

REGULATION 636, HOW IT APPLIES TO YOU

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In December of 1988, the Michigan Pesticide Control Act was significantly amended to promote the safe and effective use of pesticides by ensuring that all commercial pesticide applicators had a minimum baseline of knowledge. To establish a system that would address the concern, MDA proposed major revisions to Regulation 636. The revisions include:

1. Establishment of minimum competency standards for all commercial applicators.
2. Requiring minimum standards for trainers of applicators.
3. Establishment of additional subcategories of certification for commercial applicators.
4. Broadening record keeping requirements for commercial applicators.
5. Allowing exemptions to the registered applicator program for incidental use.
6. Establishment of a mechanism for allowing restricted use pesticides to be applied by registered applicators that are not being directly supervised, unless prohibited by the label.
7. Changing the expiration date for registration or certification credentials to December 31.

One major component of the regulation is the establishment of a registered technician program. This program will be targeted for persons that are applying pesticides as part of their normal work assignment. By definition, a registered technician is a person who is not a certified applicator and who is:

- a. Authorized to apply general or restricted use pesticides for a commercial purpose or,
- b. Applies pesticides as scheduled and required work assignment in the course of his or her employment on the property of another person for any purpose.

In order for a person to be qualified as a registered technician, the person must complete the following:

1. Submit and complete the appropriate application and fee (\$25.00 commercial, \$10.00 private).
2. Pass an examination covering the following:
  - appropriate procedures for the application of pesticides
  - label and labeling comprehension
  - pest identification and pest management
  - safety factors
  - the potential environmental consequences of the use and misuse of pesticides as they may be influenced by such factors as environmental fate of pesticides and their effect on nontarget organisms.
  - applicable state and federal laws and regulations.

3. Receive verifiable, category-specific training from a person that is an approved trainer. The verifiable training program must also be approved by MDA.

As the training program must be conducted by an approved trainer, it is important to know what an approved trainer is. An approved trainer is a person who is a certified applicator with a minimum of two years of experience that has successfully completed a training program approved by the director. Persons wishing to become approved trainers should contact Dr. Larry Olsen, Pesticide Education Coordinator, Michigan State University to inquire when and where the next training class is scheduled. The training course includes:

- the required program content for pesticide applicator training.
- procedures for verifying, and the responsibility of the trainer to verify training.
- submission of necessary forms for the registration or certification of applicators.
- the various methods of effective communication for the presentation of education material.

At the training program, individuals will have the opportunity to discuss the various requirements of the regulation. It will be the responsibility of either industry associations or individual firms to develop and submit the appropriate training programs to MDA. MDA would like to encourage the development of industry models in order to expedite the review process. Currently, MDA is working with industry organizations to develop adequate models. Regulation 636 also further defines the responsibility of certified applicators. Any certified applicator that functions in a supervisory capacity is responsible for the application of pesticides by persons under their control or supervision. The certified applicator is responsible even though they may not be physically present at the application site.

Lastly, Regulation 636 more clearly defines the recordkeeping requirements for pesticides applicators. Commercial applicators must keep records of general use pesticides for one year and restricted use pesticide applications for three years. The records need to include:

- the name and concentrate of the pesticide applied
- the amount of pesticide applied
- the target pest or purpose
- the date the pesticide was applied
- the address or location of pesticide application
- where applicable, the method and the rate of application

It is anticipated that Regulation 636 will become final in June of 1991. Once signed, industry has three months to comply with the Regulation.

The department has also initiated the rule-making process for Regulation 637 (Pesticide Use). Regulation 637 will address the following:

- posting, notification, contracts, false advertising
- pesticide labeling/protective equipment
- mixing, loading, rinse pads
- integrated pest management.

Each of these areas are pertinent to pesticide use and in need of clearer definition. The department would welcome any constructive comments on either of these two regulations.

For information on these regulations or any other pesticide related matter, please contact either Keith Creagh or Katherine Fedder at (517)373-1087.

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