. E. A. Turf Care, Inc., Gary Camp, Zach Johnson, and Brady Sterns (Respondents) pursuant to the authority of the Arkansas Pest Control Law, Act 488 of 1975, as amended, codified at Ark. Code Ann. § 17-37-101 et. seq. and the rules promulgated thereunder by the Arkansas State Plant Board (Plant Board).

In lieu of a formal hearing on this complaint, and in the interest of prompt and speedy settlement of the alleged violations specifically addressed herein, consistent with the public interest, statutory requirements, and the responsibilities of the Plant Board, the undersigned parties enter into this Consent Agreement as a final disposition of this matter. This agreement shall settle and resolve only those alleged violations specifically addressed herein. It is agreed and stipulated by the parties as follows:

### **FINDINGS OF FACT**

1. Respondent N. E. A. Turf Care, Inc., employs Respondents Gary Camp, Zach Johnson, and Brady Sterns.
2. Respondent N. E. A. Turf Care, Inc. is represented by Gary Camp.
3. Respondent Gary Camp holds a Classification 4 Ornamental Tree and Turf Pest Control license; and is the immediate supervisor for Respondents Zach Johnson and Brady Sterns.
4. Respondent Zach Johnson is a Registered Agent who was the qualified trainer onsite training Brady Sterns before taking the agent examination.
5. On April 10, 2024, the Department's Pest Control Program staff observed Respondent N. E. A. Turf Care, Inc.'s employees making an application from a hose reel sprayer in Paragould, wearing no gloves. It was determined that Respondent Zach Johnson and Brady Sterns was making an application of Lesco Three-Way (EPA Reg #10404-43) while not wearing gloves.
6. The product label for Lesco Three-Way (EPA Reg #10404-43) states in part the following:

*"PERSONAL PROTECTIVE EQUIPMENT (PPE):*

*Some materials that are chemical-resistant to this product are made of any waterproof material. All mixers, loaders, applicators, and other handlers must wear:*

- Long-sleeved shirt and long pants
- Shoes plus socks,
- Protective eyewear (goggles, face shield or safety glasses)\*
- Chemical-resistant gloves made of barrier laminate, butyl rubber ( $\geq 14$  mils), neoprene rubber ( $\geq 14$  mils), or viton ( $\geq 14$  mils)
- Chemical-resistant apron when mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.

\*Eye protection is not required ONLY when 5 or more parts water is used to dilute 1 part of product."

### SETTLEMENT AGREEMENT

For the purpose of settlement, as a resolution to the alleged violation and without an evidentiary hearing, Respondents agree and stipulate to the following:

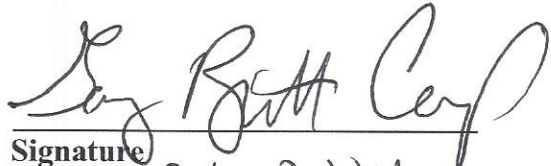
1. Pursuant to the provisions of the ASPB Pest Control Enforcement Response Regulations, Penalty Matrix Violation # 2. Major ("Pesticide recommendations or applications which are inconsistent with any/or all the following: A. Labeling") Respondents shall pay a civil penalty of \$600.00, which Respondents shall be jointly and severally liable for payment.
2. Respondents acknowledge and agree that subsequent like violations of the Pest Control Law within three years of April 10, 2024, will be enforced at the next level of the ASPB Enforcement Response Policy Penalty Matrix and will be subject to penalties as allowed for in Ark. Code Ann. § 17-37-103.
3. Respondents shall remit payment to the Department of Agriculture the above amount no later than forty-five (45) days after the acceptance and approval of this agreement by the Plant Board.
4. This agreement shall not become a valid and enforceable order of the Plant Board unless and until accepted and approved by the Plant Board at an official meeting and executed by the Chair of the Board or designee.

**Scott Bray, Director**  
**Arkansas Department of Agriculture**  
**Plant Industries Division**

  
 \_\_\_\_\_  
 Signature

\_\_\_\_\_ 4/24/24  
 Date

**Gary Camp, License Holder Representative**  
**N. E. A. Turf Care, Inc.**

  
 \_\_\_\_\_  
 Signature

\_\_\_\_\_ 4-24-2024  
 Date



FIRST NAME	LAST NAME	Email	Course_id	Company	Date They Took Exam	Score
<b>Month of March 2024</b>						
Ranson	Weston	<a href="mailto:sweston@moxiepestcontrol.com">sweston@moxiepestcontrol.com</a>	Core	Moxie Pest Control	2024-03-05 16:31:43+00:00	92
Todd	Burrows	<a href="mailto:robertbrown2@trugreenmail.com">robertbrown2@trugreenmail.com</a>	CLASS4TURF	TruGreen	2024-03-05 19:31:35+00:00	78
Calven	Jones	<a href="mailto:calvenjones@trugreenmail.com">calvenjones@trugreenmail.com</a>	CLASS4TURF	TruGreen	2024-03-05 16:15:03+00:00	74
Peyton	Dishon	<a href="mailto:pdishon@moxiepestcontrol.com">pdishon@moxiepestcontrol.com</a>	CLASS2HOUSE	Moxie Pest Control	2024-03-05 15:48:38+00:00	57
Peyton	Dishon	<a href="mailto:pdishon@moxiepestcontrol.com">pdishon@moxiepestcontrol.com</a>	CLASS4TURF	Moxie Pest Control	2024-03-05 16:02:03+00:00	62
Daniel	Lachman	<a href="mailto:NexoDL01@gmail.com">NexoDL01@gmail.com</a>	CLASS2HOUSE	N/A	2024-03-04 18:35:02+00:00	74
William	Long	<a href="mailto:will@sureshotok.com">will@sureshotok.com</a>	CLASS4TURF	Sure Shot	2024-03-07 00:06:24+00:00	60
Michael	Martin	<a href="mailto:mmartin@vms-ar.com">mmartin@vms-ar.com</a>	CLASS4TURF	N/A	2024-03-07 16:31:03+00:00	56
Jason	Williams	<a href="mailto:antoniocarrillo@trugreenmail.com">antoniocarrillo@trugreenmail.com</a>	CLASS4TURF	Tru-Green - Little Rock	2024-03-07 17:35:22+00:00	60
Trevor	Holmes	<a href="mailto:atholmes1026@gmail.com">atholmes1026@gmail.com</a>	Core	N/A	2024-03-11 13:09:06+00:00	92
Daniel	Allen	<a href="mailto:allenpestmanagement@gmail.com">allenpestmanagement@gmail.com</a>	CLASS1TERM	Allen's Pest Management	2024-03-11 15:49:09+00:00	66
Trevor	Holmes	<a href="mailto:atholmes1026@gmail.com">atholmes1026@gmail.com</a>	CLASS6GOLF	N/A	2024-03-11 14:01:48+00:00	76
Jason	Williams	<a href="mailto:antoniocarrillo@trugreenmail.com">antoniocarrillo@trugreenmail.com</a>	CORE	TruGreen	2024-03-07 17:09:10+00:00	80
Tj	Street	<a href="mailto:tjstreet654@gmail.com">tjstreet654@gmail.com</a>	CLASS5WEED	N/A	2024-03-11 20:51:02+00:00	56
Michael	Smith	<a href="mailto:michaelsmith1993@gmail.com">michaelsmith1993@gmail.com</a>	CLASS4TURF	N/A	2024-03-14 12:10:34+00:00	56
Harold	Alexander II	<a href="mailto:specialmomentsportraits@gmail.com">specialmomentsportraits@gmail.com</a>	CORE	N/A	2024-03-12 15:12:14+00:00	84
Ranson	Weston	<a href="mailto:sweston@moxiepestcontrol.com">sweston@moxiepestcontrol.com</a>	CLASS4TURF	Moxie Pest Control	2024-03-12 15:32:26+00:00	60
Harold	Alexander II	<a href="mailto:specialmomentsportraits@gmail.com">specialmomentsportraits@gmail.com</a>	CLASS4TURF	N/A	2024-03-12 15:52:14+00:00	56
Cameron	Hammond	<a href="mailto:Chammond@moxiepestcontrol.com">Chammond@moxiepestcontrol.com</a>	CORE	Moxie Pest Control	2024-03-13 15:44:58+00:00	90
Lawrence	Holland	<a href="mailto:super_eli_24@yahoo.com">super_eli_24@yahoo.com</a>	CLASS2HOUSE	N/A	2024-03-13 00:08:44+00:00	33
Cameron	Hammond	<a href="mailto:Chammond@moxiepestcontrol.com">Chammond@moxiepestcontrol.com</a>	CLASS1TERM	Moxie Pest Control	2024-03-13 18:41:59+00:00	76
Cameron	Hammond	<a href="mailto:Chammond@moxiepestcontrol.com">Chammond@moxiepestcontrol.com</a>	CLASS2HOUSE	Moxie Pest Control	2024-03-13 19:31:12+00:00	77
Michael	Smith	<a href="mailto:michaelsmith1993@gmail.com">michaelsmith1993@gmail.com</a>	CORE	N/A	2024-03-14 10:48:25+00:00	91
Trace	Hamilton	<a href="mailto:youwinbugslose@gmail.com">youwinbugslose@gmail.com</a>	CLASS1TERM	N/A	2024-03-12 19:29:49+00:00	95
Lawrence	Holland	<a href="mailto:super_eli_24@yahoo.com">super_eli_24@yahoo.com</a>	CLASS2HOUSE	N/A	2024-03-13 21:21:09+00:00	74
Antonio	Carrillo	<a href="mailto:antoniocarrillo@trugreenmail.com">antoniocarrillo@trugreenmail.com</a>	CLASS2HOUSE	N/A	2024-03-15 19:33:45+00:00	44
David	Chapman	<a href="mailto:chapman.dave11@yahoo.com">chapman.dave11@yahoo.com</a>	CLASS5WEED	N/A	2024-03-15 20:34:05+00:00	75
Garret	Cook	<a href="mailto:garretc@proturfpropest.com">garretc@proturfpropest.com</a>	CORE	Pro Turf	2024-03-18 18:24:17+00:00	98
Garret	Cook	<a href="mailto:garretc@proturfpropest.com">garretc@proturfpropest.com</a>	CLASS2HOUSE	Pro Turf	2024-03-18 19:40:40+00:00	72
Jamal	Frasure	<a href="mailto:frasure.jamal@gmail.com">frasure.jamal@gmail.com</a>	CLASS5WEED	N/A	2024-03-19 03:15:13+00:00	51
Isiah	Jones	<a href="mailto:ijones@moxiepestcontrol.com">ijones@moxiepestcontrol.com</a>	CORE	Moxie Pest Control	2024-03-20 21:52:23+00:00	83
Isiah	Jones	<a href="mailto:ijones@moxiepestcontrol.com">ijones@moxiepestcontrol.com</a>	CLASS2HOUSE	Moxie Pest Control	2024-03-22 18:08:07+00:00	69
Isiah	Jones	<a href="mailto:ijones@moxiepestcontrol.com">ijones@moxiepestcontrol.com</a>	CLASS1TERM	Moxie Pest Control	2024-03-22 14:29:55+00:00	55
Garren	Deese	<a href="mailto:garrendeese3@gmail.com">garrendeese3@gmail.com</a>	CORE	N/A	2024-03-23 01:56:16+00:00	80
Garren	Deese	<a href="mailto:garrendeese3@gmail.com">garrendeese3@gmail.com</a>	CLASS5WEED	N/A	2024-03-23 02:25:32+00:00	49
Jeffrey	Goerig	<a href="mailto:jtgoerig@gmail.com">jtgoerig@gmail.com</a>	CORE	N/A	2024-03-21 16:01:40+00:00	86
Kristien	Heng	<a href="mailto:jsteeland@riceland.com">jsteeland@riceland.com</a>	CLASS8FOODF	Riceland	2024-03-22 16:28:12+00:00	80
Derrick	Cameron	<a href="mailto:Mrizvi@moxiepestcontrol.com">Mrizvi@moxiepestcontrol.com</a>	CLASS2HOUSE	Moxie Pest Control	2024-03-23 16:06:34+00:00	69
Brandon	Bias	<a href="mailto:dynamicpestmanagement23@gmail.com">dynamicpestmanagement23@gmail.com</a>	CLASS2HOUSE	Dynamic Pest Management	2024-03-23 18:21:42+00:00	73
Isiah	Jones	<a href="mailto:ijones@moxiepestcontrol.com">ijones@moxiepestcontrol.com</a>	CLASS2HOUSE	Moxie Pest Control	2024-03-25 14:54:45+00:00	50
Phillip	Brown	<a href="mailto:pj_brown14@yahoo.com">pj_brown14@yahoo.com</a>	CORE	N/A	2024-03-25 22:15:50+00:00	91
Brycen	Waddle	<a href="mailto:brycenwaddle@gmail.com">brycenwaddle@gmail.com</a>	CORE	N/A	2024-03-27 18:41:29+00:00	86
Timothy	Ashlock	<a href="mailto:fordashlock75@gmail.com">fordashlock75@gmail.com</a>	CLASS5WEED	N/A	2024-03-28 18:24:17+00:00	85
Donnie	Street	<a href="mailto:donnie.street@yahoo.com">donnie.street@yahoo.com</a>	CLASS5WEED	N/A	2024-03-28 01:36:08+00:00	55
Brycen	Waddle	<a href="mailto:brycenwaddle@gmail.com">brycenwaddle@gmail.com</a>	CLASS5WEED	N/A	2024-03-27 19:02:06+00:00	60

<u>4/8/2024</u>										
		<b>B</b>								
<b>LAST NAME</b>	<b>FIRST NAME</b>	<b>A</b>		Class		<b>COMPANY NAME</b>	<b>COMPANY ADDRESS</b>	<b>CITY</b>	<b>ST</b>	<b>ZIP</b>
		<b>S</b>								
		<b>I</b>								
		<b>C</b>	<b>Basic Score</b>		<b>Class Scores</b>					
<b>Clark</b>	Kameron	N		5	64	New Company	3924 Hwy 117	Powhatan	AR	72548
<b>Cullins</b>	Latoya	Y	66	7	66	Riceland Jonesboro	1803 W College Blvd	Jonesboro	AR	72401
<b>Cullins</b>	Latoya	Y	66	8	48	Riceland Jonesboro	1803 W College Blvd	Jonesboro	AR	72401
<b>Folsom</b>	Brandon	Y	83	6,10	42	New Company	153 Glazy Acres	Hot Springs	AR	71909
<b>Shands</b>	Blake	N		5	94	New Company	29 Hillcrest Ln	Batesville	AR	72501
<b>Weaver</b>	Brian	Y	93	6,10	79	New Company	936 Buffalo Gap Rd.	Jessieville	AR	71949
<b>White</b>	Austin	N		5	56	New Company	3924 Hwy 117	Powhatan	AR	72548

FIRST NAME	LAST NAME	Email	Course Name	Attempt Date	Score
<b>Month of April 2024</b>					
Phillip	Brown	<a href="mailto:pj_brown14@yahoo.com">pj_brown14@yahoo.com</a>	CLASS4TURF	2024-04-01 22:41:47+00:00	62
Jani	Tolvanen	<a href="mailto:janit@proturfpropest.com">janit@proturfpropest.com</a>	CORE	2024-04-05 18:39:18+00:00	95
Cody	Whillock	<a href="mailto:michael@naturalstate.com">michael@naturalstate.com</a>	CLASS1TERM	2024-04-03 14:31:16+00:00	52
Carson	Everett	<a href="mailto:carson.everett32@gmail.com">carson.everett32@gmail.com</a>	CLASS5WEED	2024-04-02 23:55:23+00:00	43
Cody	Whillock	<a href="mailto:michael@naturalstate.com">michael@naturalstate.com</a>	CORE	2024-04-03 13:54:41+00:00	78
Carson	Everett	<a href="mailto:carson.everett32@gmail.com">carson.everett32@gmail.com</a>	CORE	2024-04-02 23:27:30+00:00	67
Libby	Storie	<a href="mailto:vivian.brantley@aweoff.com">vivian.brantley@aweoff.com</a>	CLASS4TURF	2024-04-05 16:24:46+00:00	88
Brett	Goode	<a href="mailto:bgoode@mosquitosquad.com">bgoode@mosquitosquad.com</a>	CLASS4TURF	2024-04-04 14:32:52+00:00	72
Cody	Whillock	<a href="mailto:michael@naturalstate.com">michael@naturalstate.com</a>	CLASS2HOUSE	2024-04-03 15:13:52+00:00	66
Timothy	Ashlock	<a href="mailto:fordashlock75@gmail.com">fordashlock75@gmail.com</a>	CORE	2024-04-04 01:43:15+00:00	64
Jon	Farley	<a href="mailto:jonfarley53@gmail.com">jonfarley53@gmail.com</a>	CORE	2024-04-06 14:22:42+00:00	77
Jon	Farley	<a href="mailto:jonfarley53@gmail.com">jonfarley53@gmail.com</a>	CLASS6GOLF	2024-04-06 15:03:09+00:00	43
John	Harrod	<a href="mailto:bharrod@eldocountryclub.com">bharrod@eldocountryclub.com</a>	CLASS6GOLF	2024-04-11 16:21:32+00:00	41
Wesley	Porter	<a href="mailto:wes@aceofbladesnwa.com">wes@aceofbladesnwa.com</a>	CLASS2HOUSE	2024-04-09 15:36:01+00:00	81
Matthew	Honnoll	<a href="mailto:matt_honnoll@hotmail.com">matt_honnoll@hotmail.com</a>	CORE	2024-04-10 08:14:54+00:00	84
Matthew	Honnoll	<a href="mailto:matt_honnoll@hotmail.com">matt_honnoll@hotmail.com</a>	CLASS5WEED	2024-04-10 08:57:10+00:00	63
Brian	Rusher	<a href="mailto:brianrusher4@gmail.com">brianrusher4@gmail.com</a>	CLASS2HOUSE	2024-04-11 17:48:25+00:00	68
Brandi	Collier	<a href="mailto:brandibbailey@yahoo.com">brandibbailey@yahoo.com</a>	CLASS5WEED	2024-04-12 18:49:04+00:00	51
Timothy	Ashlock	<a href="mailto:fordashlock75@gmail.com">fordashlock75@gmail.com</a>	CORE	2024-04-12 21:47:47+00:00	78
Nahun	Hernandez Cuevas	<a href="mailto:hdzn@hotmail.com">hdzn@hotmail.com</a>	CLASS4TURF	2024-04-14 18:39:59+00:00	64
Brandon	Mathis	<a href="mailto:brandon@aceofbladesnwa.com">brandon@aceofbladesnwa.com</a>	CORE	2024-04-15 15:17:40+00:00	92
Jonathan	Longnecker	<a href="mailto:ckannada@producersri.com">ckannada@producersri.com</a>	CORE	2024-04-18 14:05:45+00:00	67
Jani	Tolvanen	<a href="mailto:janit@proturfpropest.com">janit@proturfpropest.com</a>	CLASS4TURF	2024-04-16 21:28:06+00:00	88
Tyler	Brents	<a href="mailto:tbrents@westernfoods.com">tbrents@westernfoods.com</a>	CLASS8FOODF	2024-04-17 22:10:27+00:00	86
Jeremy	Palmer	<a href="mailto:sp@ecbge.com">sp@ecbge.com</a>	CLASS5WEED	2024-04-19 15:11:54+00:00	70
Andrew	Seaton	<a href="mailto:drew@aceofbladesnwa.com">drew@aceofbladesnwa.com</a>	CLASS4TURF	2024-04-19 14:13:41+00:00	62
Jeremy	Palmer	<a href="mailto:sp@ecbge.com">sp@ecbge.com</a>	CORE	2024-04-19 14:01:22+00:00	87
Jeffrey	Goerig	<a href="mailto:jtgoerig@gmail.com">jtgoerig@gmail.com</a>	CLASS5WEED	2024-04-20 12:01:04+00:00	77
Joshua	Swingle	<a href="mailto:jswingle@moxiepestco.com">jswingle@moxiepestco.com</a>	CORE	2024-04-20 17:28:39+00:00	96
Joshua	Swingle	<a href="mailto:jswingle@moxiepestco.com">jswingle@moxiepestco.com</a>	CLASS2HOUSE	2024-04-20 18:52:23+00:00	87
Nahun	Hernandez Cuevas	<a href="mailto:hdzn@hotmail.com">hdzn@hotmail.com</a>	CORE	2024-04-25 19:06:59+00:00	91
Howard	Rice	<a href="mailto:ktrrice@yahoo.com">ktrrice@yahoo.com</a>	CLASS2HOUSE	2024-04-26 20:39:30+00:00	63
Clarence	Spencer	<a href="mailto:eddiespencer1996@gmail.com">eddiespencer1996@gmail.com</a>	CLASS2HOUSE	2024-04-29 18:07:02+00:00	68
Clarence	Spencer	<a href="mailto:eddiespencer1996@gmail.com">eddiespencer1996@gmail.com</a>	CLASS2HOUSE	2024-04-29 18:07:02+00:00	68



<b>EXAM DATE:</b>	<b>5/13/2024</b>									
		<b>B</b>								
<b>LAST NAME</b>	<b>FIRST NAME</b>	<b>A</b>		<b>Class</b>		<b>COMPANY NAME</b>	<b>COMPANY ADDRESS</b>	<b>CITY</b>	<b>ST</b>	<b>ZIP</b>
		<b>S</b>								
		<b>I</b>								
		<b>C</b>	<b>Basic Score</b>		<b>Class Scores</b>					
<b>Innis</b>	Phillip	Y		2	53%	Terminix	2002 N Shiloh Drive	Fayetteville	AR	72704
<b>Baker</b>	Bryan	Y	89%	2	64%	Hyde's Termite & Pe	1104 N 31 1/2 St	Paragould	AR	72450

FIRST NAME	LAST NAME	Email	Course_id	Company	Date They Took Exam	Score
<b>Month of May 2024</b>						
Benjamin	Bordeaux	ben@1912walton.com	CLASS4TURF		2024-05-01 22:56:24+00:00	66
Joshua	Taylor	josht78@yahoo.com	CLASS5WEED		2024-05-02 13:25:59+00:00	78
Benjamin	Bordeaux	ben@1912walton.com	CORE		2024-05-01 22:19:45+00:00	92
Aaron	Rathel	natalie@eastsiderice.com	CLASS8FOODF	Eastside Rice	2024-05-07 19:43:38+00:00	74
Scott	Mitchell	scott.mitchell@fairwaylawns.com	CLASS4TURF		2024-05-07 15:22:40+00:00	80
Vivian	Brantley	vivian.brantley@aweoffice.org	CLASS4TURF		2024-05-09 02:54:42+00:00	76
Vivian	Brantley	vivian.brantley@aweoffice.org	CORE		2024-05-09 02:34:34+00:00	92
James	Chisolm	ccps.richard@gmail.com	CLASS2HOUSE		2024-05-09 15:24:17+00:00	75
Joshua	Swingle	jswingle@moxiepestcontrol.com	CLASS1TERM	Moxie Pest Control	2024-05-04 17:50:12+00:00	84
Zachary	Martin	rumblepestar@gmail.com	CLASS1TERM	Rumble Pest Control	2024-05-13 20:21:02+00:00	56
Travis	Perrow	travisperrow@yahoo.com	CORE		2024-05-14 17:11:07+00:00	88
Travis	Perrow	travisperrow@yahoo.com	CLASS4TURF		2024-05-14 18:09:07+00:00	46
Isaac	Bird	isaac@centralse.com	CLASS3GENFUM		2024-05-16 17:17:11+00:00	78
J	Keith	michelle.buchanan@northark.edu	CLASS4TURF		2024-05-14 16:04:22+00:00	86
Tony	Ritchie	tony.ritchie@fairwaylawns.com	CLASS4TURF	Fairway Lawns	2024-05-15 16:52:12+00:00	70
Tony	Ritchie	tony.ritchie@fairwaylawns.com	CORE	Fairway Lawns	2024-05-15 16:13:24+00:00	79
Aaron	Rathel	natalie@eastsiderice.com	CORE	Eastside Rice	2024-05-17 20:58:55+00:00	90
Garren	Deese	garrendeese3@gmail.com	CLASS5WEED		2024-05-17 04:45:59+00:00	45
Andrew	Dunnell	andrew.dunnell@terminix.com	CLASS1TERM	Terminix	2024-05-20 20:23:15+00:00	76
Andrew	Dunnell	andrew.dunnell@terminix.com	CORE	Terminix	2024-05-20 19:12:26+00:00	90
Zachary	Wentworth	zach@lazerpropertyervices.com	CORE		2024-05-18 19:00:25+00:00	97
Zachary	Wentworth	zach@lazerpropertyervices.com	CLASS4TURF		2024-05-18 20:08:46+00:00	68
Airel	Baggett	baggettlawns@gmail.com	CORE		2024-05-24 16:40:37+00:00	89
Keith	Cox	ckannada@producersrice.com	CLASS8FOODF	Producers Rice	2024-05-22 16:49:54+00:00	68
Austin	James	ozarkbitcoins@gmail.com	CLASS4TURF		2024-05-22 20:34:34+00:00	80
Dallas	McCool	dallasjmccool@gmail.com	CLASS2HOUSE		2024-05-23 20:13:46+00:00	79
Dallas	McCool	dallasjmccool@gmail.com	CORE		2024-05-21 16:14:29+00:00	94
Kenneth	Spencer	k.shane.spencer@gmail.com	CLASS4TURF		2024-05-25 16:15:05+00:00	68
Jacob	Stevens	jstevens@fayetteville-ar.gov	CLASS4TURF		2024-05-21 19:50:25+00:00	56
Jacob	Stevens	jstevens@fayetteville-ar.gov	CORE		2024-05-21 18:55:45+00:00	81
Adam	Whitmore	awhitmore@moxiepestcontrol.com	CLASS1TERM	Moxie Pest Control	2024-05-23 05:10:49+00:00	87
Adam	Whitmore	awhitmore@moxiepestcontrol.com	CORE	Moxie Pest Control	2024-05-22 19:47:30+00:00	94

**MINUTES OF  
ARKANSAS STATE PLANT BOARD  
PESTICIDE COMMITTEE MEETING**

**May 22, 2024**

**Committee Members Present:** Chairman Matthew Marsh,  
**Committee Member via Zoom:** Sam Angel, George Dunklin, Garrett Frost, Matthew Miles,  
Dr. Nathan Slaton  
**Committee Member Absent:** Nathan Reed

Scott Bray, Plant Industries Division Director, Susie Nichols, Pesticide Section Agri Section Manager, Tanner Thomas and Sherry Seiffert, Managing Attorneys and other Arkansas Department of Agriculture staff members and guests were present.

Chairman George Dunklin gave a brief introduction and turned the floor over to Matthew Marsh as the chairman of today's Pesticide Committee meeting.

Chairman Matthew Marsh called the meeting to order at 09:30 A.M. and asked Pesticide Committee Members and all others attending to introduce themselves.

Chairman Marsh introduced the next item on the agenda which was the presentation of a case file example and turned the floor over to Leigh Gibson, Pesticide Section Enforcement Program Manager.

Gibson provided an overview of the case file documents and investigation procedures.

Chairman Marsh introduced the next item on the agenda, which was the review of enforcement actions and turned the floor over to Susie Nichols, Pesticide Section Agri Division Manager.

Nichols presented the enforcement actions (Attachment 1). The following enforcement actions were presented as uncontested warning letters:

- Enforcement actions # 1) through 16)

Committee Member Garrett Frost recused himself from any discussion and vote of the enforcement actions 1), 3), 8), 15) and 16).

Committee Member Matthew Miles made a motion to accept department staff's recommendation on enforcement actions # 1) through 16), seconded by Committee Member Sam Angel. Motion Carried.

The following enforcement actions were presented as signed consent agreements:

- Enforcement actions # 17) through 20)

Committee Member Garrett Frost recused himself from any discussion and vote.

Committee Member Sam Angel made a motion to accept department staff's recommendation on enforcement actions # 17) through 20), seconded by Committee Member Matthew Miles. Motion carried.

The following enforcement actions were presented as consent agreements with no response after 30 day or attempted hand delivery:

- Enforcement action # 21)

Committee Member Garrett Frost recused himself from any discussion and vote.

Committee Member Matthew Miles made a motion to accept department staff's recommendation on enforcement action # 21), seconded by Committee Member Sam Angel. Motion carried.

Chairman Marsh introduced the next item on the agenda which was a licensing update and turned the floor over to Susie Nichols, Pesticide Section Agri Section Manager.

Nichols provided an overview of where the Pesticide Section is moving towards with the licensing database and process, (Attachment 2), the various license types, and number of licenses that have been issued since January 1, 2024.

Chairman Marsh then introduced the next item on the agenda which was an update on the drone use for pesticide application and turned the floor over to Susie Nichols, Pesticide Section Agri Section Manager.

Nichols provided an update regarding drone use for pesticide application (Attachment 3). Nichols was asked to contact Dr. Jason Davis and Dr. Terry Spurlock with the University of Arkansas regarding their availability to attend the upcoming full board meeting for questions and discussion regarding drone use.

Chairman Marsh asked if there was anyone else with other business to come before the Pesticide Committee.

Scott Bray provided an update on the webinar regarding the future in-crop use of Dicamba.

Chairman Marsh asked if there was anyone else with other business to come before the Pesticide Committee. There was none.

Meeting was adjourned.

Signed



Matthew Marsh, Chairman  
Pesticide Committee

## Pesticide Committee Meeting - May 22, 2024 at 9:30 a.m.

### WARNING LETTERS

Item	Case #	Name/Company Name	Date of Violation	Violation	Penalty Level	Action Taken
1	20-0268	Joseph B. Blundell	June 3, 2020	Drift	Level I Minor	Warning Letter
2	20-0277	Glenn Kale	Multiple	Record Keeping - Class H & Class F	Level I Minor	Warning Letter
3	21-0029	Ronny Rogers	April 18, 2021	Buffer Zone	Level I Minor	Warning Letter
4	21-0120	James Caleb Jones	June 26, 2021	Drift - Class H	Level I Minor	Warning Letter
5	21-0120	James Caleb Jones	June 26, 2021	Buffer Zone - Class H	Level I Minor	Warning Letter
6	22-0045	Thomas Kyle Sealy	April 30, 2022	Drift - Class F	Level I Minor	Warning Letter
7	22-0045	Curtis Heidelberger	April 30, 2022	No Training Certificate - Class F	Level I Minor	Warning Letter
8	22-0088	Jonathon Edge	June 1, 2022	Drift	Level I Minor	Warning Letter
9	22-0101	Nick Templeton	June 17, 2022	Drift	Level I Minor	Warning Letter
10	22-0101	Nick Templeton	June 17, 2022	Buffer Zone	Level I Minor	Warning Letter
11	22-0206	William Earl Oxner, III	Unknown	Drift - Class H	Level I Minor	Warning Letter
12	22-0206	William Earl Oxner, III	Unknown	Buffer Zone - Class H	Level I Minor	Warning Letter
13	22-0206	William Earl Oxner, III	Unknown	Record Keeping - Class H	Level I Minor	Warning Letter
14	22-0206	William Earl Oxner, III	Unknown	No Training Certificate - Class H	Level I Minor	Warning Letter
15	23-0056	Michael Darin Walton	March 30, 2023	Drift - Class H	Level I Minor	Warning Letter
16	23-0056	Michael Darin Walton	March 30, 2023	Buffer Zone - Class H	Level I Minor	Warning Letter

### SIGNED CONSENT AGREEMENTS

Item	Case #	Name/Company Name	Date of Violation	Violation	Penalty Level	Staff Recommendation
17	21-0029	Ronny Rogers	April 18, 2021	Drift	Level III	\$800
18	21-0156	Rusty Taylor	June 28, 2021	Use of an Unregistered Product - Class H	Level I	\$400
19	21-0156	Rusty Taylor	June 28, 2021	Record Keeping - Class H	Level I	\$300
20	21-0156	Rusty Taylor	June 28, 2021	Buffer Zone - Class H	Level I	\$400

Class F = all 2,4-D and 2,4-D containing pesticides      Class H = all pesticides containing dicamba

### CONSENT AGREEMENTS

#### DELIVERY RECEIPT - NO RESPONSE AFTER 30 DAYS or ATTEMPTED HAND DELIVERY

Item	Case #	Name/Company Name	Date of Violation	Violation	Penalty Level	Staff Recommendation
21	21-0029	Hog Air Aviation, Inc.	April 18, 2021	No Commercial Firm License	Level II	\$700

Class F = all 2,4-D and 2,4-D containing pesticides      Class H = all pesticides containing dicamba

**Pesticide Committee Meeting**  
**May 22, 2024**  
**09:30 A.M.**

**WARNING LETTERS**

**CF20-0268 Joseph B. Blundell (Drift)**

The Plant Board alleged Mr. Joseph Blundell, Commercial Applicator, made an aerial application of Grazon Next HL and Remedy Ultra to Little Red River Levee for burndown for Little Red River Levee Dist. 1 on June 3, 2020. The evidence shows this application drifted off target onto Mr. Porter's cotton. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

**CF20-0277 Glenn Kale (Record Keeping – Class H and Class F)**

The Plant Board alleged Mr. Glenn Kale, Private Applicator, made burndown applications of Qt of RU and 1 ½ pt. of Brash to 4 fields on March 2, 2020, 10 fields on March 6, 2020, 6 fields on March 9, 2020, and 4 fields on March 26, 2020. Mr. Kale also made applications of 22 ounces of Dicamba and 2.75 ounces of Zidua to 4 fields on May 18, 2020, 10 fields on May 19, 2020, 6 fields on May 20, 2020, and 4 fields on May 21, 2020. The evidence shows Mr. Kale failed to keep the proper records by not recording the name and address of person in control of the crops, location of crop, start and ending times, wind speed and direction at the start and ending time of application, complete brand name and EPA registration number of the material used, number of acres and type of crop to which the material was applied, type of equipment used, distance from and any direction to susceptible crops, and name of application vehicle operator as required for Class H and Class F products. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

**CF21-0029 Ronny Rogers (Buffer Zone)**

The Plant Board alleged Mr. Ronny Rogers, Commercial Applicator, made an aerial application of Roundup PowerMAX and Leadoff to 373 acres in the Bennett 3 field for burndown for Mr. Bruce Koehn on April 18, 2021. The evidence shows the application was made joining Mr. Kitchens' property; which would be inside the 100 foot aerial buffer zone requirement for Roundup PowerMAX; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

**CF21-0120 James Caleb Jones (Drift - Class H)**

The Plant Board alleged Mr. James Caleb Jones, Private Applicator, made a postemergence ground application of Tavium, Sentris, and Drift Buster to 80 acres of soybeans on June 26, 2021 to the Frog Pond Field. The evidence shows this application drifted off target onto Mr. Douglas' soybeans. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

**CF21-0120 James Caleb Jones (Buffer Zone - Class H)**

The Plant Board alleged Mr. James Caleb Jones, Private Applicator, made a postemergence ground application of Tavium, Sentris, and Drift Buster to 80 acres of soybeans on June 26, 2021 to the Frog Pond Field. The evidence shows the application was made within approximately 30 feet of Mr. Douglas' non dicamba-tolerant soybean field which would be inside the ¼ mile buffer zone requirement for Class H Products; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

**CF22-0045 Thomas Kyle Sealy (Drift – Class F)**

The Plant Board alleged Mr. Curtis Heidelberg, operating under Mr. Thomas Kyle Sealy's Private Applicator License, made a preemergence ground application of Boundary 6.5 EC, Enlist One, and Roundup PowerMAX 3 to 223.9 acres of soybeans in the Buckshot field. The evidence shows this application drifted off target onto Mr. Brewer's corn. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

**CF22-0045 Curtis Heidelberg (No Training Certificate – Class F)**

The Plant Board alleged Mr. Curtis Heidelberg, operating under Mr. Thomas Kyle Sealy's Private Applicator License, made a preemergence ground application of Boundary 6.5 EC, Enlist One, and Roundup PowerMAX 3 to 223.9 acres of soybeans in the Buckshot field. Mr. Curtis Heidelberg could not produce a 2022 Arkansas Training and Certification Program for Enlist One and Enlist Duo Herbicide Certificate required for the application. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

**CF22-0088 Jonathon Edge (Drift)**

The Plant Board alleged Mr. Jonathon Edge, Commercial Applicator, made a postemergence aerial application of Newpath and Permit Plus to 130 acres in the Everman field for Mr. Hunter Prislowsky on June 1, 2022. The evidence shows this application drifted off target onto Mr. Bednar's rice. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

### **CF22-0101 Nick Templeton (Drift)**

The Plant Board alleged Mr. Nick Templeton, Private Applicator, made a postemergence ground application of Stam M4, Prize, and Promote to 35 acres of rice in the South Tuckerman field on June 17, 2022. The evidence shows this application drifted off target onto Mr. Bundy's tomato plants. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

### **CF22-0101 Nick Templeton (Buffer Zone)**

The Plant Board alleged Mr. Nick Templeton, Private Applicator, made a postemergence ground application of Stam M4, Prize, and Promote to 35 acres of rice in the South Tuckerman field on June 17, 2022. The evidence shows the application was made within approximately 200 feet of Mr. Bundy's tomato plants which would be inside the ¼ mile buffer zone requirement for Quinclorac; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

### **CF22-0206 William Earl Oxner, III (Drift – Class H)**

The Plant Board alleged Mr. William Earl Oxner, III, Private Applicator, made an application of an unknown product containing dicamba to soybeans in the Block Building field on an unknown date. The evidence shows this application drifted off target onto Mr. Davis's soybeans. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

### **CF22-0206 William Earl Oxner, III (Buffer Zone – Class H)**

The Plant Board alleged Mr. William Earl Oxner, III, Private Applicator, made an application of an unknown product containing dicamba to soybeans in the Block Building field on an unknown date. The evidence shows the application was made within approximately 20 feet of Mr. Davis's non dicamba-tolerant soybean field which would be inside the ¼ mile buffer zone requirement for Class H Products; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

### **CF22-0206 William Earl Oxner, III (Record Keeping – Class H)**

The Plant Board alleged Mr. William Earl Oxner, III, Private Applicator, made an application of an unknown product containing dicamba to soybeans in the Block Building field on an unknown date. The evidence shows Mr. Oxner failed to keep the proper records by not recording the application. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.



**CF22-0206 William Earl Oxner, III (No Training Certificate – Class H)**

The Plant Board alleged Mr. William Earl Oxner, III, Private Applicator, made an application of an unknown product containing dicamba to soybeans in the Block Building field on an unknown date. Mr. Oxner could not provide the training certificate required for the application. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

**CF23-0056 Michael Darin Walton (Drift – Class H)**

The Plant Board alleged Mr. Michael Darin Walton, Commercial Applicator, made an aerial application of Buccaneer 5 Extra and Detonate to 38 acres in the Leveled SE field for Mr. Marty White for burndown on March 30, 2023. The evidence shows this application drifted off target onto Mr. Welch's lawn and trees. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

**CF23-0056 Michael Darin Walton (Buffer Zone – Class H)**

The Plant Board alleged Mr. Michael Darin Walton, Commercial Applicator, made an aerial application of Buccaneer 5 Extra and Detonate to 38 acres in the Leveled SE field for Mr. Marty White for burndown on March 30, 2023. The evidence shows the application was made within approximately 48 feet of Mr. Welch's property which would be inside the 100 foot buffer zone requirement for Buccaneer 5 Extra; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

**SIGNED CONSENT AGREEMENTS**

**CF21-0029 Ronny Rogers (Drift)**

The Plant Board alleged Ronny Rogers, Commercial Applicator, made an aerial application of Roundup PowerMAX and Leadoff to 373 acres in the Bennett 3 field for burndown for Mr. Bruce Koehn on April 18, 2021. The evidence shows this application drifted off target onto Mr. Kitchens's property. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level III Major violation. Mr. Rogers agrees to a Civil Penalty of \$800 for settlement of the allegation.

### **CF21-0156 Rusty Taylor (Use of an Unregistered Product – Class H)**

The Plant Board alleged Mr. Rusty Taylor, Private Applicator, made a postemergence ground application of Xtendimax (EPA Reg.# 524-617) and Reign to 250 acres of soybeans in the C2 field on June 28, 2021. The evidence shows the application was made after December 20, 2020 (date the registration for this product expired); thus, is considered use of an unregistered Class H product. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Major violation. Mr. Taylor agrees to a Civil Penalty of \$400 for settlement of the allegation.

### **CF21-0156 Rusty Taylor (Record Keeping – Class H)**

The Plant Board alleged Mr. Rusty Taylor, Private Applicator, made a postemergence ground application of Xtendimax (EPA Reg.# 524-617) and Reign to 250 acres of soybeans in the C2 field on June 28, 2021. The evidence shows Mr. Taylor failed to keep the proper records by not recording the total amount applied, receipts of purchase, product label, buffer requirement, sensitive crops awareness, air temperature, and nozzle pressure. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Major violation. Mr. Taylor agrees to a Civil Penalty of \$300 for settlement of the allegation.

### **CF21-0156 Rusty Taylor (Buffer Zone – Class H)**

The Plant Board alleged Mr. Rusty Taylor, Private Applicator, made a postemergence ground application of Xtendimax (EPA Reg.# 524-617) and Reign to 250 acres of soybeans in the C2 field on June 28, 2021. The evidence shows the application was made within ¼ mile of Mr. Stephens' non dicamba-tolerant soybean field which would be inside the ¼ mile buffer zone requirement for Class H Products; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level I Major violation. Mr. Taylor agrees to a Civil Penalty of \$400 for settlement of the allegation.

## **CONSENT AGREEMENTS**

### **Delivery Receipt – No Response after 30 days or hand delivery**

#### **CF21-0029 Hog Air Aviation, Inc. (Garland City) (No Commercial Firm License)**

The Plant Board alleged Ronny Rogers, Commercial Applicator for Hog Air Aviation, Inc. in Garland City, AR, made an aerial application of Roundup PowerMAX and Leadoff to 373 acres in the Bennett 3 field for burndown for Mr. Bruce Koehn on April 18, 2021. The evidence shows Hog Air Aviation, Inc. in Garland City, AR was not duly licensed as a Commercial Firm at the time of the April 18, 2021 application. The Arkansas State Plant Board's Pesticide Enforcement Response Regulation's Penalty Matrix defines this violation as a Level II Major violation. Hog Air Aviation, Inc. in Garland City, AR was offered a Consent Agreement in the amount of \$700 and did not respond to this allegation.



PLANT INDUSTRIES  
DIVISION

## INDIVIDUAL COMMERCIAL APPLICATOR

### LICENSE RENEWAL NOTICE

LICENSE TYPE: Individual Commercial Applicator  
LICENSE NUMBER: 5788  
LICENSE EXPIRATION: 12/31/2023

STEP 1: VALIDATION PERIOD START: 2/9/2023 END: 3/3/2023

- REVIEW ATTACHED CURRENT INFORMATION
- CHOOSE METHOD OF VALIDATION

#### TO VALIDATE ONLINE

- Go to:  
<https://www.cognitoforms.com/ArkansasAgriculture1/DP30VLicenseValidationFormIndividualCommercialApplicator>
- Make any needed changes and complete required fields then click "Submit" button. If no changes, just complete required fields then click "Submit" button.
- Allow 5-7 business days for the validation process to be completed once submitted.



#### TO VALIDATE BY MAIL

- Make any needed changes and complete required fields on the attached validation form then mail. If no changes, just complete required fields then mail.
- Mail the completed validation form to:  
Arkansas Department of Agriculture  
Plant Industries Division, Pesticide Section  
#1 Natural Resources Drive  
Little Rock, AR 72205
- Allow 5-7 business days for the validation process to be completed once submitted.

STEP 2: PAYMENT PERIOD START: 3/3/2023 END: 3/31/2023

- An Invoice will be mailed or emailed to you with instructions on how to pay the license fees – ONLY if all licensing and certification requirements are met.

STEP 3: LICENSING PERIOD START: Once Payment Is Submitted

- Allow 3-5 business days for the payment process to be completed and your license card will be available online at [License Search & Verification](#)



**PESTICIDE SECTION: LICENSE VALIDATION FORM**  
**INDIVIDUAL COMMERCIAL APPLICATOR LICENSE**  
for Year 2023

**PLANT INDUSTRIES  
DIVISION**

**To Validate by Mail:**

- Make any changes to the current information, complete required fields, and mail.
- For mailing instructions see renewal notice.
- **DO NOT SUBMIT A PAYMENT WITH THE VALIDATION FORM**, an invoice will be sent for payment.

**IMPORTANT: FIELDS MARKED WITH \* AND ONE PHONE NUMBER ARE REQUIRED TO BE COMPLETE**

License Number	5788
*Name	[REDACTED]
*Date of Birth	[REDACTED]
FAA Number (FAA Number is required for Aerial)	[REDACTED]
*Address	[REDACTED] [REDACTED]
*County-Resident	Arkansas
Cell Phone	[REDACTED]
Business Phone	
*Email Address (if none list N/A)	[REDACTED]
*Current Licensed Categories	1, 6,
Certification or Training Expiration Date	12/31/2025

<b>* Category(s) applying for (must be currently certified in each to apply):</b>	
<input type="checkbox"/> Agricultural -Plants	<input type="checkbox"/> Aquatic
<input type="checkbox"/> Agricultural – Animals	<input type="checkbox"/> Right-of-Way
<input type="checkbox"/> Forest Pest Control	<input type="checkbox"/> Demonstration and Research
<input type="checkbox"/> Wood Treatment	<input type="checkbox"/> Public Health

<b>* Pilot Authorization and/or Custom Authorization applying for:</b>	<b>YES</b>
Pilot's Authorization (For ALL Aerial Applicator's)	<input type="checkbox"/>
Custom Pilot's Authorization (Must have passed Custom Aerial Applicator Exam)	<input type="checkbox"/>
Custom Ground Authorization (Must have passed Custom Ground Applicator Exam)	<input type="checkbox"/>

<b>* Employer or Licensed Firm(s) Name and Location (City):</b>
<b>Custom Air, Inc. - Roe</b> <b>Grand Prairie Dusters, Inc. - Almyra</b>

I do hereby attest that I have read and am familiar with the Pesticide Use and Application Act and the Regulations adopted thereunder.

\*Applicant's Signature: \_\_\_\_\_ \*Date: \_\_\_\_\_  
 (PERSON APPLYING ONLY)



PLANT INDUSTRIES  
DIVISION

ARKANSAS DEPARTMENT OF AGRICULTURE  
PESTICIDE SECTION  
#1 NATURAL RESOURCES DRIVE  
LITTLE ROCK, AR 72205

OFFICE USE ONLY

## PESTICIDE SECTION: LICENSE INVOICE

Bill To  
[Redacted]

Date: 2024-03-26  
Invoice #: PS-100900  
Renewal/Payment Period: 1/1/2019 through 12/31/2029

Item/Description	Total Amount
Individual Commercial Applicator (5788) x Cat 2, Pilot Authorization, Custom Pilot,	\$140.00
<b>Total Due</b>	<b>\$140.00</b>

### Payment Options

Online Payment	Check #
<p><b>Go To:</b> <a href="#">License/Permit Renewal</a></p> <p>Follow instructions provided on the online payment portal.</p> <p><b>Login Information:</b></p> <p>License #: <input type="text" value="5788"/></p> <p>Make online payment</p>	<p><b>Mail check with this invoice to:</b></p> <p>Arkansas Department of Agriculture Plant Industries Division, Pesticide Section #1 Natural Resources Drive Little Rock, AR 72205</p> <p><b>Make check payable to:</b></p> <p>Arkansas State Plant Board</p>



Once payment has been processed the license information, including the license cards, can be accessed to download and/or print within 3-5 business days at the following link: [License Search & Verification](#).

If you have any questions, please contact us at [Pesticide.commercial@agriculture.arkansas.gov](mailto:Pesticide.commercial@agriculture.arkansas.gov)

## DRONES

### GENERAL INFORMATION

Drones are considered aircraft per FAA and the Arkansas Department of Agriculture. Routine inspections are conducted throughout the state regarding the sale and use of pesticides. All equipment is currently classified as air or ground and not specifically by drones.

Drone applications are considered aerial applications. Anyone making applications by drone must follow the Federal label instructions for aerial applications along with any applicable State laws and rules. If applications made by a drone **cannot** comply with the Federal and State requirements, then it would be considered a violation.

### LICENSES NEEDED TO APPLY PESTICIDES BY DRONE

**If a pesticide application is made for hire by air (drone is considered air) the following is needed:**

- Commercial Firm License with aerial category, including insurance.
- Individual Commercial License with aerial category and other applicable categories needed (i.e. agriculture plants)

**If an individual is applying pesticides to their own land by air (drone is considered air) then the following license is needed.**

- Private Applicator with pilot Authorization

### FAA Requirements

- Pilot license under FAA Part 107 (drone)
- Part 137 Dispensing Chemicals and Agricultural Products via UAS
- Section 44807 waiver - Special Authority for Certain Unmanned Aircraft Systems (over 55 lbs.)

### CONTACT INFORMATION

#### **For licensing questions contact:**

Pesticide Section, Arkansas Department of Agriculture 501-225-1598

Tracy Eades [Tracy.Eades@agriculture.arkansas.gov](mailto:Tracy.Eades@agriculture.arkansas.gov)

Mary Turley [Mary.Turley@agriculture.arkansas.gov](mailto:Mary.Turley@agriculture.arkansas.gov)

Susie Nichols [Susie.Nichols@agriculture.arkansas.gov](mailto:Susie.Nichols@agriculture.arkansas.gov)

**To report a complaint regarding a misuse of a pesticide (drift off target, use inconsistent with the label, unlicensed applicators, etc.) contact:**

Pesticide Section, Arkansas Department of Agriculture 501-225-1598

Leigh Gibson [leigh.gibson@agriculture.arkansas.gov](mailto:leigh.gibson@agriculture.arkansas.gov)

Tiffany McDade [Tiffany.McDade@agriculture.arkansas.gov](mailto:Tiffany.McDade@agriculture.arkansas.gov)

Susie Nichols [Susie.Nichols@agriculture.arkansas.gov](mailto:Susie.Nichols@agriculture.arkansas.gov)

# Applications with RPAAS

*(Remotely Piloted Aerial Application Systems)*

**So... You bought a spray drone.  
Now what?**



# Why RPAAS

- Can get where a manned aircraft and a ground rig cannot.
- Easy to obtain and generally easy to operate
- Nimble and automated
- First wave of commercialized field robotics in agriculture

## But...

- There are many limitations- battery, payload
- Field efficiency is low compared with other methods
- Regulations are weakly developed and poorly understood
- We still have much to learn.



# Conversation with applicators

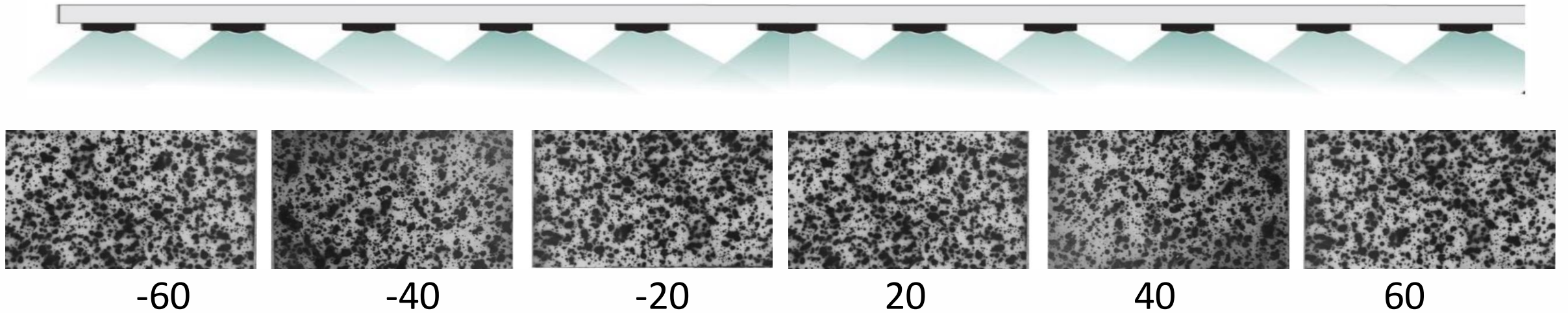
- How do I set these up?
  - Spray swath
  - Volume
  - Droplet size
  - Efficacy
- Practical application considerations
- Regulations
- thoughts on these advanced machinery



# Boom Sprayers

## Assumptions

1. Uniform nozzle spacing, consistent pressure, consistent fan angle
2. Uniform application height and speed
3. Negligible wind effects, stable or consistent air movement



# RPAAS Assumptions

1. Uniform and assumed swath width, ~~consistent pressure, consistent fan angle~~

What is an “effective Swath Width?”

2. Uniform application height and speed ✓

3. Negligible wind effects, stable or consistent air movement



# Swathing (T30)

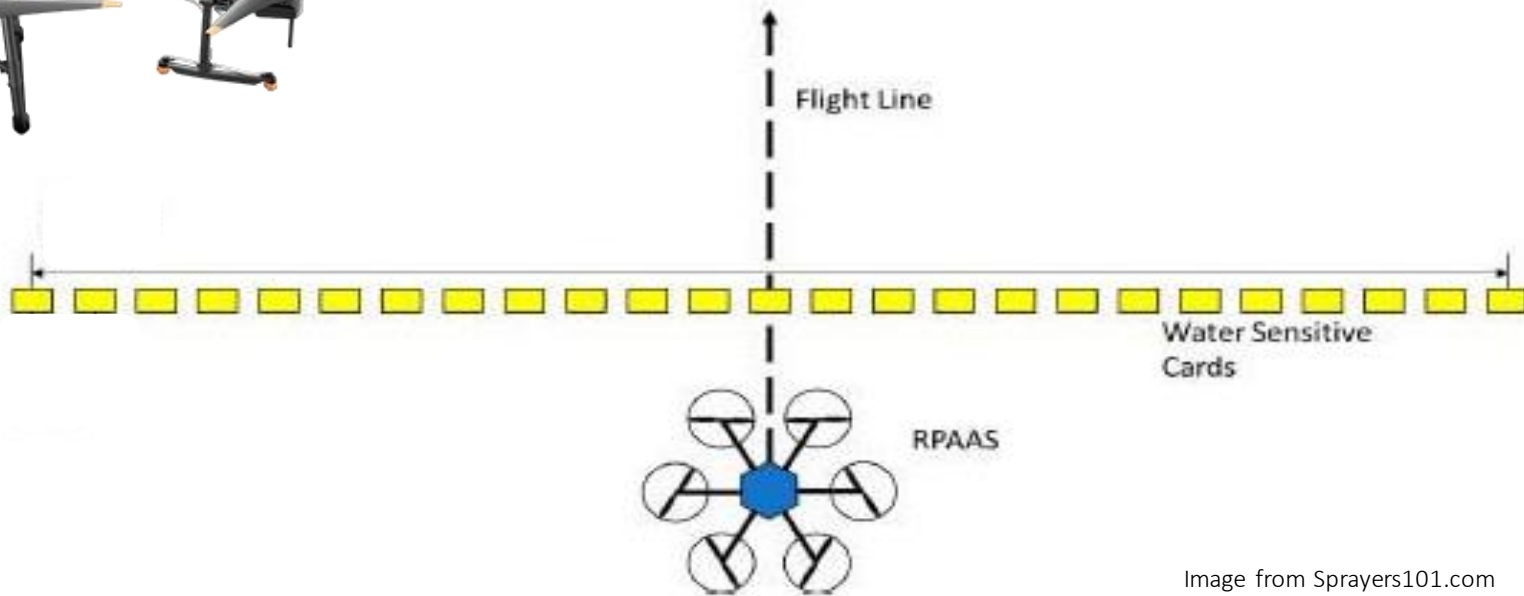


Image from [Sprayers101.com](http://Sprayers101.com)

8 passes (2 reps @ 4 spray volumes) with DJI T30 with XR11002, 10 ft alt

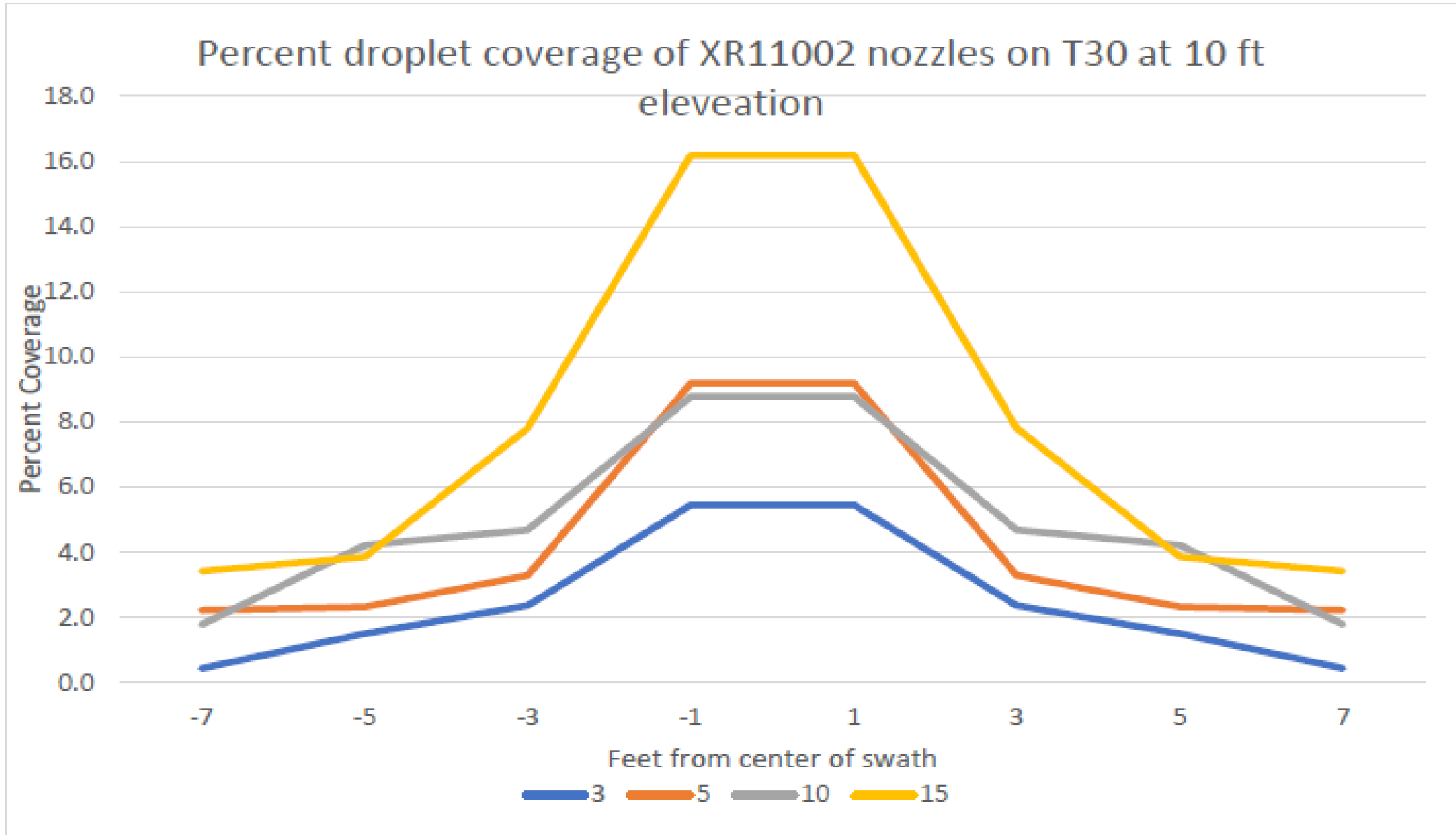
Speed and pressure were automated to achieve each spray volume

Spray cards placed at 2' intervals to capture full swath





*\* Wind adjusted pattern models*





# Swathing T40



# Swathing T40



## Droplet Size Selection Guide

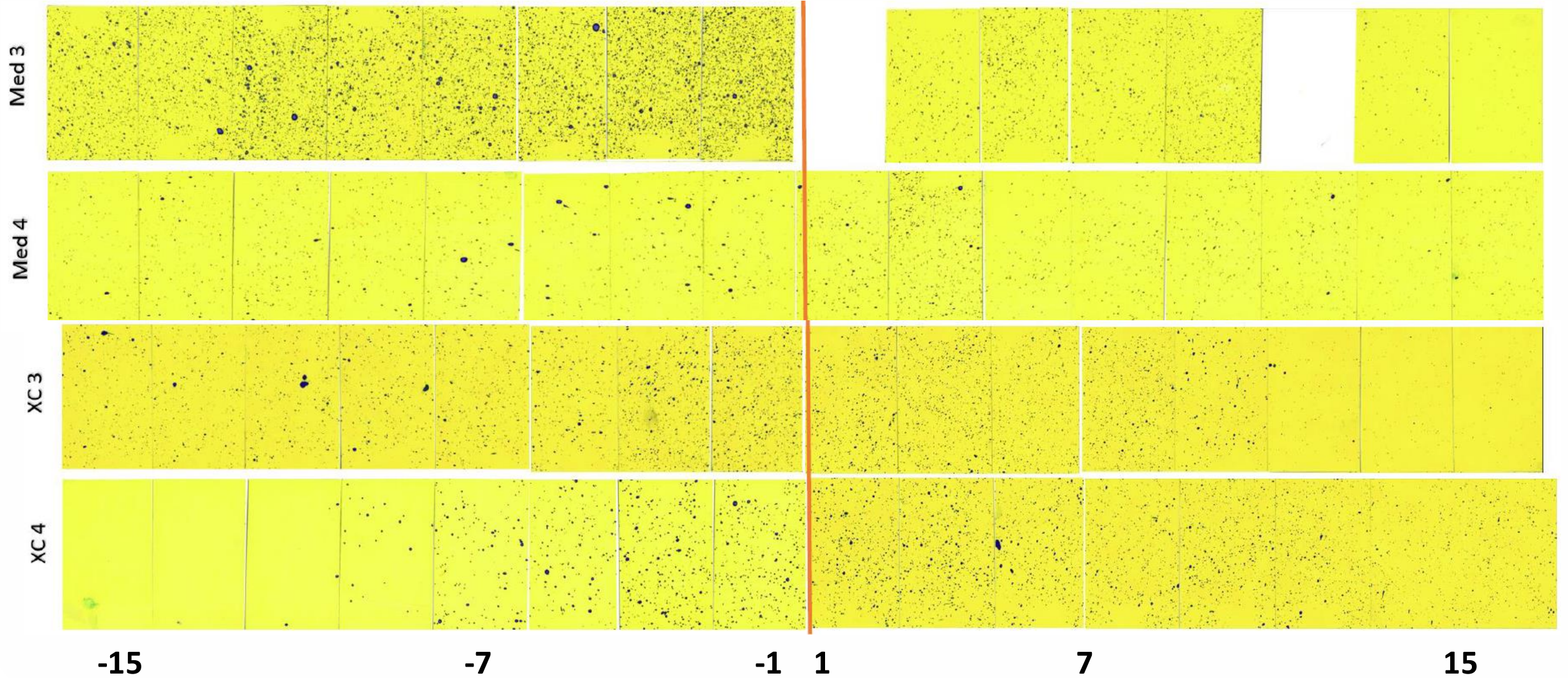
New categories cover a wider range of droplet sizes that allows for more accurate spraying. Refer to chart below for mapping between old and new categories



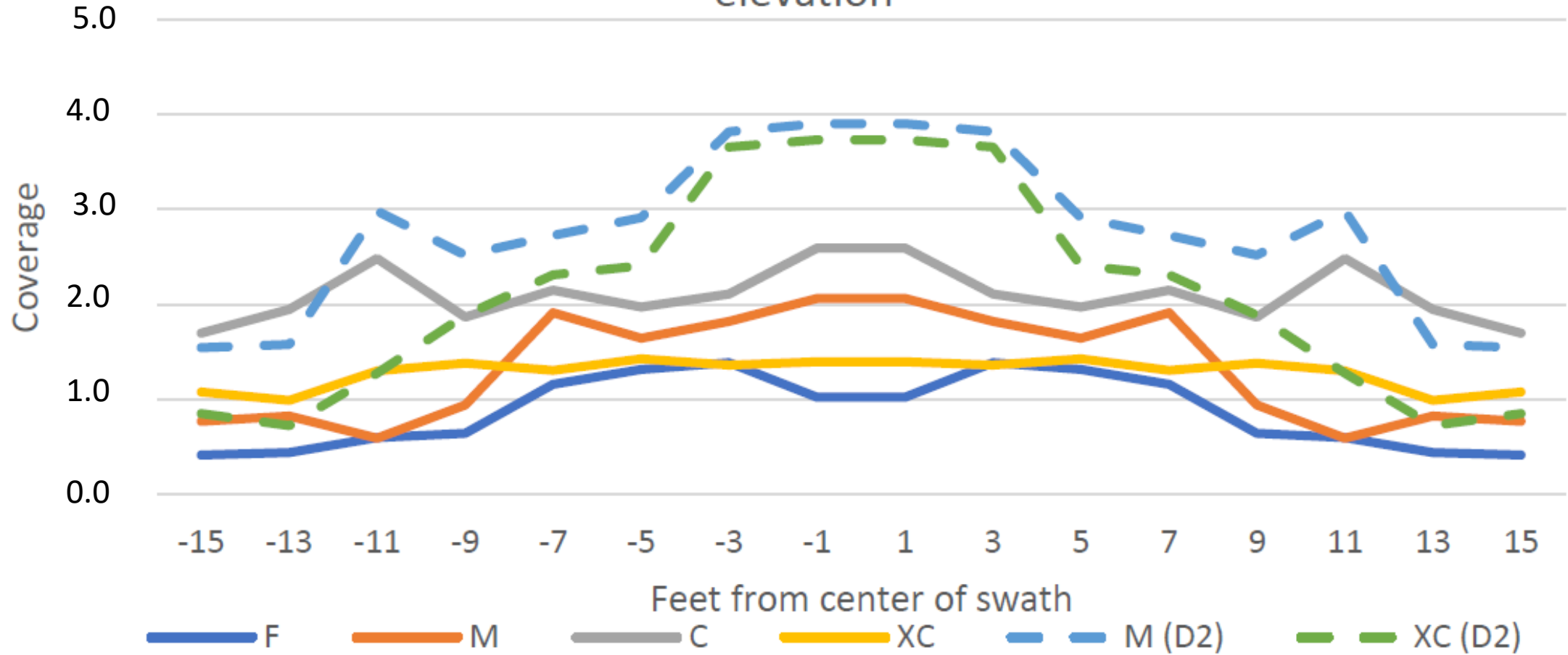




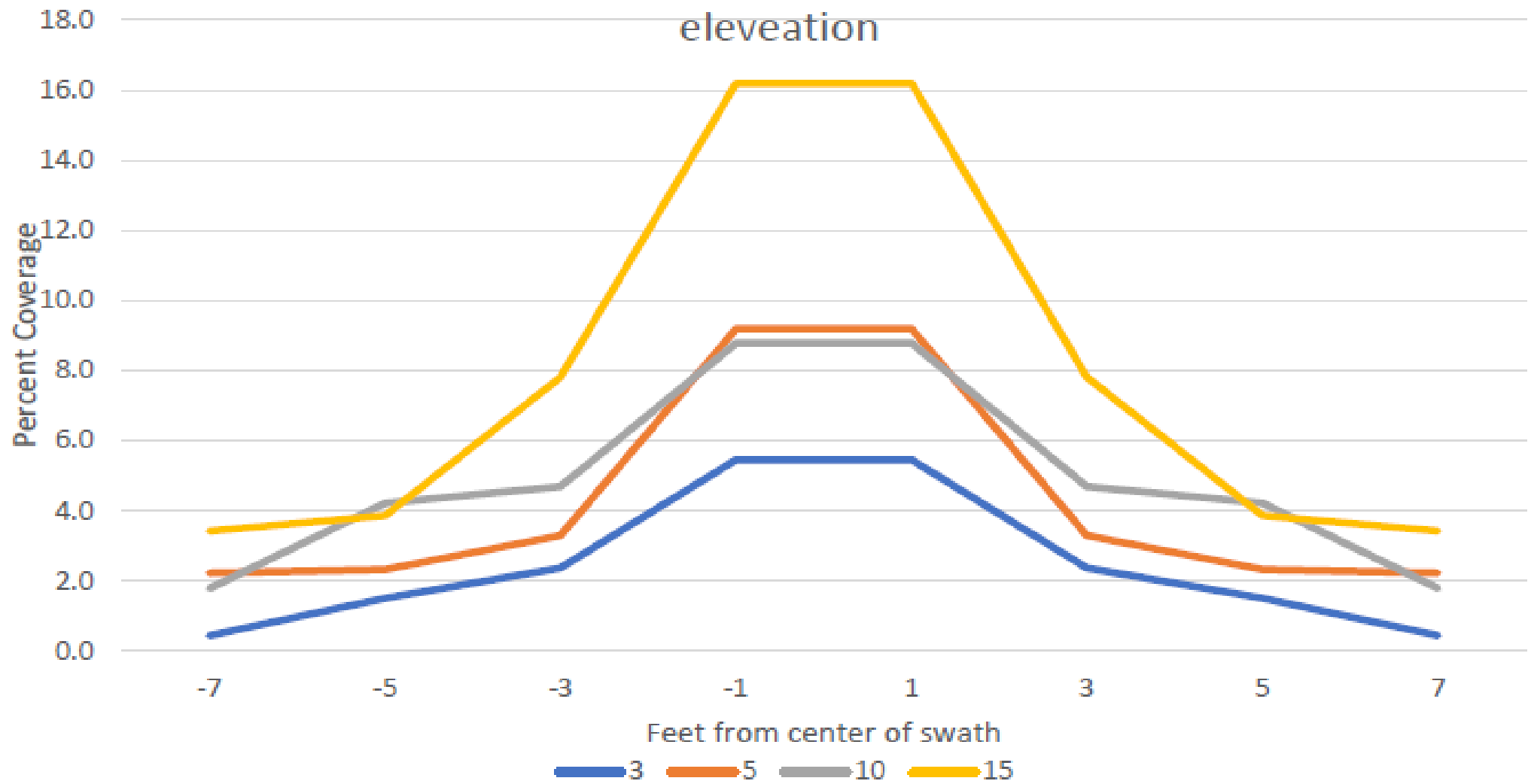
# T40 with Disc 2: Medium and Extra Coarse Setting



Percent droplet coverage Coarser Disc 2 on T40 at 5 GPA and 10 ft elevation

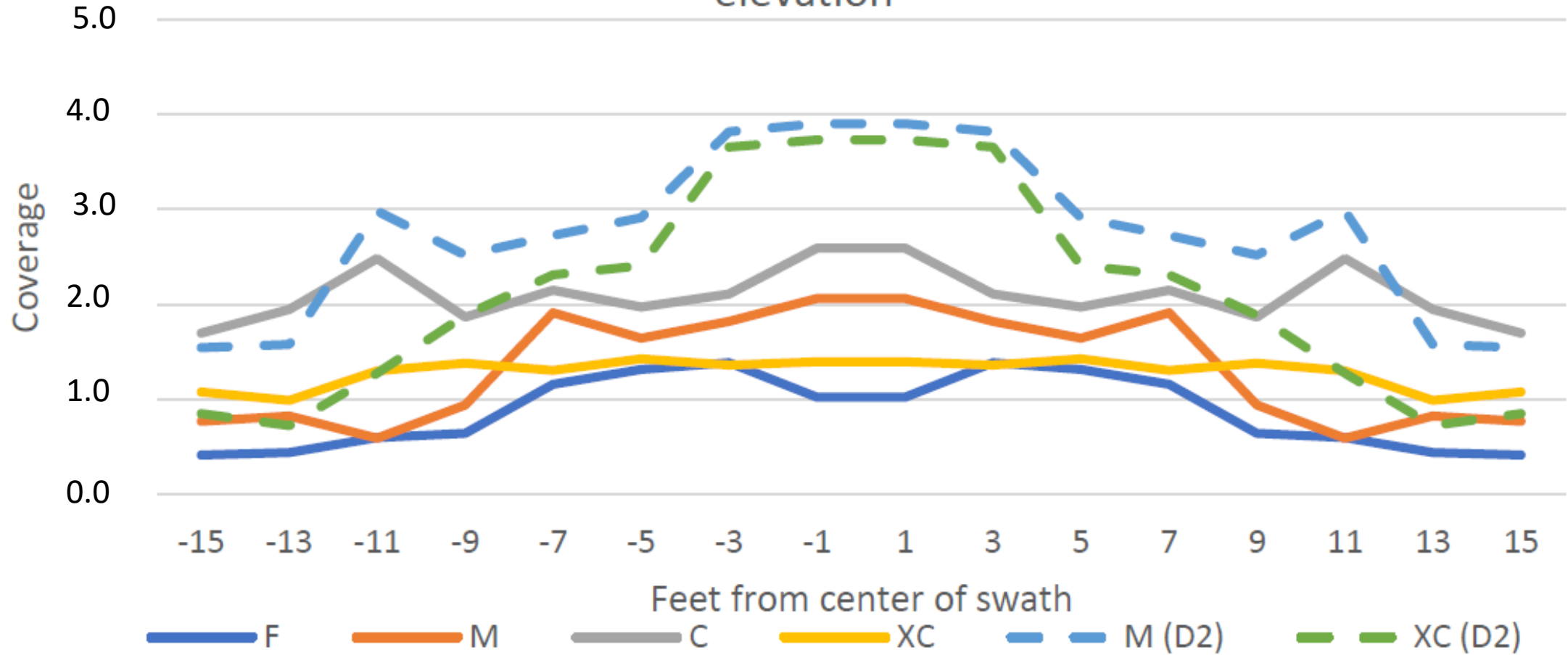


Percent droplet coverage of XR11002 nozzles on T30 at 10 ft elevation





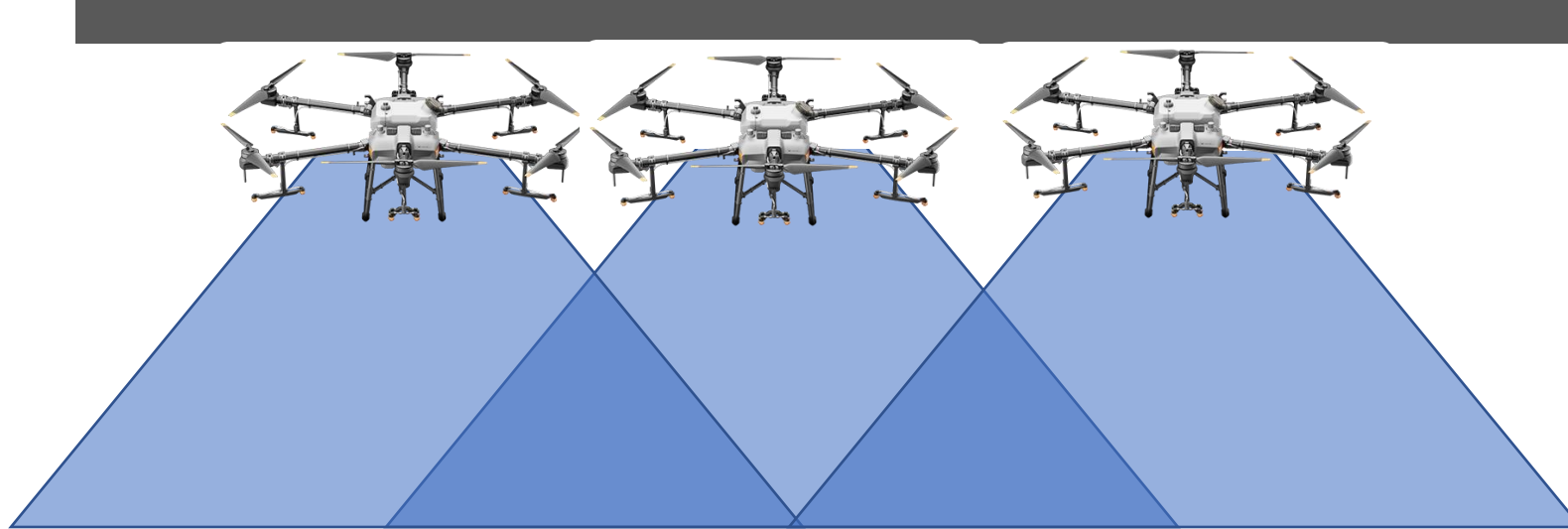
Percent droplet coverage Coarser Disc 2 on T40 at 5 GPA and 10 ft elevation



# BBAAS Nozzle Overlap

50% overlap between nozzles is recommended and very common

100% overlap is produced across swaths



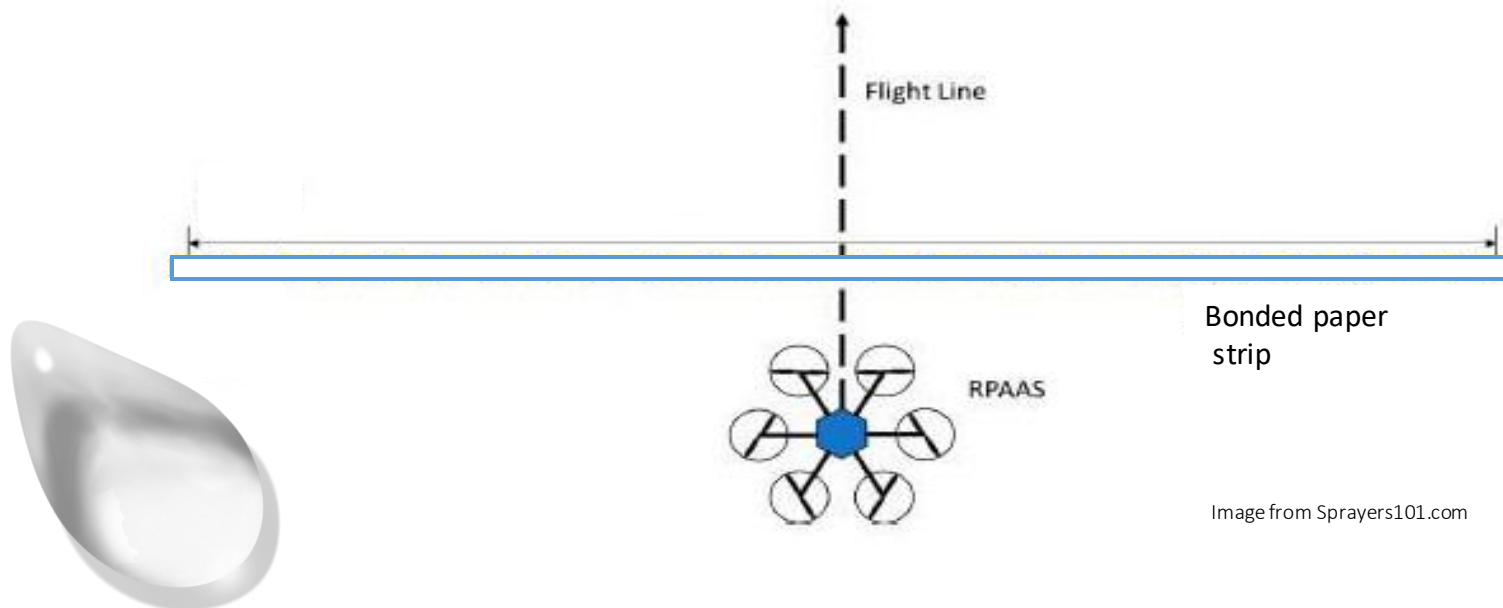
# Swathing Conclusions

- Effective swath with RPAAS is similar to boomless nozzle configurations and need 100% overlap
- Positive correlation between spray volume and target coverage. As applied volume increases so does coverage
- Coarser droplet spectrum appears to hold a better pattern, increases deposition, and resulted in an increase in coverage.
- Further research is needed to better evaluate the effects of speed, height, canopy structure on application efficacy.



# Swathing with New Tools

- Application insights LLC
- “Swath Gobbler”
- Provides analysis of continuous swath scan with dye and bonded paper



Bonded paper strip

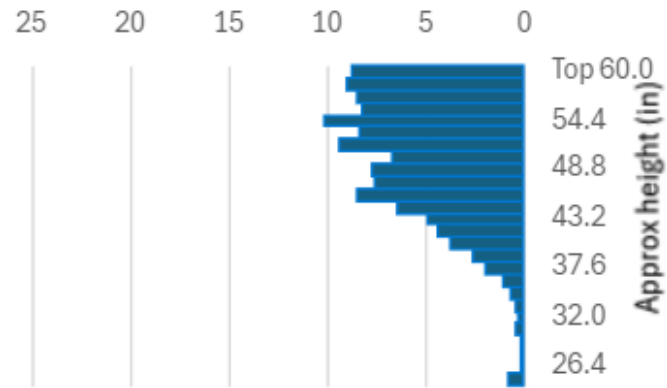
Image from Sprayers101.com



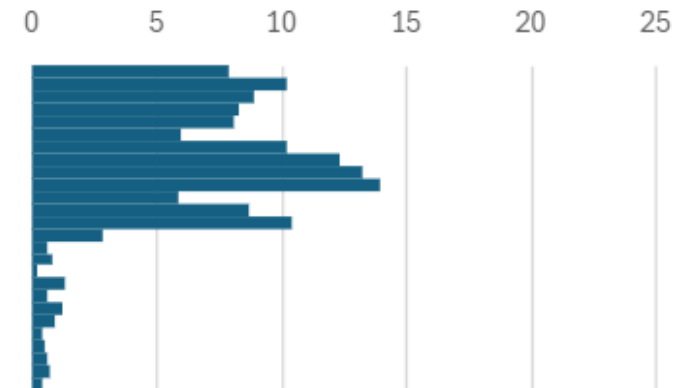
# 3D modeling of coverage in Blackberries



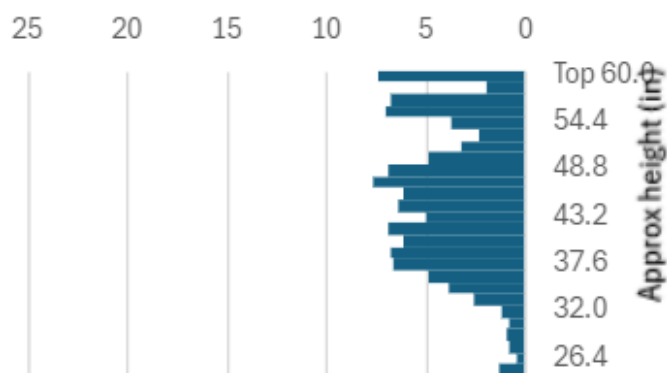
S side, 20 gal, With Rows - Coverage (%)



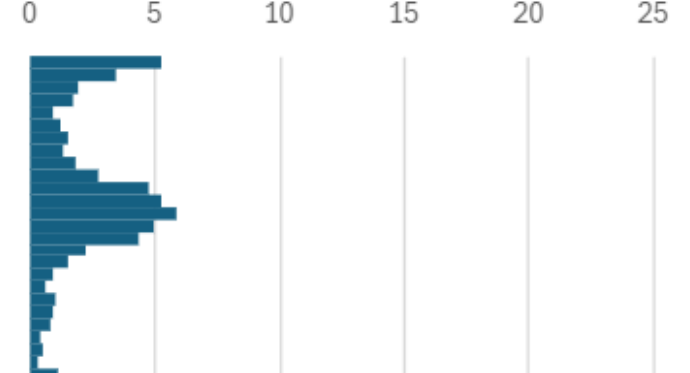
N side, 20 gal, With Rows - Coverage (%)



S side, 10 gal, With Rows - Coverage (%)



N side, 10 gal, With Rows - Coverage (%)



# 3D modeling of coverage in Blackberries

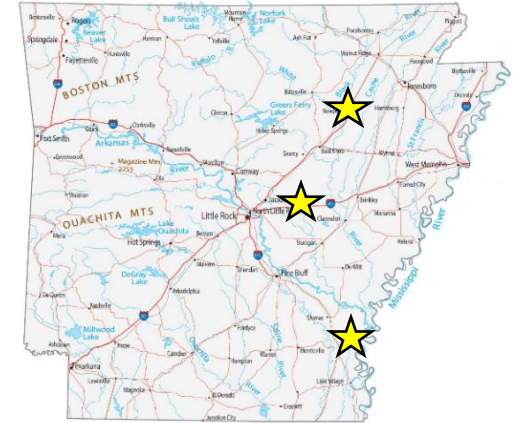


# Coverage & Weed Control

Collaboration between Dr. Tommy Butts, Dr. Jason Davis, and Dr. Terry Spurlock

Two separate studies conducted:

1. Evaluating all-around spray coverage on water sensitive paper with varying application types, nozzle types, and spray volumes
  2. Evaluating top of canopy coverage and weed control from the same application treatments.
- Coverage only study data collection consisted of water sensitive paper placed in three locations (top, front, and back).
  - Weed control study had paraquat 3SE (32 fl oz/ac) plus NIS (0.25% v/v) applied to naturally-occurring populations of winter annual weeds as a spring burndown application.



# Coverage & Weed Control

- Treatments:

- Nozzle type (3)



- XR

- TADF



- ULD



- RPAAS = DJI Agras T30
  - 8-ft flight height
  - 2 GPA =  $7 \text{ m s}^{-1}$  (15.7 mph)
  - 5 GPA =  $2.8 \text{ m s}^{-1}$  (6.3 mph)
- Ground Equip. = Bowman MudMaster
  - 28-inch boom height
  - $1.4 \text{ m s}^{-1}$  (3 mph)

- Application Setup (3)

- RPAAS (2 GPA)

- RPAAS (5 GPA)

- Ground Equipment (10 GPA)

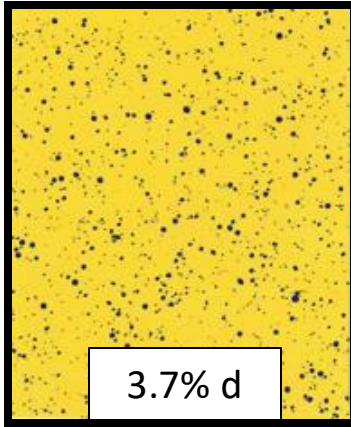




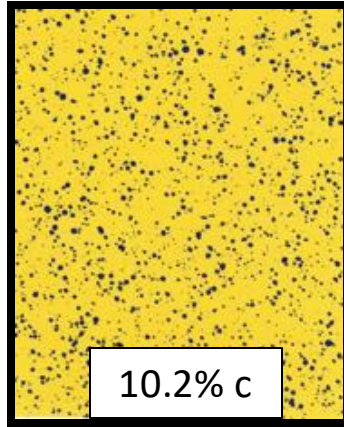
# Coverage (Weed canopy)



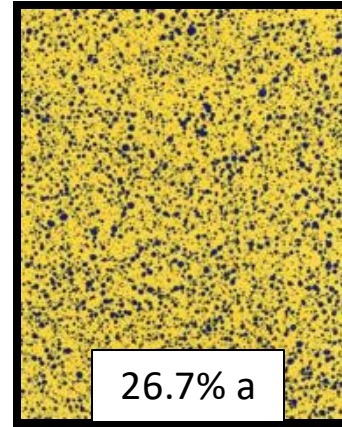
2 GPA



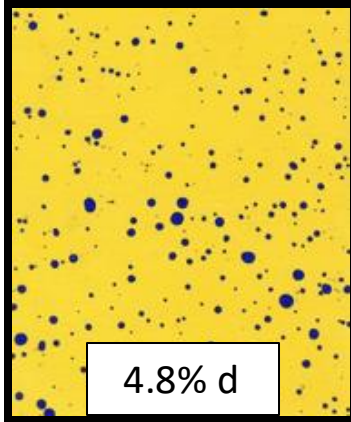
5 GPA



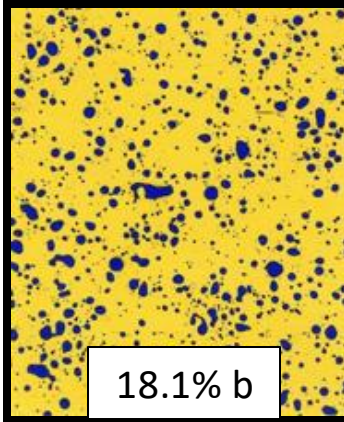
10 GPA



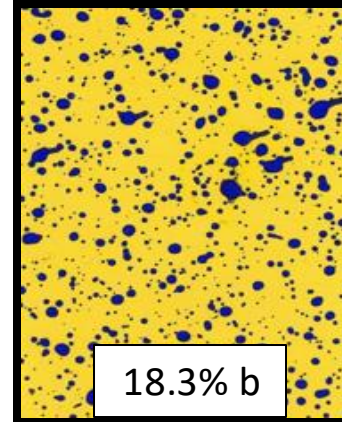
4.8% d



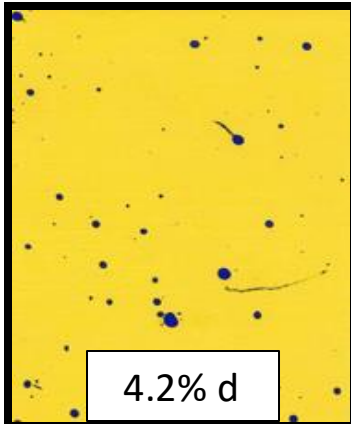
18.1% b



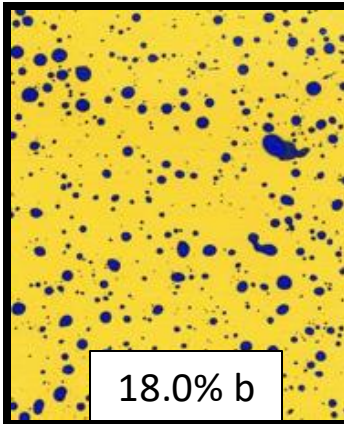
18.3% b



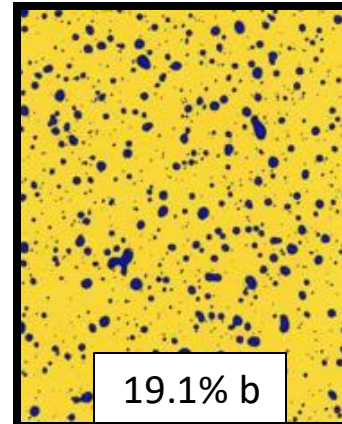
4.2% d



18.0% b



19.1% b



# Top Card

\*2 and 5 GPA =  
RPAAS



\*\*10 GPA =  
MudMaster



# Weed Control

4 WAT

2 GPA, ULD

5 GPA, ULD

10 GPA, ULD

Ratings   Biomass

69% b   56% a

86% a   59% a

83% a   59% a



\*2 and 5 GPA = RPAAS



\*\*10 GPA = MudMaster



# Efficacy Conclusions

- Results suggest that RPAAS operated at 5 GPA can provide equivalent coverage and weed control as a ground sprayer operated at 10 GPA.
- Spray coverage was impacted by more than simply nozzle type and application setup including things like wind direction, surface conditions, nozzle design (dual-fan vs. single-fan), and nozzle orientation.
- Nozzle type did not consistently influence weed control across application setups; however, visual observations indicated nozzle selection significantly influenced the effective swath width of the RPAAS application.
- Further research is needed to evaluate new application system designs, optimal swath widths, heights, and speeds (T40 and T50 series)



# Federal Regulations:

- Part 107 UAS License
- Part 137 Spray/Spreading UAS License
- 44807 Waiver Operating UAS greater than 55 lbs.

# State Regulations

If a pesticide application is made for hire by air (drone is considered air) the following is needed:

- Commercial Firm License with aerial category, including insurance.
- Individual Commercial License with aerial category and other applicable categories needed (i.e. agriculture plants)

If an individual is applying pesticides to their own land by air (drone is considered air) then the following license is needed.

- Private Applicator with pilot Authorization

Each are manned aerial applicator exams

# State Regulations (Equipment Check)

- ✓ • < 145 mph
- ✓ • < 15 above crop canopy application height
- ✓ • Avoid temperature inversion
- ✓ • Specific drift reduction nozzle considerations
- ✓ • Application rate of  $\geq 2$  GPA unless greater on label
- ✓ • Medium droplet classification or greater
- ✗ • Spray nozzle discharge must face rear of aircraft and 10" below trailing edge of wing
- ✗ • Wind shear angle of nozzle discharge  $\leq 30$  degrees
- ? • Boom length divided by wing-span < 0.8 (rotary craft)

# Regulatory Considerations



The screenshot displays a drone control application interface. At the top, a green header reads "Manual Route (GNSS)". The status bar shows 28% battery, 54% signal strength, and 1.69 gal of payload. A red warning box states: "Payload capacity exceeded. Make sure payload added is within 10.4gal".

**Task Settings**

- Spraying Template: 2.5
- Application Rate (gal/acre): 10.01
- Flow Rate: 3.17 gal/min
- Nozzle Droplet Size: 200 µm
- Flight Speed (ft/s): 16.1
- Route Spacing (ft): 14.40
- Height Above Crops (ft): 4.9

**Real-time Data**

Altitude (ft)	Speed (ft/s)	Distance (ft)
0.0	0.0	0.0
Flow (gal/min)	Completed Area	
0.0	0.0	

A "Start" button is visible in the bottom right corner. A circular radar view is also present in the bottom left of the main display area.



# Field Efficiency Considerations

- FAA max speed of 25 mph for 137
- Most battery/payload combinations deplete between 10 and 15 minutes.
- At 2 gpa one 40L (10 gallons) tank can cover 5 acres
  - Approximately 20 – 30 acres per hour
  - 200 – 300 acres per day if running non-stop for 10 hours
- The math changes as we adopt “swarm” technologies.
- Hylio Drones have recently acquired an FAA waiver to:
  - Swarm applications (up to 3 platforms)
  - At night
  - Beyond visual line of sight





# Summary

- RPAAS systems have many advantages when it comes to safe application access.
- There are many field efficiency limitations that are continually improving.
- It is a quickly evolving and increasingly adopted technology
- There is still much to be learned regarding application parameters particularly in cropping systems.
- Both Federal and State regulations (and labels) need refinement to properly direct these applicator as we are integrating them into our cropping systems

**Thank you**

**Jason Davis PhD.  
Assistant Professor of Remote Sensing and Pesticide Application  
University of Arkansas Systems Division of Agriculture  
jdavis@uada.edu  
501-749-2077**

Minutes of  
Arkansas State Plant Board  
Bureau of Standards Committee Meeting  
May 14, 2024  
9:30 a.m.

Committee Members Present    Chairman Robin Ralston, & Bruce Alford

Via Zoom:                            Reynold Meyer, Travis Senter, Robert Thorne, Wilford Jones,

Staff Present:                        Nikhil Soman, Sheila Carter, Tim Chesser, Kristin Walter, Scott Bray,  
Linda Luebke, Corey Seats & Sherry Serffert

Guest Present:                        Linda Alford, Steve Ferren, Arkansas Oil Marketers & Tyler Lachowsky  
Arkansas Oil Marketers

---

Chairman Robin Ralston called the meeting to order at 9:34 a.m. Those in attendance stated their name and affiliation.

Chairman Robin Ralston stated the purpose of the meeting was to review first, second and third offense violations and penalties. Chairman Ralston turned the floor over to Bureau of Standards Director, Nikhil Soman.

Nikhil Soman presented the committee for review and approval are the following cases from January 2024 to April 2024:

- In Attachment 1 – Table 1 cases for Expired and or No Decal(s) there are 67 (Sixty-Seven) First Offenses 9 (Nine) Second Offenses and 3 (Three) Third Offense on Pump(s), Scale(s) or Meter(s). These are First Offenses with a \$350 penalty each, Second Offenses with a \$800 penalty each and Third Offenses with a \$1,350 penalty each.

A motion was made by Bruce Alford seconded by Reynold Meyer to approve the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

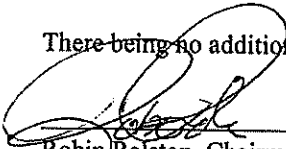
- In Attachment 1 – Table 2 – cases for Misrepresentation of Pricing there are 3 (Three) First Offenses 1 (One) Eighth Offense 3 (Three) Ninth Offense. These are First Offenses with a \$350 penalty each, Second Offenses with a \$800 penalty each, Third Offenses with a \$1,350 penalty each and offenses after that are \$2000 penalty each.

A motion was made by Bruce Alford seconded by Reynold Meyer to approve the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

- In Attachment 1 – Table 3 – cases for Water Contamination Limits there are 12 (Twelve) First Offenses. These are First Offenses with a \$200 penalty each.

A motion was made by Bruce Alford seconded by Reynold Meyer to approve the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

There being no additional business, a motion was made by Bruce Alford and seconded by Robert Thorne to adjourn.



---

Robin Ralston, Chairman

05/14/2024

**Total of 96 Civil Penalties were issued in period February 2024 to April 2024:**

**Attachment 1 - Violations**

**Seventy-Nine for No Decal or Expired Annual Decal Table 1**

Sixty-Seven First Offense

Nine Second Offense

Three Third Offense

**Five for Misrepresentation of Pricing Table 2**

Three First Offense

One Eighth Offense

One Ninth Offense

**Twelve for Water Contamination Table 3**

Twelve First Offense

**OTHER BUSINESS**

None

TABLE 1 - Violation of A.C.A § 4-18-344 NO ANNUAL OR EXPIRED INSPECTION DECAL - SEVENTY NINE VIOLATIONS							
Case File	Business Name	Address	City	Inspection Date	Device	Violation	Civil Penalty
BS 24-0187	Floyd Country Store	355 Hwy 95	Morrilton	January 18, 2024	Pump(s)	First	\$350
BS 24-0188	Road Runner 326	1830 Hwy 9	Morrilton	January 18, 2024	Pump(s)	First	\$350
BS 24-0189	Loves Country Store	1600 Hwy 95	Morrilton	January 18, 2024	Pump(s)	First	\$350
BS 24-0190	Camden Fuel Mart	Hwy 79 & Ryburn Rd	Pine Bluff	January 22, 2024	Pump(s)	First	\$350
BS 24-0191	England Conoco	200 N Main	England	January 30, 2024	Pump(s)	First	\$350
BS 24-0193	Weatherly Exxon	600 N Main	Hamburg	January 29, 2024	Pump(s)	First	\$350
BS 24-0196	Vmart 2 (V Smoke)	914 W Main	Cabot	January 31, 2024	Pump(s)	First	\$350
BS 24-0198	Beyond 6	16038 Hwy 65S	Damascus	February 1, 2024	Meter(s)	First	\$350
BS 24-0199	Beyond 6	2125 Sanders St	Conway	February 1, 2024	Meter(s)	First	\$350
BS 24-0200	Beyond 6	3543 Hwy 367	Higginson	February 21, 2024	Meter(s)	First	\$350
BS 24-0201	Exxon	840 N Main St	Palestine	February 13, 2024	Meter(s)	First	\$350
BS 24-0203	Lonoke First Stop	1021 N Center	Lonoke	February 13, 2024	Pump(s)	First	\$350
BS 24-0204	Gene Simson Big Star 14	25050 E Broadway	West Memphis	February 6, 2024	Scale(s)	First	\$350
BS 24-0205	Rapid Roberts 201	2024 E Van Buren	Eureka Springs	February 6, 2024	Pump(s)	First	\$350
BS 24-0206	Fresh Market 153	22035 Promenade Blvd	Rogers	February 7, 2024	Scale(s)	First	\$350
BS 24-0207	Parsons Exxon	1701 E Main St	Mountain View	February 7, 2024	Pump(s)	First	\$350
BS 24-0208	Super 1 Foods 628	5805 Dollarway Rd	Pine Bluff	February 7, 2024	Scale(s)	First	\$350
BS 24-0209	Nicks Grocery	2095 Hwy 95	Solgohachia	February 7, 2024	Pump(s)	First	\$350

Table 1

Case File	Business Name	Address	City	Inspection Date	Device	Violation	Civil Penalty
BS 24-0210	Pride One Stop	3001 S Pine St	Cabot	February 7, 2024	Pump(s)	First	\$350
BS 24-0211	Mapco Express 3154	1030 Hwy 78	Wheatley	February 13, 2024	Pump(s)	First	\$350
BS 24-0212	Lonoke Food Mart	513 W Front St	Lonoke	February 13,2024	Pump(s)	First	\$350
BS 24-0213	IM Food Mart	3110 S Camden Rd	Pine Bluff	February 13, 2024	Meter(s)	First	\$350
BS 24-0214	Kum & Go 138	1501 W Main St	Jacksonville	February 14, 2024	Pump(s)	First	\$350
BS 24-0215	Murphy USA	940 California Av	Camden	February 14, 2024	Pump(s)	First	\$350
BS 24-0216	Longhill Food Mart & Deli	3820 Congo Rd	Benton	February 15, 2024	Meter(s)	First	\$350
BS 24-0218	Shell Quick Mart	7001 Sheridan Rd	Pine Bluff	February 20, 2024	Pump(s)	First	\$350
BS 24-0219	OK Mart	705 S First St	Jacksonville	February 20, 2024	Pump(s)	First	\$350
BS 24-0220	Hop In Majors Mgmt	500 Carpenter Dam Rd	Hot Springs	February 21, 2024	Pump(s)	First	\$350
BS 24-0222	Hop In Majors Mgmt	4198 Malvern Av	Hot Springs	February 21, 2024	Pump(s)	First	\$350
BS 24-0223	SQRL	6921 AR 35	Benton	February 22, 2024	Pump(s)	First	\$350
BS 24-0224	SQRL	1539 AR 7	Dardanelle	February 22, 2024	Pump(s)	First	\$350
BS 24-0225	SQRL	1100 N Arkansas Av	Russellville	February 21, 2024	Pump(s)	First	\$350
BS 24-0226	Gene Simson Big Star	429 W Broadway	West Memphis	February 22, 2024	Scale(s)	First	\$350
BS 24-0227	West Gate	994 W Washington	Camden	February 22, 2024	Pump(s)	First	\$350
BS 24-0228	Flash Market	1903 S Service Rd	West Memphis	February 22, 2024	Pump(s)	First	\$350
BS 24-0229	Moultrie Mkt	209 W Moultrie Dr	Blytheville	February 23, 2024	Pump(s)	First	\$350
BS 24-0230	Gas Mart	2137 Hwy 79 N	Camden	February 26, 2024	Pump(s)	First	\$350
BS 24-0231	Trumann Citgo	541 Hwy 463	Trumann	February 27, 2024	Pump(s)	First	\$350
BS 24-0232	Kwik Chek Food Mart	800 Bryant St	White Hall	February 27, 2024	Pump(s)	First	\$350

Table 1

Case File	Business Name	Address	City	Inspection Date	Device	Violation	Civil Penalty
BS 24-0233	Conoco	901 Edison Av	Benton	February 27, 2024	Pump(s)	First	\$350
BS 24-0234	MYS Marion	6934 Hwy I55	Marion	February 28, 2024	Pump(s)	First	\$350
BS 24-0235	Smiths Citgo	7012 Hwy 65	Leslie	March 1, 2024	Pump(s)	First	\$350
BS 24-0238	Edwards Food Giant	605 N Illinois Av	Harrisburg	February 29, 2024	Scale(s)	First	\$350
BS 24-0239	Contryside Super Mkt 1	210 N Greenwood Av	Lepanto	February 8, 2024	Pump(s)	First	\$350
BS 24-0251	Bills Cash Saver	206 Hester Parker Dr	Marked Tree	February 8, 2024	Scale(s)	First	\$350
BS 24-0252	DK Delek	1011 N Main St	Palestine	February 12, 2024	Pump(s)	First	\$350
BS 24-0253	Circle K	1954 Hwy 31N	Lonoke	February 8, 2024	Pump(s)	First	\$350
BS 24-0254	Double Quick	601 US 49	Marvell	February 6, 2024	Pump(s)	First	\$350
BS 24-0258	KMN Mart	229 N Walnut	Osceola	March 5, 2024	Pump(s)	First	\$350
BS 24-0259	One Stop 2	1501 S Thompson	Springdale	March 6, 2024	Pump(s)	First	\$350
BS 24-0260	Terri Foods	902 River Rd	Redfield	March 6, 2024	Pump(s)	First	\$350
BS 24-0263	F and S Market	3225 E Broadway	West Memphis	March 7, 2024	Pump(s)	First	\$350
BS 24-0264	Yeagers Jn Quick Stop	301 Court St	Jasper	March 7, 2024	Pump(s)	First	\$350
BS 24-0265	Flash Market 47	100 SE Main St	Monette	March 26, 2024	Pump(s)	First	\$350
BS 24-0266	Monette Co-op	210 E Main St	Monette	March 26, 2024	Pump(s)	First	\$350
BS 24-0268	Lakeside Grocery	25 Hwy 149 N	Heth	March 27, 2024	Pump(s)	First	\$350
BS 24-0269	JV Food & Fuel Mart	485 Hwy 149N	Heth	March 27, 2024	Pump(s)	First	\$350
BS 24-0270	Pruetts Food 4334	500 E Collin Raye	DeQueen	March 27, 2024	Scale(s)	First	\$350
BS 24-0271	Save A Lot	337 W Broadway	West Memphis	March 7, 2024	Scale(s)	First	\$350
BS 24-0272	Marion Mkt Place	220 E Military Rd	Marion	March 10, 2024	Scale(s)	First	\$350



Table 1

Case File	Business Name	Address	City	Inspection Date	Device	Violation	Civil Penalty
BS 24-0275	Springhill Grocery	2725 Springhill Rd	Bryant	March 6, 2024	Pump(s)	First	\$350
BS 24-0280	Loves Travel Stop	1025 S Crawford St	Clarksville	April 12, 2024	Pump(s)	First	\$350
BS 24-0281	Star Food Mart	714 S Main	Brinkley	April 10, 2024	Pump(s)	First	\$350
BS 24-0282	Manila Mart	330 N Baltimore	Manila	April 19, 2024	Pump(s)	First	\$350
BS 24-0284	J Mart	Hwy 365 South 104	White Hall	April 16, 2024	Pump(s)	First	\$350
BS 24-0285	Sunshine Exp Food Mart	1005 W South St	Benton	April 16, 2024	Pump(s)	First	\$350
BS 24-0286	Mac's One Stop	15920 I-30	Benton	April 16, 2024	Pump(s)	First	\$350
BS 24-0194	Weatherly Exxon	600 N Main	Hamburg	February 8, 2024	Pump(s)	Second	\$800
BS 24-0195	Vmart 1 (V Smoke)	3052 S 2nd St	Cabot	January 31, 2024	Pump(s)	Second	\$800
BS 24-0197	P & D One Stop 3	3178 Hwy 425 S	Fountain Hill	January 29,2024	Meter(s)	Second	\$800
BS 24-0202	Road Runner 10	12524 Chenal Pkwy	Little Rock	February 7, 2024	Meter(s)	Second	\$800
BS 24-0221	Exxon	3800 Camp Robinson	NLR	February 20, 2024	Pump(s)	Second	\$800
BS 24-0240	Contryside Super Mkt 1	210 N Greenwood Av	Lepanto	February 8, 2024	Scale(s)	Second	\$800
BS 24-0261	T Ricks 2	105 Hwy 67	Tuckerman	March 21, 2024	Pump(s)	Second	\$800
BS 24-0273	Shell Quick Mart	7001 Sheridan Rd	Pine Bluff	April 5, 2024	Pump(s)	Second	\$800
BS 24-0274	MYS Marion	6934 Hwy 55	Marion	March 13, 2024	Pump(s)	Second	\$800
BS 24-0267	TA Travel Center	408 Hwy 149N	Earle	March 27, 2024	Pump(s)	Third	\$1,350
BS 24-0278	MYS Marion	6934 Hwy 55	Marion	April 3, 2024	Pump(s)	Third	\$1,350
BS 24-0283	Shell Quick Mart	7001 Sheridan Rd	Pine Bluff	April 24, 2024	Pump(s)	Third	\$1,350

TABLE 2 - Violation of A.C.A § 4-18-316 MISREPRESENTATION OF PRICING - FIVE VIOLATIONS							
Case File	Business Name	Address	City	Inspection Date	Accuracy Rate	Violation	Civil Penalty
BS 24-0236	Dollar General	380 S James St	Jacksonville	February 14, 2024	68%	First	\$350
BS 24-0262	Dollar General	1523 E Main St	El Dorado	March 5, 2024	86%	First	\$350
BS 24-0279	Dollar General	3119 E Van Buren	Eureka Springs	April 12, 2024	76%	First	\$350
BS 24-0237	Dollar General	1221 S School Av	Fayetteville	February 20, 2024	78%	Eighth	\$2,000
BS 24-0277	Dollar General	1221 S School Av	Fayetteville	March 25, 2024	84%	Ninth	\$2,000

TABLE 3 - Violation of A.C.A § 4-108-204 (b)(1)(A) and 4-108-207 WATER CONTAMINATION LIMITS NON ETHANOL (1 inch) DIESEL (1 inch) ETHANOL Fuel (1/4 inch) - TWELVE VIOLATIONS									
Case File	Business Name	Address	City	Date of Inspection	Fuel Type	Location	Water inch(s)	Violation	Civil Penalty
BS 24-0241	Airport Plaza	7402 SW Regional Airport Blvd	Bentonville	January 24, 2024	E0 Premium Unleaded	Storage Tank	2.75	First	\$200
BS 24-0243	Hwy 10 One Stop	23724 Hwy 10	Little Rock	January 26, 2024	Hwy Diesel	Storage Tank	4.00	First	\$200
BS 24-0244	Cabot Food & Fuel	9905 Hwy 5	Cabot	Januray 24, 2024	E0 Premium Unleaded	Storage Tank	1.75	First	\$200
BS 24-0245	Strawberry Super Stop	19 E River Dr	Strawberry	January 29, 2024	Regular Unleaded	Storage Tank	8.00	First	\$200
BS 24-0246	J & A One Stop	Hwy 425	Hamburg	January 29, 2024	Regular Unleaded	Storage Tank	2.75	First	\$200
BS 24-0247	Handy Mart	141 Roller Av	Decatur	January 30, 2024	E0 Premium Unleaded	Storage Tank	1.75	First	\$200
BS 24-0249	Baileys Super Stop 1	2801 Hwy 79/167	Fordyce	February 13, 2024	Hwy Diesel	Nozzle	NA	First	\$200
BS 24-0250	Doublebees 109	1509 N Bankhead	Carlisle	February 13, 2024	E0 Premium Unleaded	Storage Tank	1.25	First	\$200
BS 24-0255	Paradise Stores	9128 Hwy 161	NLR	February 16, 2024	Supreme 93 Unleaded	Storage Tank	4.50	First	\$200
BS 24-0256	Littlefield Express 10	2410 SW 14th St	Fort Smith	February 21, 2024	Regular Unleaded	Storage Tank	1.25	First	\$200
BS 24-0257	Caseys 4245	4139 Central Av	Hot Springs	February 25, 2024	E0 Premium Unleaded	Storage Tank	2.00	First	\$200
BS 24-0276	Southern Chef 4	801 N Holman	Brookland	April 5, 2024	Hwy Diesel	Storage Tank	1.75	First	\$200