

Federal Pesticide Certification Rule

Indiana Pesticide Review Board
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Federal Pesticide Certification Rule

- **Federal rule applies to Restricted Use Pesticides.**
 - Running a dual program would be impossible
- **State requirements can be more restrictive.**
- **Almost all state certification programs have exceeded federal standards for many years**

Running dual programs would be impossible to communicate to applicators. One set of rules for those times you use a restricted use pesticide and another set of rules for when you use a general use pesticides would complicate an already challenging system.

Additionally, general use pesticides can and do become restricted use (new dicamba formulations) from time to time.

There are rule changes that are needed in order to make state requirements equivalent to the new federal rule.

Federal Pesticide Certification Rule

- **OISC evaluating what rule changes need to be made.**

Age limitation

Operating under the supervision

Updating exam content

Regulatory Changes

- **The subject matter for equivalency changes already exists in OISC rules**
- **No legislative changes needed**
- **Rule and policy amendments**

The law does not need to be changed.

Changes can be made via

355 IAC 4-1-2.1 (Certification standards and procedures)

355 IAC 4-2-1 (Site Awareness and Direct Supervision of Noncertified Applicators),

355 IAC 4-1-4, private applicator certification requirements

Category 13 (limited certification, policy change)

New Age Limit(s)



- *fully certified applicator must be 18**
- *operating under the supervision (UTS)-must be 18**
- *Private Applicator (farmer) must be 18**
- **only exception is for 16 year olds operating UTS of a PA that is a family member**

Will require a rule change and a policy change.

Rule change: add 18 years of age

By policy and rule, starting in 2020 no one under the age of 18 will be allowed to exam.

The federal rule requires positive ID for examinees and Indiana policy also requires positive ID be presented.

Under the Supervision

- **Age Limit Changes**
- **Annual Training**
- **Daily Equipment Inspection**

Competent person is currently defined as 16. Adjust rule to reflect 18 YOA
Indiana rule currently decent shape. Requires closed book exam, believe that
exceeds federal requirement(s)

****Federal rule requires that UTS applicators be trained yearly-believe RT rule exceeds
this requirement**

****Federal rule requires that equipment be inspected daily by the certified supervisor
before use by technician-needs added into our current rule**

****Annual training for non-credentialed applicators, being supervised onsite.**

State Rules Requiring Tweaks

- Golf Courses
- Schools
- Municipalities (mosquito control)
 - Not required to be RT's

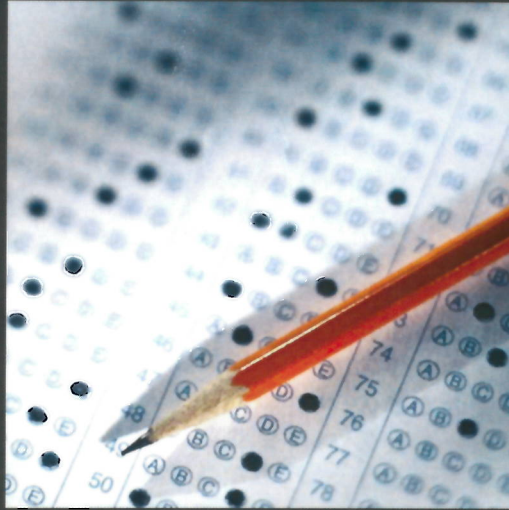
OUR current supervision requirements do not include yearly training.
357 IAC 1-11-1 (mosquito) 357 IAC 1-15-1 (golf courses) 357 IAC 1-16-1(schools)

Rule change:

Yearly training requirement needs added into the supervision portion of the rule
Daily inspection requirement needs added into the rules

Might be able to combine and have a single supervision rule as opposed to having supervision requirements in several different rules.

Exam Content



Federal rule is very prescriptive regarding content

. Our exam development activities are a best effort to conform to professional standards articulated in *Standards for Educational and Psychological Testing (2014)*.

Have had preliminary conversations with EPA regarding our exam SOP-believe it exceeds federal exam content standards.

Core Exam Update

- **“General Standards” exam**
- **Registered Technician (RT) exam**
- **Private Applicator (farmer) exam**

Content that is applicable across all categories.

We will need to update the exam if we intend to continue using it for farmers.

-It was on the schedule for 2020, we simply moved it up in the que.

-Current exam has been given well over 12,000 times.

-Manual and training will require some additional information specific to farmers

*WPS

*Supervision of PA's

Exam Categories



Federal rule added soil fumigation category.

Rule allows for combining the fumigation categories

OISC combined soil fumigation and non-soil fumigation and finished the exam Spring 2018.

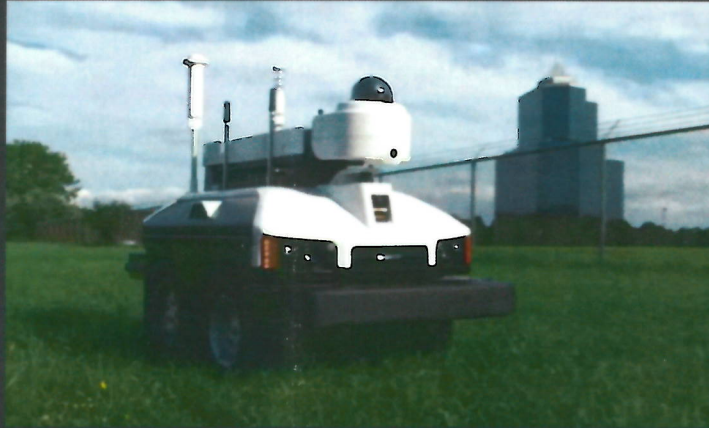
Exam Categories



Federal rule added an aerial category-OISC is using a variant of a national aerial exam that EPA funded

Considering updating and taking the exam through a complete process, adding UAV

Drones, Robots and Emerging Issues



What license must you have?
How can they be used?
Who needs licensed?

Deadlines

- Submit revised “state plan” by March 4, 2020.

EPA has until March 4, of 2022 to approve or reject the modified state plan.
We should have a “first level EPA review” this month.