



**Office of Indiana  
State Chemist**



# Pesticide Rule Revision Proposal

Indiana Pesticide Review Board

June 3, 2021

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# Articles Impacted by the Proposal

- An article is a group of related rules
- 355 indicates State Chemist rule making authority
- 357 indicates Indiana Pesticide Review Board rule making authority
  
- 355 IAC 4... PESTICIDE USE AND APPLICATION
- 355 IAC 5... STORAGE AND SECONDARY CONTAINMENT OF PESTICIDES
- 357 IAC 1... DEFINITION; USE OF PESTIDES

# General Objectives of the Rule Revisions

Incorporate new federal certification & training rule requirements.

- Recognize the different levels of risk between using RUPs vs. GUPs.
- Consolidate certification & training requirements from several rules into one.
- Simplify supervision of non-certified applicator requirements.
- Consolidate record keeping requirements.

Accommodate new civil penalty legislation provisions into rules.

Recognize definitions already established in law & consolidate all article or rule-specific definitions into one section within each article.

Incorporate allowance for new technologies for ease of compliance.

# 355 IAC 4 certification & licensing



Recognize definitions already existing in law.



Consolidate definitions from each rule to new “definitions” section.



Consolidate all commercial applicator activities requiring a license into one rule.



Consolidate for-hire category 3b, 7b & 12 initial training requirements into one rule.



Add “unmanned aerial vehicle” to Category 11 (aerial application).

# 355 IAC 4 supervision of non- certified applicators

Require	Require all regulated users to have a copy of the label at the use site.
Delete	Delete allowance of supervision of non-certified applicators for RUPs.
Allow on	Allow on-site supervision of commercial GUP applications without RT credential.
Maintain	Maintain RT credential requirement for off-site supervision of commercial for-hire GUP applications.
Expand	Expand RT qualification standard to include passing core exam (current) OR attending PPP training (new).
Minimize or eliminate	Minimize or eliminate other supervision details <ul style="list-style-type: none"><li>•10 employee max.</li><li>•Designated supervisor</li><li>•Written site specific instructions</li><li>•Daily equipment inspections</li></ul>

# 355 IAC 4 record keeping

- Expand application record keeping from just RUP, golf course, termiticide & school applications to all licensed applications.
- Add wind speed, wind direction & air temperature to outdoor application records.
- Simplify for-hire termiticide records.
- Add to RUP sales records:
  - License # of purchaser
  - License expiration date
  - License categories of purchaser
  - Signature (current) OR verifiable confirmation (new) of person taking delivery

# 355 IAC 5 storage & containment of pesticides

- Add small package storage requirements.
- Incorporate storage near public wells rules from 357 IAC 1-10.
- Incorporate container open burning rules from 357 IAC 1-13.
- Incorporate pesticide service container rules from 357 IAC 1-14.
- Allow nitrogen stabilizer pesticides to be stored in fertilizer dikes.
- Allow double wall storage containers to serve as secondary containment for bulk pesticides.
- Allow curbed or sloped floors to serve as secondary containment for minibulk pesticides.
- Exempt bulk disinfectant storage at user site from secondary containment requirements.
- Expand the minibulk containment exemption from 30 to 45 days.

# 357 IAC 1...

- Recognize definitions already existing in law.
- Consolidate definitions from each rule to new “definitions” section.
- Repeal distribution of RUP rule (duplicate of 355 IAC 4-4-3).
- Clarify for-hire commercial lawn posting & notification allowances.
- Repeal civil penalty rule (replaced by SEA # 227).
- Repeal violator public listing rule (made obsolete by OISC on-line case summary posting & search tools)
- Repeal pesticide storage near public water supply wells rule (incorporated into 355 IAC 5 storage & containment rules)



# 357 IAC 1...

Repeal	Repeal the community-wide mosquito abatement applicator rule (incorporated into 355 IAC 4 certification & licensing rule).
Replace	Replace the term “harm” in the drift rule with “adverse effect” (now defined in law, as created in SEA #227).
Repeal	Repeal the open burning of pesticide container rule (incorporated into 355 IAC 5 storage & containment rules).
Repeal	Repeal the pesticide service container rule (incorporated into 355 IAC 5 storage & containment rules).
Repeal	Repeal the golf course applicator rule (incorporated into 355 IAC 4 certification & licensing & record keeping rules).
Repeal	Repeal the applicator licensing, pesticide storage, & record keeping sections of the school rule (incorporated into other similar rules)

# Comments or Questions ?

Thank you !

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